



On Administrative Infractions

Unofficial translation

The Code of the Republic of Kazakhstan dated 5 July 2014 No. 235-V

Unofficial translation

Footnote: Through the whole text of the Code:

the words “tax body”, “tax bodies”, “in a tax body”, “body of tax service”, “bodies of tax service” are substituted by the words “state revenues body”, “state revenues bodies”, “in the state revenues body”; the words “customs body”, “customs bodies” are substituted by the words “state revenues body”, “state revenues bodies” in accordance with the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

SECTION 1. GENERAL PROVISIONS

Chapter 1. LEGISLATION ON ADMINISTRATIVE INFRACTIONS

Article 1. Legislation of the Republic of Kazakhstan on administrative infractions

1. Legislation of the Republic of Kazakhstan on administrative infractions consists of this Code.
2. This Code is based on the Constitution of the Republic of Kazakhstan, generally accepted principles and rules of international law.
3. International contractual and other obligations of the Republic of Kazakhstan, as well as regulatory resolutions of the Constitutional Council and Supreme Court of the Republic of Kazakhstan regulating administrative delictual legal relations that are the component part of the legislation on administrative infractions.
4. International treaties ratified by the Republic of Kazakhstan shall have a priority before this Code and shall be applied directly, except for the cases when it follows from the international treaty that for its application the issuance of the law is required. If international treaty ratified by the Republic of Kazakhstan establishes other rules than those provided by the legislation of the Republic of Kazakhstan on administrative infractions, the rules of the international treaty shall be applied.

Article 2. Basis for administrative liability

Basis for administrative liability is commission of the act containing all signs of component elements of the infraction provided in the Special part of this Code.

Article 3. Force of the legislation of the Republic of Kazakhstan on liability for administrative infractions in space

1. The person that committed administrative infraction in a territory of the Republic of Kazakhstan shall be subject to liability according to this Code.
2. Administrative infraction committed in a territory of the Republic of Kazakhstan shall be recognized as the act that was commenced or continued or was completed in a territory of the Republic of Kazakhstan. Force of this Code shall also apply to administrative infractions committed in a continental shelf and in exclusive economic zone of the Republic of Kazakhstan.
3. The person that committed administrative infraction on a ship registered at a port of the Republic of Kazakhstan and being in open water or air space outside the borders of the Republic of Kazakhstan shall be subject to administrative liability according to this Code, unless otherwise provided by the international treaty of the Republic of Kazakhstan. According to this Code, the person that committed administrative infraction on a warship or military aircraft of the Republic of Kazakhstan shall also

bear administrative liability independently from its location.

4. The issue on administrative liability of diplomatic representatives of foreign states and other foreign persons that enjoy immunities in case of commission of the infraction by these persons in a territory of the Republic of Kazakhstan shall be resolved in accordance with the rules of international law.

Article 4. Force of the legislation of the Republic of Kazakhstan on liability for administrative infractions in time

1. The person that committed administrative infraction shall be subject to liability on the basis of the legislation being valid during commission of this infraction.

2. Time of committing administrative infraction shall be recognized as the time of carrying out the act provided by the Special part of this Code, independently from time of ensuing of consequences.

Article 5. Retroactive force of the Law on administrative infractions

1. The Law that mitigating or exempting administrative liability for administrative infraction or otherwise improving position of a person that committed administrative infraction shall have a retroactive force, in other words shall apply to the infraction committed before entering of this Law into force and in respect of which, the decree on imposition of administrative sanction is not performed.

2. The Law establishing or strengthening administrative liability for administrative infraction or otherwise aggravating the position of a person shall not have a retroactive force.

Footnote. Article 5 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Chapter 2. TASKS AND PRINCIPLES OF THE LEGISLATION ON ADMINISTRATIVE INFRACTIONS

Article 6. Tasks of the legislation on administrative infractions

1. Legislation on administrative infractions is tasked with protection of rights, freedoms and legal interests of a human and citizen, health, sanitary epidemiological welfare of population, environment, public morality, property, public order and safety, established order of carrying out the state power and state management, rights and interests of organizations protected by the law from administrative infractions, as well as prevention of their commission.

2. For carrying out of this task, the legislation on administrative infractions shall establish the grounds and principles of administrative infraction, determines which acts are administrative infractions and types of sanctions imposed for their commission, as well as which administrative sanction, by which state body (civil servant) and in which manner may be imposed on a person that committed the administrative infraction.

Article 7. Meaning of principles of the legislation on administrative infractions

Meaning of principles of the legislation on administrative infractions is that their violation depending on its character and essentiality entail recognition of the accomplished proceeding on a case as invalid, revocation of decisions delivered in the course of such proceeding or recognition of materials that are not valid as evidences collected by this.

Article 8. Legality

1. Administrative infractions, measures of administrative sanction, measures of supporting the proceeding on the case on administrative infraction and measures of administrative legal effect shall be determined only by this Code. No one may be subjected to administrative infraction, measures of administrative legal effect or measures of supporting the proceeding on the case on administrative infraction otherwise as on the basis and in the manner established by this Code.

2. Court, bodies (civil servants) being authorized to consider the cases on administrative infractions upon proceeding on the cases on administrative infractions shall be obliged to comply exactly the requirements of the Constitution of the Republic of Kazakhstan, this Code, other regulatory legal acts mentioned in Article 1 of this Code. The Constitution of the Republic of Kazakhstan shall have a supreme legal force and direct force in the whole territory of the Republic of Kazakhstan. In case of inconsistency between the rules established by the Law and the Constitution of the Republic of Kazakhstan, the provisions of the Constitution shall be applied.

3. Courts shall not have the right to apply the Laws and other regulatory legal acts derogating rights and freedoms of a human and citizen vested by the Constitution of the Republic of Kazakhstan. If the court detects that the Law or another regulatory legal act subjected to application derogates the rights and freedoms of a human and citizen vested by the Constitution, it shall be obliged to suspend the proceeding on case and refer to the Constitutional Council of the Republic of Kazakhstan with a recommendation on recognizing this act as unconstitutional. Upon receipt of decision of the Constitutional Council by the court, the proceeding on case shall be revived.

Decisions of courts and bodies (civil servants) being authorized to consider the cases on administrative infractions based on the Law or another regulatory legal act recognized as unconstitutional shall not be subject to execution.

4. Breach of the Law by a court, bodies (civil servants) being authorized to consider the cases on administrative infractions upon proceeding on cases on administrative infractions shall be inadmissible and entail the liability established by the Law, recognition of adopted acts as invalid and their repeal.

Article 9. Equality before the Law and court

In the course of proceeding on the cases on administrative infractions, all are equal before the Law and court. No one may be subjected to any discrimination based on origin, social, official and property status, gender, race, nationality, language, attitude to religion, convictions, residence places or by any other circumstances.

Article 10. Presumption of innocence

1. The person in respect of whom the case on administrative infraction is initiated shall be considered guiltless, unless his (her) guilty is proved in the manner provided by this Code and established by the decree of a judge, body (civil servant) entered into legal force that considered the case within own powers.

2. No one is obliged to prove own guiltless.

3. Any doubts in guilty shall be interpreted in favor of a person in respect of whom the case on administrative infraction is initiated. The doubts arising upon application of the legislation on administrative infractions shall be also resolved in his (her) favor.

Article 11. Principle of guilt

1. Individual shall be subject to administrative liability only for those infractions in respect of which his (her) guilty is established. Objective opinion, in other words, the administrative liability for guiltless infliction of harm by the individual shall not be allowed.

2. Individual that committed the act intentionally or carelessly shall be recognized guilty in administrative infraction.

Article 12. Inadmissibility of repeated bringing to administrative infraction

No one may be brought to administrative infraction twice for one and the same infraction.

Article 13. Principle of humanism

Administrative sanction applied to a person that committed infraction may not be aimed at infliction of physical sufferings or abasement of human dignity.

Article 14. Personal immunity

1. No one may be subjected to administrative detention, bringing, delivery to internal affairs bodies (police) or other state bodies, personal inspection and inspection of the items of property being at individual or other measures of supporting proceeding on the case on administrative infraction other than on the grounds and in the manner established by this Code.

2. Administrative arrest as a measure of administrative sanction may be imposed only under decree of a judge in cases and in the manner established by this Code.

3. Each detained person, subjected to bringing, delivered to the internal affairs bodies (police) or other state body shall be informed immediately on the grounds for detention, bringing, delivery, as well as legal classification of the administrative infraction, the commission of which is charged with him (her).

4. State body (civil servant) shall be obliged to release immediately a person being detained, subjected to bringing, delivery unlawfully or being under administrative arrest in excess of the term provided by the decree of a judge.

5. No one of those persons participating in a case on administrative infraction may be subject to tortures, violence, cruel treatment or degrading human dignity.

6. Commission of the actions in the process of proceeding on the case on administrative infraction against the will of a person or his (her) representative, violating personal immunity shall be possible only in cases and in the manner provided directly by this Code.

7. Detention of a person in respect of whom the administrative arrest is elected as a measure of administrative sanction, as well as person being subjected to administrative detention shall be carried out in conditions excluding a threat of his (her) life and health.

8. Harm inflicted to an individual in a result of illegal administrative arrest, detention in conditions being harmful for life and health, cruel treatment with him (her) shall be subject to compensation in the manner provided by the Law.

Article 15. Respect of honor and dignity of person

1. Upon proceeding on cases on administrative infractions, the decisions and actions degrading honor or derogating dignity of a person participated in the case shall be prohibited, the collection, use and distribution of details on private life, and equally details of personal and business character that the person considers necessary to keep in secret shall not be allowed for the purposes not provided by this Code.

2. Moral damage inflicted to a person in the course of proceeding on the cases on administrative infractions by illegal actions of a court, other state bodies and civil servants shall be subject to compensation in the manner established by the Law.

Article 16. Inviolability of private life and protection of secret

Private life, personal, family, commercial and other secret protected by the Law shall be under the protection of the Law. Everyone shall have the right to secrecy of personal contributions and funds, correspondence, postal, telegraph and other messages. Restriction of these rights in the course of proceeding on the case on administrative

infraction shall be allowed only in cases and in the manner established directly by the Law.

Article 17. Inviolability of property

1. Property shall be guaranteed by the Law. No one may be deprived of own property other than under the court decision.

2. Withdrawal of property and documents; removal from controlling transport vehicles, small size vessels; detention of a transport vehicle, small size vessel; survey of transport vehicles, small size vessels; inspection of territories, premises, transport vehicles, goods, other property, as well as the relevant documents, application of other measures of ensuring the proceeding on the case on administrative infraction encroaching on the property may be performed only in cases and in the manner provided by this Code.

Article 18. Independency of court (judge) and body (civil servant) being authorized to consider the cases on administrative infractions

Courts (judges) and bodies (civil servants) being authorized to consider the cases on administrative infractions shall resolve them in conditions that exclude outside influence on them. Any interference in activity of a court (judge) and body (civil servant) being authorized to consider the case on administrative infractions shall be inadmissible and entail the liability established by the Law.

Article 19. Release from obligation to give testimonies

1. No one shall be obliged to give testimonies against oneself, husband (wife) and own close relatives, the circle of which is determined by the Law.

2. Churchmen shall not be obliged to testify against those who became confidential with them in confession.

3. In cases provided by parts one and two of this Article, the mentioned persons shall have the right to refuse from giving testimonies and may not be subjected to any liability for this.

Article 20. Ensuring of rights to qualification legal assistance

1. Everyone shall have the right to receive qualification legal assistance in the course of administrative proceeding in accordance with provisions of this Code.

2. In cases provided by the Law, the legal assistance shall be rendered without payment.

Article 21. Publicity of proceeding on the cases on administrative infractions

1. Court, bodies (civil servants) being authorized to consider the cases on administrative infractions shall carry out the proceeding on these cases on a public basis.

2. In accordance with the Law, the closed proceeding shall be carried out in respect of the cases containing details being the state secrets, as well as upon satisfaction of a court, body (civil servant) being authorized to consider the cases on administrative infraction, petition of a person participating in the case relating to necessity of keeping a secrecy of adoption, preservation of personal, family, commercial or another secrecy protection by the Law, details on intimacy of individuals or to other circumstances impeding to public hearing.

3. Personal correspondence and personal telegraph messages of individuals may be announced upon opened proceeding only with the agreement of the persons between which there were correspondence and telegraph messages. Otherwise, the personal correspondence and personal telegraph messages of these persons shall be announced and studied upon closed proceeding. Mentioned rules shall be applied also upon study of photo- and cine

documents, sound- and video records, information on electronic carriers containing details of personal character.

4. Persons participating in a case, and individuals attending upon opened proceeding shall have the right to fix the course of the proceeding in written or with the use of audio recording from the places taken by them in a premise where the proceeding is carried out. Cine- and photo survey, video recording, radio, television and internet broadcast in the course of proceeding shall be allowed under permission of a court, body (civil servant) being authorized to consider the cases on administrative infractions, considering the opinions of the persons participating in the case. These actions shall not impede normal course of proceeding and may be restricted in time.

Article 22. Safety ensuring in the course of proceeding

Proceeding on the cases on administrative infractions shall be conducted in conditions ensuring normal work of a court, body (civil servant) being authorized to consider the cases on administrative infractions, and security of participants of the proceeding. For the purpose of safety ensuring, the judge, civil servant may give an order to conduct inspection of the persons willing to attend upon the proceeding on case, including inspection of documents certifying their identity, personal inspection and inspection of items of property carried by them.

Article 23. Freedom of contesting procedural decisions and appeal of procedural actions

1. Force of the body (civil servant) being authorized to draw up minutes on the cases on administrative infractions may be appealed, and the decisions of a court, body (civil servant) being authorized to consider the cases on administrative infractions may be contested in the manner established by this Code.

2. Person participating in a case shall have the right to review the decrees on the cases on administrative infractions in the manner established by this Code.

3. Reversion of a claim to the damage of a person that filed the claim, or to the damage of the person in behalf of whom it was filed shall not be allowed.

Article 24. Judicial protection of rights, freedoms and legal interests of a person

1. Everyone shall have the right to judicial protection of own rights and freedoms. Interested person shall have the right to go in court for protection of violated or contested rights, freedoms or interests protected by the Law.

2. Prosecutor shall have the right to refer to the court with a suit (application) for the purpose of carrying out of obligations imposed on him (her) and for protection of the rights of individuals, organizations, public and state interests.

3. The court jurisdiction provided by the Law may be changed for no one, without his (her) agreement.

4. Court shall be obliged to explain the right provided by part five of Article 683 of this Code to a legal representative of the person in respect of whom the proceeding on the case on administrative infraction is conducted or injured party being minors or those deprived of a possibility to exercise own rights according to own physical or mental condition.

Section 2. ADMINISTRATIVE INFRACTION AND ADMINISTRATIVE LIABILITY

GENERAL PART

Chapter 3. ADMINISTRATIVE INFRACTION

Article 25. Administrative infraction

1. Administrative infraction shall be recognized as an illegal, guilty (intentional or careless) action or omission of an individual or illegal action or

omission of a legal entity for which this Code provides the administrative liability.

2. Administrative liability for infractions provided by Articles of the Special part of this Code shall occur if these infractions upon own character do not entail criminal liability in accordance with the legislation.

Article 26. Commission of administrative infraction intentionally

Administrative infraction shall be recognized committed intentionally, if the individual that committed it realized illegal character of own action (omission), foresaw its harmful consequences and wished or admitted consciously occurrence of these circumstances or referred to them indifferently.

Article 27. Commission of administrative infraction carelessly

Administrative infraction shall be recognized committed carelessly, if the individual that committed it foresaw a possibility of occurrence of harmful consequences of own action (omission), but relied lightmindedly on their prevention without sufficient grounds or did not foresee the possibility of occurrence of such consequences, however upon proper attention and foresight should and could foresee them.

Chapter 4. ADMINISTRATIVE LIABILITY

Article 28. Persons subjected to administrative liability

They are shall be subject to administrative liability:

- 1) mentally competent individual that up to the date of completion or suppression of an administrative infraction attained sixteen years;
- 2) legal entity.

Article 29. Legal insanity

Individual that during commission of illegal action provided by this Code was in a condition of insanity, in other words could not realize actual character and danger of own actions (omission) or manage by them due to chronicle mental disease, temporary mental disorder, feeble-mindedness or other diseased mental state shall not be subject to administrative liability.

Article 30. Administrative liability of civil servants

Civil servant shall be brought to administrative liability upon condition of commission of administrative infraction due to non-fulfillment or improper fulfillment of the official obligations. In the absence of this circumstance, the civil servant being guilty in commission of administrative infraction shall be subject to liability on a common basis.

Note. Civil servants in this Code shall be recognized as persons that carrying out or carried out the functions of a public officer permanently, temporary or on a special power up to the date of commission of administrative infraction or performing or performed organizational management or administrative economic functions in the state institutions, subjects of quasi-public sector, bodies of local self-government up to the date of commission of administrative infraction.

Article 31. Special aspects of administrative liability upon fixation of infraction by special technical means

1. In case of fixation of administrative infraction by certified special monitoring and test technical means and devices, the possessors (owners) of transport vehicles shall be brought to administrative liability for administrative infractions in the field of road traffic.

2. Possessor (owner) of a transport vehicle shall be released from administrative liability for infractions committed with participation of this transport vehicle, if in the course of inspection upon his (her) message or application the person in possession of which it was at the moment of fixation of the infraction is established or it was withdrawn in a result of illegal actions of other persons.

Note.

Owners of transport vehicles in Articles of this Code shall be recognized as individuals owning the transport vehicle on the basis of the right of ownership, as well as individuals to whom the transport vehicles belonging to individuals and legal entities are transferred in temporary possession and use.

Certified special monitoring and test technical means and devices in Articles of this Code shall be regarded as technical means and devices of supervision and fixation of infractions, that passed metrological testing, photo-, video equipment, fixing a fact and time of committing the infraction, type, brand, state registration number plate, as well as speed and moving direction of the transport vehicle.

Article 32. Administrative liability of a military servant, prosecutor and other persons to which the force of disciplinary charters or special provisions is applied for commission of administrative infractions by them

1. Military servants and draftees being at military trainings shall bear liability for administrative infractions committed upon fulfillment of official publication according to disciplinary charters, with the exception of cases provided by Articles 652 and 680 of this Code. Servants of special state and law enforcement bodies for administrative infractions committed upon fulfillment of official obligations shall bear liability in accordance with the regulatory legal acts regulating the order of servicing in the relevant bodies.

2. For violation of regime of the State border of the Republic of Kazakhstan, regime in point of passage across the State border of the Republic of Kazakhstan and customs border of the Customs Union, legislation of the Republic of Kazakhstan in the scope of protection of the state secrets, sanitary epidemiological welfare of population, requirements of fire security, traffic rules, customs rules outside the service place, legislation of the Republic of Kazakhstan on business accounting and financial reporting, budget and tax legislation of the Republic of Kazakhstan, legislation of the Republic of Kazakhstan on state procurements, rules of hunting, fishing, other rules and norms of rational use and protection of natural resources of a person mentioned in a part one of this Article, shall bear administrative liability on common basis. Administrative sanctions in the form of deprivation of the right of bearing and keeping firearms and cold arms and administrative arrest may not be applied in respect of mentioned persons.

3. Administrative sanction in the form of administrative fine may not be applied to military servants doing active military service, and cadets of military and special educational institutions.

4. Bodies (civil servants) provided by the right to impose administrative sanctions instead of imposing administrative sanctions to the persons mentioned in parts one and three of this Article shall transfer materials on infractions to the relevant bodies for resolution of the issue on bringing guilty persons to disciplinary liability.

Footnote. Article 32 as amended by the Laws of the Republic of Kazakhstan dated 07.11.2014 No. 248-V (shall be enforced from 01.01.2015); dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 33. Administrative liability of private notaries, judicial enforcement agent, defence attorneys, individual entrepreneur and legal entities

1. Private notaries, private officers of justice, defence attorneys, individual entrepreneurs and legal entities shall be subject to administrative liability for administrative infraction in cases provided by the Special part of this section.

2. Individual entrepreneur and legal entities shall be subject to administrative

liability for administrative infraction, if the act (action or omission) provided by the Special part of this section was committed, sanctioned, approved by the body, person carrying out the management functions of individual entrepreneur or legal entity performing organizational and management or administrative and economic functions.

3. Structural subdivisions of a legal entity that are independent tax payers and that committed administrative infractions in the field of tax assessment and customs affairs shall bear administrative liability as legal entities.

4. Bringing of individual entrepreneurs and legal entities to administrative liability shall release a worker of the individual entrepreneur and legal entity from administrative infraction for such infraction.

Article 34. Administrative liability of foreign persons, foreign legal entities and stateless persons

1. Foreign persons, foreign legal entities, their branches and representatives and stateless persons that committed administrative infractions in a territory of the Republic of Kazakhstan, as well as in a continental shelf of the Republic of Kazakhstan shall be subject to administrative liability on common basis.

2. Structural subdivisions (branches and representatives) of foreign and international non-profit non-governmental associations shall bear administrative liability for the breach of the legislation of the Republic of Kazakhstan on public associations as legal entities.

3. The issue on administrative liability for administrative infractions committed in a territory of the Republic of Kazakhstan by diplomatic representatives of foreign states and other foreign persons that enjoy immunities shall be resolved in accordance with the rules of international law.

Chapter 5. CIRCUMSTANCES EXCLUDING ADMINISTRATIVE LIABILITY

Article 35. Necessary defence

1. Commission of act provided by this Code in a condition of necessary defence, i.e. upon defence of a person, dwelling place, property, land field and other rights of defender or other persons, interests of a society of the state protected by the Law from illegal offences by infliction of harm to offender, if there are no exceeding limits of necessary defence, shall not be administrative infraction.

2. All the persons shall have the right to necessary defence in equal measure independent from their professional or other special training and service position. This right shall belong to a person independent from a possibility to avoid illegal offence or request assistance from other persons or state bodies.

3. Exceeding limits of necessary defence shall be recognized as obvious non-conformance of defence to character and level of hazard of the offence, in a result of which the obviously excessive harm not caused by a situation is inflicted to offender. Such excess shall entail administrative liability only in cases of intended infliction of the harm.

4. The persons that exceeded the limits of necessary defence due to fear, fright or confusion caused by illegal offence shall not be subject to administrative liability.

Article 36. Detention of a person that committed offence

1. Commission of act provided by this Code upon detention of a person that committed illegal offence for bringing of this person to the state bodies and suppression of a possibility of committing new offences by him (her) shall not be recognized as administrative infraction, if there are no other opportunities to detain such person by other means and if there are no exceeding limits required for these measures.

2. Exceeding measures required for detention of a person that committed offence

shall be recognized as their obvious non-conformance to character and level of hazard of the offence committed by the detained person and to circumstances of detention, when the obviously exceeding harm not caused by situation is inflicted in respect of the persons without necessity. Such exceeding shall entail administrative liability only in cases of intentional infliction of harm.

3. Injured parties and other individuals shall have the right to detain a person that committed offence, together with the specially authorized persons.

Article 37. Extreme necessity

1. Infliction of harm to interests protected by this Code in a condition of extreme necessity, i.e. for elimination of hazard threatening directly to life, health, rights and legal interests of such person or other persons, interests of a society or the state, if this hazard might not be eliminated by other means and by this if there are no exceeding limits of extreme necessity shall not be recognized as administrative infraction.

2. Exceeding limits of extreme necessity shall be recognized as infliction of harm obviously not conformed to character and level of threatened danger and situation, in which the danger was eliminated when the harm equally or more essential that eliminated was inflicted to the interests protected by the Law. Such exceeding shall entail liability only in cases of intentional infliction of harm.

Article 38. Physical or psychic compulsion

1. Commission of the act provided by this Code in a result of physical or psychic compulsion, if due to such compulsion the person might not manage own actions (omission) shall not be recognized as administrative infraction.

2. Issue on administrative liability for infliction of the harm to interests protected by the Code in a result of psychic compulsion, as well as in a result of physical compulsion due to which the person preserved a possibility to manage own actions, shall be resolved in consideration of provisions of Article 37 of this Code.

Article 39. Execution of an order or regulation

1. Commission of the act provided by this Code by a person that acted for executing compulsory order or regulation shall not be recognized as administrative infraction. The person that gave illegal order or regulation shall bear administrative liability for commission of such act.

2. Persons that committed intentional administrative infraction for execution of knowingly illegal order or regulation shall bear administrative liability on common basis. Non-execution of knowingly illegal order or regulation shall exclude the administrative liability.

Chapter 6. ADMINISTRATIVE SANCTION AND MEASURES OF THE STATE LEGAL EFFECT

Article 40. Definition and purposes of administrative sanction

1. Administrative sanction is a measure of the state enforcement applied by the judge, bodies (civil servants) authorized by the Law for commission of administrative infraction, and consists in deprivation or restriction of the rights and freedoms of a person that committed such infraction provided by this Code.

2. Administrative sanction shall be applied for the purpose of education of a person that committed infraction, in the spirit of compliance with requirements of the legislation and respect of a legal order, as well as prevention of committing new infractions as the offender himself (herself), so by other persons.

3. Administrative sanction shall not be aimed at infliction of physical suffers to a person that committed administrative infraction, or degrading his (her) human dignity, as well as infliction of the harm to business reputation of a legal entity.

4. Administrative sanction shall not be the means of compensation for the property

damage. Harm inflicted by the administrative infraction shall be compensated in the manner provided by Article 59 of this Code.

Article 41. Types of administrative sanctions

1. The following administrative sanctions may be applied for commission of administrative infractions:

- 1) notification;
- 2) administrative fine;
- 3) confiscation of a subject being a tool or subject of committing administrative infraction, and equally the property received due to commission of the administrative infraction;
- 4) deprivation of a special right;
- 5) deprivation of permission or suspension of its validity, as well as exclusion from register;
- 6) suspension or prohibition of the activity;
- 7) compulsory demolition of the built structure or the structure under construction on illegal basis;
- 8) administrative arrest;
- 9) administrative expulsion of a foreign person or stateless person beyond the borders of the Republic of Kazakhstan.

2. For commission of administrative infractions to the legal entities, the administrative sanctions listed in subparagraphs 1) - 5) and 7) of a part one of this Article, as well as suspension or prohibition of activity or separate types of activity of a legal entity may be applied.

Article 42. Main and additional measures of administrative sanctions

1. Caution, administrative fine, administrative arrest may be applied only as main administrative sanctions.

2. Deprivation of a special right, deprivation of permission or suspension of its validity, as well as exclusion from register, suspension or prohibition of the activity or its separate types, as well as administrative expulsion of foreign persons or stateless persons beyond the borders of the Republic of Kazakhstan may be applied as main, so additional administrative sanctions.

3. Confiscation, compulsory demolition of the built structure or the structure under construction on illegal basis may be applied only as additional administrative sanction.

Article 43. Notification

Notification consists of official giving of negative evaluation of committed infraction by the body (civil servant) authorized to impose administrative sanction and of warning an individual or legal entity on inadmissibility of unlawful behavior. Notification shall be delivered in written form.

Article 44. Administrative fine

1. Administrative fine (hereinafter - fine) is a money recovery imposed for administrative infraction in cases and limits provided in Articles of the Special part of this section, in amount being relevant to particular quantity of monthly calculation index established in accordance with the Law acting up to the date of initiation of a case on administrative infraction.

In cases provided in Articles of the Special part of this section, the amount of fine shall be expressed in percentage from:

- 1) a sum of environmental damage;
- 2) sum of non-fulfilled or fulfilled improperly tax obligation;
- 3) sum of unpaid (non-transferred), untimely and (or) incompletely paid

(transferred) social expenditures;

4) sum of non-transferred, untimely and (or) incompletely calculated, dedicated (accrued) and (or) paid (transferred) compulsory pension contributions and compulsory professional pension contributions;

5) sum of a cost of sub-excite goods received in a result of illegal entrepreneurship;

6) sum being unaccounted in accordance with requirements of the legislation of the Republic of Kazakhstan on business accounting and financial reporting or properly accounted;

7) sum of a transaction (operation) consummated (conducted) with the violation of the financial legislation of the Republic of Kazakhstan;

8) sum of income (profit) received in a result of carrying out of monopolistic activity or breach of the legislation of the Republic of Kazakhstan on electric power industry, on natural monopolies and regulated markets, legislation of the Republic of Kazakhstan regulating activity of a financial market and financial organizations;

9) cost of energy resources used in excess of approved normative standards for the period in which the infraction is occurred, but no more than for one year;

10) sum of non-accepted national and foreign currency.

If in provided Articles of the Special part of this section, the amount of fine is expressed in percentage from a sum of operation conducted with violation of the rules of financial legislation of the Republic of Kazakhstan, and such operation is conducted in a foreign currency, the recount of a sum of fine in tenge shall be carried out according to official exchange rate established by the National Bank of the Republic of Kazakhstan up to the date of drawing up a protocol on administrative infraction.

2. Amount of fine imposed on an individual may not exceed five hundred monthly calculation indices.

Amount of fine imposed on a civil servant, private notary, private officer of justice, defence attorney, subjects of small entrepreneurship, as well as non-commercial organizations may not exceed seven hundred fifty monthly calculation indices.

Amount of fine imposed on subjects of medium entrepreneurship may not exceed one thousand monthly calculation indices.

Amount of fine imposed on subjects of large entrepreneurship may not exceed two thousand monthly calculation indices.

3. Fine calculated in accordance with item two of a part one of this Article may be established in amounts exceeding or less than established amounts of fines mentioned in this Article.

4. Fine shall be recovered to the revenue side of the state budget in the manner established by the legislation, with the exception of fines imposed by akims of cities of district significance, villages, rural settlements, rural districts in accordance with Article 729 of this Code.

Footnote. Article 44 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 271-V (shall be enforced from 01.01.2015).

Article 45. Confiscation of a subject being a tool or subject of committing administrative infraction, as well as property received due to commission of administrative infraction

1. Confiscation of a subject being a tool or subject of committing administrative infraction, as well as property received due to commission of administrative infraction consists in their compulsory non-repayable conversion into the ownership of the state in the manner established by the legislation.

Withdrawal of s subject subjected to return to the owner from illegal possession of a person that committed administrative infraction or withdrawn from turnover shall

not be recognized as confiscation. Subject withdrawn from the turnover shall be subject to conversion into the ownership of the state or destruction.

2. Only the subject being a property of a violator shall be subject to confiscation, unless otherwise provided by the Special part of this Code.

3. Confiscation of hunting weapon, ammunition to it and other permitted hunting and fishing tools may not be applied to persons for which the hunting (fishery) is a main legal source of living.

4. Confiscation shall be applied by a judge and may be imposed in cases when it is provided by the relevant Article of the Special part of this section as the administrative sanction.

Article 46. Deprivation of a special right

1. Deprivation of a special right provided to particular person shall be applied by a judge.

2. Term of deprivation of a special right may not be less than one month and more than two years.

3. The term for deprivation of the right to operate transport vehicles may not be less than six months and more than ten years.

4. Deprivation of the right to operate transport vehicles may not be applied to persons that use these vehicles due to disability, with the exception of cases of avoiding pass of certification of the state of intoxication in the established manner, as well as leaving a scene of a traffic accident by mentioned persons in violation of established rules the participants of which they were.

5. Deprivation of the right of hunting, fishing, keeping and bearing hunting weapon, ammunition to it and fish-tackles may not be applied to persons for whom the hunting (fishery) is a main legal source of living, with the exception of systematic violation of the order of using this right.

Article 47. Deprivation of permission or suspension of its validity, as well as exclusion from register

1. Deprivation of permission shall be imposed by a judge for administrative infraction committed upon carrying out of the activity of commission of determined actions (operations) provided by the permission considering the provisions of parts three, four and five of this Article.

2. Suspension of validity of permission shall be established for a term up to six months.

3. Suspension or deprivation of permission for carrying out the activity in a financial scope and activity linked with concentration of financial resources, with the exception of deprivation of permission of a credit bureau shall be carried out by the National Bank of the Republic of Kazakhstan on the grounds and in the manner established by the Laws of the Republic of Kazakhstan.

4. Exclusion from register shall be carried out by the authorized body in the scope of the customs affairs on the grounds and in the manner established by the customs legislation of the Republic of Kazakhstan, and authorized body in the field of transport and communications, as well as authorized body on safety ensuring of road traffic on the grounds and in the manner established by the legislation of the Republic of Kazakhstan in the field of road traffic safety.

5. Exclusion from register of microfinance organizations shall be carried out by the National Bank of the Republic of Kazakhstan on the grounds and in the manner established by the legislation of the Republic of Kazakhstan on microfinance organizations.

Note. For the purpose of this Code, the deprivation of permission or suspension of its validity is the deprivation of a license, special permission, qualification

attestation (certificate), or suspension of its validity for a particular type of activity or commission of particular action, as well as another permission document provided by the Law of the Republic of Kazakhstan "On permissions and notifications".

Article 48. Suspension or prohibition of activity or its separate types

1. Suspension or prohibition of activity or its separate types consists in temporary termination of the activity of prohibition of activity or its separate types of individuals and (or) legal entities, as well as branches, representatives, structural subdivisions of legal entities, production areas, as well as operation of aggregates, buildings and structures, carrying out of separate types of activity (work), rendering of services.

2. Suspension or prohibition of activity or its separate types shall be carried out only in a judicial proceeding on the basis of materials of the body (civil servant) authorized to consider the cases on administrative infractions, if for commission of administrative infraction it is possible to impose sanctions in the form of suspension or prohibition of the activity. Consideration of such cases by the court shall be carried out within ten days.

3. Suspension of activity or its separate types shall be established by the court for a term up to three months.

4. Before consideration of the case in court, the measure of ensuring in the form of suspension or prohibition of the activity or its separate types may be applied to an individual or legal entity in the manner provided by Article 801 of this Code. In this case, the term of suspension or prohibition of the activity or its separate types shall be included into the term of suspension or prohibition of the activity or its separate types if this measure of administrative sanction will be applied by the court.

Article 49. Compulsory demolition of the built structure or the structure under construction on illegal basis

Compulsory demolition of the built structure or the structure under construction on illegal basis shall be imposed by a judge in cases provided by Articles of the Special part of this section.

Article 50. Administrative arrest

1. Administrative arrest shall be established for a term up to thirty days, and for violation of requirements of emergency regime – up to the term of five days. Administrative arrest shall be imposed by a judge in exclusively cases within the limits provided in Articles of the Special part of this section.

2. Administrative arrest may not be applied to pregnant women and women having children at the age up to fourteen years, to the persons that did not attain eighteen years, to disabled persons of the groups I and II, as well as to women at the age over fifty right years and to men over sixty three years.

3. Term of administrative detention shall be included into the term of administrative arrest.

Footnote. Article 50 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 51. Administrative expulsion of foreign persons or stateless persons beyond the borders of the Republic of Kazakhstan

1. Administrative expulsion of foreign persons or stateless persons beyond the borders of the Republic of Kazakhstan shall be applied by a judge as a measure of administrative sanction in the manner and on the grounds that are provided by the Special part of this Code.

Provisions of this part shall not apply to the cases of expulsion of foreign

persons or stateless persons carried out in the manner provided by the civil procedural legislation of the Republic of Kazakhstan.

2. In case if in the course of administrative proceeding, the person in respect of whom the measure of administrative sanction in the form of administrative expulsion beyond the borders of the Republic of Kazakhstan may be applied, informs on committed act in respect of him (her) recognized as grave or especially grave crime in accordance with the Criminal Code of the Republic of Kazakhstan, the consideration of a case on administrative infraction in respect of this person shall be postponed until making decision on a message or application in the manner established by Article 179 of the Criminal procedural code of the Republic of Kazakhstan.

Article 52. Measures of administrative legal effect

1. The following measures of administrative legal effect may be applied to the person that committed administrative infraction for the purpose of prevention of committing new infractions by this person:

- 1) inspection of knowledge of traffic rules;
- 2) establishment of special requirements to behavior of an offender.

2. Measures of administrative legal effect mentioned in a part one of this Article may be applied together with imposition of administrative sanction, so instead of it upon release of a person that committed administrative infraction from administrative liability on the ground provided by Article 64 of this Code.

Footnote. Article 52 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 53. Inspection of knowledge of traffic rules

Drivers of transport vehicles that committed infractions provided by Articles 590 (part ten), 591 (part two), 592 (part four), 593 (part eight), 594 (part four), 595 (part four), 597 (parts five and six), 598 (part three), 599 (part two), 600 (part two), 601 (part two), 602 (part two), 613 (part thirty) of this Code, shall be directed to exam for inspecting knowledge of traffic rules.

Regulations on direction for inspecting knowledge of traffic rules shall be issued by the bodies (civil servants) being authorized to consider the cases on administrative infractions provided by mentioned Articles of this Code.

Article 54. Establishment of special requirements to behavior of an offender

1. Upon consideration of a case on administrative infraction upon a petition of participants of a proceeding on the case on administrative infraction and (or) internal affairs bodies, the court may establish special requirements to behavior of a person that committed administrative infraction provided by Articles 73, 128, 131, 436, 442, 461 of this Code for a term from three months up to one year fully or separately providing a prohibition to:

- 1) seek, persecute, visit the injured party, hold oral, telephone negotiations and come in contact with him (her) by other methods including minors and (or) his (her) disabled family members;
- 2) acquire, store, carry and use firearms and other types of weapons;
- 3) minors to visit particular places, go to other locations without permission of a commission on protection of the rights of minors.

2. Upon establishment of special requirements to behavior of a person that committed administrative infraction in the scope of family relations, for the purpose of protection and defence of an injured party and his (her) family members, in exclusive cases, the court shall have the right to apply a measure of administrative legal effect in the form of prohibition for the person that committed domestic violence to reside in individual residential house, flat or another dwelling place with the injured party in

case if this person has another dwelling place for the term up to thirty days.

3. Within the validity term of special requirements to behavior of an offender, he (she) may be imposed by obligations to come to internal affairs bodies for a prophylactic conversation from one up to four times per month.

Chapter 7. IMPOSITION OF ADMINISTRATIVE SANCTION

Article 55. Common rules of imposing a sanction for administrative infraction

1. Administrative sanction for administrative infraction shall be imposed within the limits provided in Article of the Special part of this section for this administrative infraction in a precise conformance to provisions of this Code.

2. Administrative sanction shall be fair, conforming to the character of an infraction, circumstances of its commission, personality of an offender.

3. Upon imposition of administrative sanction on an individual, the character of committed administrative infraction, personality of a guilty person, as well as his (her) behavior before and after commission of the infraction, material status, circumstances mitigating and aggravating liability shall be considered.

4. Upon imposition of administrative sanction on a legal entity, the character of administrative infraction, material status, circumstances mitigating and aggravating liability shall be considered.

5. Imposition of administrative sanction shall not release a person from fulfillment of the obligation, for non-fulfillment of which the mentioned sanction was imposed, elimination of committed violations and compensation for harm.

6. One main or main and supplementary administrative sanction may be imposed for one administrative infraction.

Article 56. Circumstances mitigating liability for administrative infraction

1. Circumstances mitigating liability for administrative infraction shall be recognized as:

1) penitence of a guilty person;

2) prevention of harmful consequences of an infraction by a person that committed the administrative infraction, voluntary compensation for harm or elimination of inflicted harm;

3) commission of administrative infraction under the influence of intense emotional excitement or upon coincidence of grave personal or family circumstances;

4) commission of administrative infraction by a minor;

5) commission of administrative infraction by a pregnant woman or woman having a child at the age up to fourteen years;

6) commission of administrative infraction in a result of physical or psychic compulsion;

7) commission of administrative infraction upon violation of conditions of the legality of necessary defence, detention of a person that committed illegal offence, execution of an order or regulation;

8) commission of administrative infraction carelessly for the first time.

2. Court (judge), body (civil servant) considering the case on administrative infraction may also recognize the circumstances not mentioned in a part one of this Article as mitigating.

Article 57. Circumstances aggravating liability for administrative infractions

Circumstances aggravating liability for administrative infractions shall be recognized as:

1) continuation of offending behavior in spite of explanation of the Law by a

prosecutor and (or) requirement of the authorized persons to terminate it;

2) repeated commission of homogeneous administrative infraction within a year, for which the person was already subject to administrative sanction, on which the term provided by Article 61 of this Code is not expired;

3) involvement of a minor in administrative infraction;

4) involvement of persons that knowingly for a guilty person suffer from severe mental disease, or the persons that did not attain the age of administrative liability in commission of administrative infraction;

5) commission of administrative infraction based on national, racial and religion hatred or enmity, based on revenge for legal actions of other persons, as well as for the purpose of hiding other infraction or simplify its commission;

6) commission of administrative infraction in respect of a person or his (her) close relatives due to performance of official, professional or public duty by this person;

7) commission of administrative infraction in respect of a woman being pregnant knowingly for a guilty person, as well as in respect of an infant, other defenceless or helpless person or a person being in dependence from the guilty person;

8) commission of administrative infraction by group of persons;

9) commission of administrative infraction in conditions of natural disaster or upon other cases of emergency;

10) commission of administrative infraction in a condition of alcohol, drug or substance abuse intoxication. Court (judge), body (civil servant) imposing the administrative sanction may not to recognize this circumstance as aggravating depending on a character of administrative infraction.

Article 58. Imposition of administrative sanctions upon commission of several administrative infractions

1. Upon commission of two or more administrative infractions by one person, the administrative sanction shall be imposed for each infraction separately.

2. If the person committed several administrative infractions that are considered by one and the same judge, body (civil servant), then in case of imposition of one and the same type of sanction on this person, the final size of the sanction may not exceed three-stage maximum limit established by this Code for this type of sanction, and the administrative arrest may not exceed the term established by a part one of Article 50 of this Code.

3. In case if administrative fines are expressed in percentage from a sum of non-fulfilled or fulfilled improperly tax obligations established by the legislative acts, during their imposition for commission of several administrative infractions, the fine shall be recovered for each administrative infraction separately.

Footnote. Article 58 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 59. Compensation for harm inflicted by administrative infraction

1. Judge upon consideration of a case on administrative infraction which inflicted the property damage, upon solution of the issue on imposition of administrative sanction shall recover the same damage at one time, if there is no dispute on its size.

Disputes on a size of property damage inflicted by administrative infraction shall be considered in the manner of civil proceeding.

2. Compensation of property damage on affairs on administrative infractions being considered by other authorized bodies (civil servants) in case of refusal of a guilty person from his (her) voluntary compensation shall be performed in the manner of civil proceeding.

3. Requirements on protection of business reputation or compensation for moral damage inflicted by administrative infraction shall be considered in the manner of civil proceeding on the grounds provided by the Civil Code of the Republic of Kazakhstan.

Article 60. Calculation of terms of administrative sanction

Term of administrative arrest shall be calculated in days, and deprivations of a special right provided to an individual or legal entity, as well as deprivations of permission or suspension of its validity shall be calculated in years, months or calendar days.

Article 61. Term within which the person is considered as subjected to administrative sanction

Person on which the administrative sanction is imposed for administrative infraction shall be considered as subjected to this sanction within a year from the date of completion of execution of a decree on imposition of the administrative sanction.

Chapter 8. RELEASE FROM ADMINISTRATIVE LIABILITY AND ADMINISTRATIVE SANCTION

Article 62. Release from administrative liability due to expiration of limitation period

1. Person shall not be subject to bringing to administrative liability upon expiry of two months from the date of commission of administrative infraction, and for commission of administrative infraction in the field of environmental protection- upon expiry of one year from the date of its commission, except for the cases provided by this Code.

2. Individual shall not be subject to bringing to administrative liability for commission of administrative corruption infraction, as well as infraction in the field of tax assessment, scope of the customs affairs, legislation of the Republic of Kazakhstan on pension benefits, on compulsory social insurance, on energy saving and increase of energy sufficient, on state secrets, natural monopolies and regulated markets and anti-monopoly legislation upon expiry of one year from the date of its commission, and legal entity (as well as individual entrepreneur) shall not be subject to bringing to administrative liability for commission of the administrative corruption infraction, as well as infractions in the field of the legislation of the Republic of Kazakhstan on energy saving and increase of energy efficiency upon expiry of three years from the date of its commission, and for infraction in the field of tax assessment, scope of the customs affairs, legislation of the Republic of Kazakhstan on pension benefits, on compulsory social insurance, natural monopolies and regulated markets and antimonopoly legislation - upon expiry of five years from the date of its commission.

3. Upon continuing administrative infraction, as well as upon commission of the administrative infraction in the field of budget relations infringing interests of society and the state protected by the Law, the person shall not be subjected to bringing to administrative liability upon expiry of two months from the date of detection of the administrative infraction.

Upon commission of administrative infraction in the field of finances, the person shall be subject to bringing to administrative liability no later than five years from the date of commission of the administrative infraction, but may not be brought to administrative liability upon expiry of two months from the date of detection of administrative infraction.

4. Provisions of parts one and three of this Article shall not apply to the cases when the administrative infraction promotes committing criminal infraction and it becomes known in the course of investigation or judicial consideration of the criminal case. In the manner provided by a part one of Article 405 of the Criminal Procedural Code of the Republic of Kazakhstan, the court shall have the right to impose

administrative sanction on a person being guilty in such infraction, if from the date of commission of administrative infraction no more than one year has passed.

5. Running of the term of imposing administrative sanction for administrative infraction shall be suspended from the date of appointment of an examination, as well as directing a case in judicial instances or to civil servant of the state body authorized to consider the cases on administrative infractions.

Calculation of these terms shall be renewed from the date of receipt of the results of the examination.

6. In case of termination of a criminal case in existence of signs of administrative infraction in actions of an offender, the person may be brought to administrative liability no later than three months from the date of receipt of decision on its termination.

7. Running of the term of imposing a sanction for administrative infraction shall be interrupted, if until expiration of the terms mentioned in parts one and three of this Article the person commits new administrative infraction. Calculation of the term in these cases shall begin from the date of detection of new administrative infraction.

8. Decree of a judge or authorized body on termination of administrative proceeding independent from the term provided in a part one of this Article, may be reconsidered upon a protest of a prosecutor within year from the date of its entering into legal force.

Note. Continuing infraction shall be recognized as infraction that is characterized by continuous carrying out of one element of certain act provided by Article of the Special part of this section, and not completed up to the date of its detection.

Article 63. Release from administrative liability and administrative sanction based on amnesty act

1. Person that committed administrative infraction may be released from administrative liability or imposed administrative sanction on the basis of amnesty act, if this act removes applying of the administrative sanction.

2. Amnesty act shall be issued by the Parliament of the Republic of Kazakhstan in respect of individually indefinite range of persons.

Article 64. Release from administrative liability due to conciliation of parties

1. Cases on administrative infractions provided by Articles 73, 79 (part one), 146, 185, 186, 220, 229 (part two) of this Code shall be initiated not otherwise than upon application of an injured party and shall be subject to termination due to his (her) conciliation with a person that committed administrative infraction.

2. Conciliation shall be carried out on the basis of written agreement signed by an injured party and the person that committed administrative infraction.

Chapter 9. ADMINISTRATIVE LIABILITY OF MINORS

Article 65. Administrative liability of minors

1. Minors to which the force of this chapter is applied shall be recognized as the persons that at the time of commission of administrative infraction attained sixteen years, but did not attain eighteen years.

2. Administrative sanction with application of the measures of educational influence may be imposed on a minor that committed administrative infraction.

Article 66. Special aspects of applying administrative sanctions to minors

1. Size of administrative fine imposed on a minor may not exceed ten monthly calculation indices independently from size of the fine provided by Article of the Special part of this section.

In the absence of property of the minor being sufficient for payment of the fine, the fine shall be imposed on parents or persons substituting them.

2. Deprivation of a special right may be imposed on minors for the term no more than one year.

3. Other types of administrative sanctions (with the exception of administrative arrest), as well as measures of administrative legal effect mentioned in Articles 41 and 52 of this Code, shall be applied to minors on common basis.

Article 67. Imposition of administrative sanction on a minor

1. Upon imposition of administrative sanction on a minor, except for the circumstances provided by Articles 56 and 57 of this Code, his (her) living conditions, level of mental development, other special aspects of a personality, as well as influence of elder persons on him (her) shall be considered.

2. Minority age as a mitigating circumstance shall be considered in case of accumulation with other mitigating and aggravating circumstances.

Article 68. Release of minors from administrative liability and administrative sanction

Minor that for the first time committed administrative infraction may be released by a court, body (civil servant) authorized to consider the cases on administrative infractions from administrative liability or from fulfillment of imposed administrative sanction with applying of measures of educational influence provided by the legislation.

Article 69. Measures of educational influence

1. The following measures of educational influence may be imposed to a minor:

- 1) explanation of the Law;
- 2) transfer under supervision of parents or persons substituting them, or special state body;
- 3) imposition of the obligation to make up inflicted losses;
- 4) restriction of leisure time and establishment of special requirements to behavior of a minor.

2. Several measures of educational influence may be imposed simultaneously on a minor.

3. Term of applying a measure of educational influence provided by subparagraph 4) of part one of this Article shall be established by a length up to three months.

4. In case of systematic non-fulfillment of a measure of educational influence by a minor, provided by subparagraph 4) of part one of this Article, the special state body shall represent materials in court for solution of the issue on cancellation of this measure and bringing of the minor to administrative liability, if the limitation period established by a part one of Article 890 of this Code is not expired.

Article 70. Content of measures of educational influence

1. Explanation of the Law consists of explanation of harm to a minor that inflicted by his (her) act, and legal consequences of repeated commission of infractions provided by this Code.

2. Transfer under supervision consists of imposition of the obligation on educational influence to a minor and control of his (her) behavior on parents and persons substituting them, or on special state body.

3. Obligation to make up inflicted losses shall be imposed in consideration of material status of a minor and existence of the relevant work skills.

4. Restriction of a leisure time and establishment of special requirements to behavior of a minor may provide a prohibition of visiting particular places, used of particular forms of the leisure time, as well as linked with operating a transport vehicle, restriction of staying outside home after particular time of day, departure to other locations without permission of court or body (civil servant) authorized to

consider the cases on administrative infractions. In respect of a minor, the special requirements to behavior of an offender provided by Article 54 of this Code may be established, as well as requirement to complete education or to obtain employment with help of the commission on protection of the rights of minors may be specified.

Article 71. Limitation periods

Limitation periods provided by Article 62 of this Code, upon release of minors from administrative liability or fulfillment of administrative sanction shall be reduced by half.

Article 72. Term within which the minors is considered as subjected to administrative sanction

Minor on which the administrative sanction is imposed for administrative infraction shall be considered as subjected to this sanction within six months from the date of completion of execution of a decree on imposition of administrative sanction.

SPECIAL PART

Chapter 10. ADMINISTRATIVE INFRACTIONS INFRINGING ON PERSONAL RIGHTS

Article 73. Illegal actions in the scope of family relations

1. Abusive language, offensive annoyance, degrading, damage of domestic goods and other actions expressing disrespect to the persons being in family relations with an offender, violating their calm committed in an individual resident house, flat or another dwelling place, if these actions do not contain signs of criminally punishable act shall -

entail notification or administrative arrest for a term up to three days.

2. The actions provided by a part one of this Article, committed repeatedly second time second time within a year after imposition of administrative sanction, -

shall entail administrative arrest for a term up to ten days.

3. The actions provided by a part two of this Article, committed by persons to whom the administrative arrest in accordance with a part two of Article 50 of this Code is not applied -

shall entail a fine in amount of five monthly calculation indices.

Note. Family relations for the purposes of this Code shall be understood as relations between spouses, former spouses, persons residing or that resided jointly, close relatives, persons having common child (children).

Article 74. Impeding to obtainment of a citizenship of the Republic of Kazakhstan

1. Illegal actions (omission) of civil servants impeding obtainment of a citizenship of the Republic of Kazakhstan by a person, shall -

entail a fine in amount of thirty monthly calculation indices.

2. The actions provided by a part one of this Article that committed repeatedly second time within a year after imposition of administrative sanction -

shall entail a fine in amount of sixty monthly calculation indices.

Article 75. Liability for breach of the legislation of the Republic of Kazakhstan on languages

1. Refusal of a civil servant in acceptance of documents, references of individuals and legal entities, as well as their non-consideration in essence, reasoned by lack of knowledge of a language -

shall entail a fine in amount of twenty monthly calculation indices.

2. The actions provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall -

entail a fine in amount of forty monthly calculation indices.

3. Violation of requirements on placing requisites and visual information shall - entail a notification.

4. The action provided by a part three of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall - entail a fine on civil servants, subjects of small entrepreneurship or non-profit organizations - in amount of ten, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

5. Restriction of rights of individuals in a choice of a language, discrimination on language signs shall -

entail a fine on civil servants in amount of twenty monthly calculation indices.

6. The actions provided by a part five of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall -

entail a fine in amount of forty monthly calculation indices.

Article 76. Restriction of a right of movement and choice of a residence place

Action (omission) of civil servants restricting a right of individuals to movement and choice of a residence place (with the exception of frontier zones, forbidden zones under arsenals, bases and depots of the Armed Forces of the Republic of Kazakhstan, other forces and military formations of the Republic of Kazakhstan and forbidden districts upon arsenals, bases and depots of the Armed Forces of the Republic of Kazakhstan, other forces and military formations of the Republic of Kazakhstan and separate locations in which the restrictions may be established by the Government of the Republic of Kazakhstan), if this action (omission) does not contain signs of criminally punishable action shall -

entail a fine in amount of thirty monthly calculation indices.

2. Action (omission) provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall -

entail a fine in amount of sixty monthly calculation indices.

Article 77. Impeding to legal activity of public associations

Impeding to legal activity of public associations by a civil servant with the use of official position, and equally the interference in legal activity of these associations committed by the civil servant with the use of own official position entailing violation of their rights and legal interests shall -

entail a fine in amount of two hundred fifty monthly calculation indices.

Article 78. Refusal in representation of information to an individual

1. Unlawful refusal in representation of documents, materials collected in established manner directly concerning the rights and freedoms of an individual, or representation of incomplete or knowingly misleading information to the individual, and equally unlawful referring of public information to information with limited access shall -

entail a fine on civil servants in amount of thirty calculation indices.

2. Commission of actions provided by a part one of this Article by a civil servant, if these actions inflicted harm to rights and legal interests of individuals shall -

entail a fine in amount of one hundred monthly calculation indices.

Article 79. Breach of the legislation of the Republic of Kazakhstan on personal data and their protection

1. Illegal collection and (or) processing of personal data shall - entail a fine on individuals in amount of twenty, on civil servants, subjects of small entrepreneurship or non-profit organization - in amount of thirty, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices, with a confiscation of subjects and (or) tools of administrative infraction or without such.

2. The same acts committed by an owner, operator or third party with the use of own official position shall -

entail a fine on individuals in amount of fifty, on civil servants, subjects of small entrepreneurship or non-profit organization - in amount of seventy five, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices, with a confiscation of subjects and (or) tools of administrative infraction or without such.

3. Non-compliance with measures on protection of personal data by an owner, operator or third party shall -

entail a fine on individuals in amount of one hundred, on civil servants, subjects of small entrepreneurship or non-profit organization - in amount of one hundred fifty, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of three hundred monthly calculation indices.

Article 80. Non-compliance with order, standards and substandard rendering of medical assistance

1. Non-compliance with order, standards of rendering of medical assistance, non-performance or improper performance of professional obligations by a medical worker due to careless or unfair relation to them, if this did not entail infliction of harm to health, shall entail a fine on individuals, civil servants in amount of ten, on subjects of small entrepreneurship or non-profit organization - in amount of twenty five, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of forty monthly calculation indices.

2. Acts provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall entail a fine on individuals, civil servants in amount of twenty, on subjects of small entrepreneurship or non-profit organization - in amount of fifty, on subjects of medium entrepreneurship - in amount of sixty, on subjects of large entrepreneurship - in amount of eighty monthly calculation indices.

3. Non-compliance with order, standards of rendering of medical assistance, non-fulfillment or improper fulfillment of professional obligations by a medical worker due to careless or unfair relation to them, if this entailed to infliction of light harm to health shall entail a fine on individuals, civil servants in amount of forty, on subjects of small entrepreneurship or non-profit organization - in amount of fifty, on subjects of medium entrepreneurship - in amount of seventy five, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

4. Acts provided by a part three of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall entail a fine on individuals, civil servants in amount of eighty, on subjects of small entrepreneurship or non-profit organization - in amount of one hundred, on subjects of medium entrepreneurship - in amount of one hundred fifty, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices, with a deprivation of a license and (or) of a specialist certificate or without such.

Article 81. Violation of the rules of issuing a note or certificate on temporary incapacity for work by a medical worker

1. Violation of the rules of issuing a note or certificate on temporary incapacity for work by a medical worker shall entail a fine on individuals in amount of five, on civil servants in amount of ten monthly calculation indices.

2. The same act committed repeatedly second time second time within a year after imposition of administrative sanction shall entail a fine on individuals in amount of ten, on civil servants in amount of twenty monthly calculation indices, with deprivation of a specialist certificate or without such.

Article 82. Violation of the rules of selling medical products and requirements for writing prescriptions established by the legislation of the Republic of Kazakhstan by a medical worker

1. Violation of the rules of selling medical products and requirements for writing prescriptions established by the legislation of the Republic of Kazakhstan by a medical worker shall entail a fine on individuals in amount of five, on civil servants - in amount of ten monthly calculation indices.

2. The same act committed repeatedly second time second time within a year after imposition of administrative sanction shall entail a fine on individuals in amount of ten monthly calculation indices with deprivation of a specialist certificate or without such, on civil servants - in amount of twenty monthly calculation indices.

Article 82-1. Breach of the legislation of the Republic of Kazakhstan on minimal social standards and their guarantees

1. Breach of the legislation of the Republic of Kazakhstan on minimal social standards and their guarantees being expressed in non-fulfillment and (or) failure to ensure minimal social standards, with the exception of cases provided by Articles 83, 84, 87, 89 and 91 of this Code shall -

entail a fine on civil servants in amount of twenty, on subjects of small entrepreneurship or non-profit organizations - in amount of forty, on subjects of medium entrepreneurship - in amount of sixty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

2. The act provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall entail a fine on civil servants in amount of forty, on subjects of small entrepreneurship or non-profit organizations - in amount of sixty, on subjects of medium entrepreneurship - in amount of eighty, on subjects of large entrepreneurship - in amount of one hundred twenty monthly calculation indices.

Footnote. Chapter 10 is supplemented by Article 82-1 in accordance with the Law of the Republic of Kazakhstan dated 19.05.2005 No. 315-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Article 83. Breach of the legislation of the Republic of Kazakhstan on social protection of disabled persons

1. Breach of the legislation of the Republic of Kazakhstan on social protection of disabled persons committed in the form of:

1) failure to ensure access for disabled persons to objects of social and transport infrastructure;

2) failure to ensure conditions for access for disabled persons to cultural entertainment events;

3) failure to comply with obligations by an employer in the scope of employment and professional rehabilitation of disabled persons from labour injury and (or) professional disease received due to the fault of the employer shall -

entail a fine on civil servants in amount of fifty, on subjects of small entrepreneurship - in amount of one hundred twenty, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in

amount of four hundred monthly calculation indices.

2. Action (omission) provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall entail a fine on civil servants in amount of eighty, on subjects of small entrepreneurship - in amount of one hundred fifty, on subjects of medium entrepreneurship - in amount of two hundred fifty, on subjects of large entrepreneurship - in amount of six hundred monthly calculation indices.

Article 84. Breach of the legislation of the Republic of Kazakhstan on special social services

1. Breach of the legislation of the Republic of Kazakhstan on special social services committed in the form of:

1) violation of established terms for conducting assessment and determination of a need in rendering of special social services, issuance of decision on rendering of a guaranteed range of special social services;

2) failure to execute a decision on rendering of a guaranteed range of special social services shall entail a fine on civil servants in amount of twenty, on subjects of small entrepreneurship or non-profit organizations - in amount of thirty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of sixty monthly calculation indices.

2. The act provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall entail a fine on civil servants in amount of thirty, on subjects of small entrepreneurship or non-profit organizations - in amount of forty, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of eighty monthly calculation indices.

Article 85. Divulgence of details by participants of mediation became known in the course of mediation

1. Divulgence of details by participants of mediation became known in the course of mediation without permission of a party that represented this information, if this action does not contain signs of criminally punishable act shall entail a fine in amount of twenty monthly calculation indices.

2. Action (omission) provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall entail a fine in amount of sixty monthly calculation indices.

Article 86. Permit to work of a person without conclusion of labour agreement

1. Permit to work of a person without conclusion of labour agreement by an employer shall -

entail a fine on civil servants in amount of twenty, on subjects of small entrepreneurship or non-profit organizations - in amount of forty, on subjects of medium entrepreneurship - in amount of sixty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

2. The action provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall entail a fine on civil servants in amount of forty, on subjects of small entrepreneurship or non-profit organizations - in amount of sixty, on subjects of medium entrepreneurship - in amount of eighty, on subjects of large entrepreneurship - in amount of one hundred twenty monthly calculation indices.

3. The action provided by a part one of this Article committed in respect of minors shall entail a fine on civil servants in amount of fifty, on subjects of small entrepreneurship or non-profit organizations - in amount of seventy, on subjects of

medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

4. Action (omission) provided by a part three of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall entail a fine on civil servants in amount of seventy, on subjects of small entrepreneurship or non-profit organizations - in amount of one hundred, on subjects of medium entrepreneurship - in amount of one hundred fifty, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices with suspension of licence validity.

Article 87. Violation of requirements on payment for labour

1. Non-payment of salary by an employer in a full measure and in terms established by the labour legislation of the Republic of Kazakhstan, and equally non-charging and non-payment of a late fee for the period of delay of payment due to the fault of the employer shall entail a fine on civil servants in amount of twenty, on subjects of small entrepreneurship or non-profit organizations - in amount of forty, on subjects of medium entrepreneurship - in amount of sixty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

2. The actions provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall entail a fine on civil servants in amount of forty, on subjects of small entrepreneurship or non-profit organizations - in amount of sixty, on subjects of medium entrepreneurship - in amount of eighty, on subjects of large entrepreneurship - in amount of one hundred twenty monthly calculation indices.

3. Violation of requirements of the labour legislation of the Republic of Kazakhstan on payment of overtime work, work in public holidays and non-working days, as well as payment for labour in night time shall entail a fine on civil servants in amount of twenty, on subjects of small entrepreneurship or non-profit organizations - in amount of forty, on subjects of medium entrepreneurship - in amount of sixty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

4. The actions provided by a part three of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall entail a fine on civil servants in amount of forty, on subjects of small entrepreneurship or non-profit organizations - in amount of sixty, on subjects of medium entrepreneurship - in amount of eighty, on subjects of large entrepreneurship - in amount of one hundred twenty monthly calculation indices.

Article 88. Failure to grant leaves

Failure to grant leaves within two years in a row by an employer shall entail a fine on civil servants in amount of twenty, on subjects of small entrepreneurship or non-profit organizations - in amount of forty, on subjects of medium entrepreneurship - in amount of sixty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

Article 89. Illegal excess of standard working time

1. Illegal excess of standard and reduced length of working time and daily work (work shift) by an employer provided by the labour legislation of the Republic of Kazakhstan shall entail a notification.

2. The action provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall entail a fine on civil servants in amount of forty, on subjects of small entrepreneurship or non-profit organizations - in amount of sixty, on subjects of medium entrepreneurship - in amount of eighty, on subjects of large entrepreneurship - in amount of one hundred twenty monthly calculation indices.

Article 90. Admission of discrimination in the scope of labor

1. Admission of discrimination in the scope of labour by an employer expressed in violation of the right of a worker to equal payment for equal labour shall entail a fine on civil servants, subjects of small entrepreneurship or non-profit organizations - in amount of thirty, on subjects of medium entrepreneurship - in amount of sixty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

2. The action provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall entail a fine on civil servants, subjects of small entrepreneurship or non-profit organizations in amount of sixty, on subjects of medium entrepreneurship - in amount of eighty, on subjects of large entrepreneurship - in amount of one hundred twenty monthly calculation indices.

3. Placement of information on vacancies for employment containing requirements of a discriminatory character in the scope of labour by the authorized body on the issues of employment, individual and legal entity rendering labour mediation, as well as employer, shall entail a fine on individuals in amount of fifteen, on subjects of small entrepreneurship or non-profit organizations - in amount of thirty, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

4. The action provided by a part three of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall entail a fine on individuals in amount of thirty, on subjects of small entrepreneurship or non-profit organizations - in amount of fifty, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

Article 91. Breach of the legislation of the Republic of Kazakhstan on pension benefits

1. Violation of order of concluding contracts on pension benefits on account of compulsory pension contributions, compulsory professional pension contributions (contracts on pension benefits on account of voluntary pension contributions), terms for making pension payments, transfers and withdrawals established by the legislation of the Republic of Kazakhstan on pension benefits by an integrative accumulative pension fund (voluntary accumulative pension fund) shall entail a fine on legal entities in amount of four hundred monthly calculation indices.

2. Non-presentation, untimely representation of details by an integrative accumulative pension fund to the Centre for pension payment on contributors that joined a contract on pension benefits on account of compulsory pension contributions, compulsory professional pension contributions, and equally representation of inaccurate details on mentioned contributors shall entail a fine on legal entities in amount of one hundred monthly calculation indices.

3. Acts provided by a part two of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall entail a fine on legal entities in amount of two hundred monthly calculation indices.

4. Non-fulfillment of obligations provided by the legislation of the Republic of Kazakhstan on pension benefits, on pension payment in a full measure and in established terms by civil servants of the Centre for pension payment shall entail a fine in amount of one thirty monthly calculation indices.

5. Consummation of transactions and operations in breach of the legislation of the Republic of Kazakhstan on pension benefits by an integrative accumulative pension fund or voluntary accumulative pension fund shall entail a fine on legal entities - in amount

of four hundred monthly calculation indices.

6. Non-fulfillment or improper fulfillment of obligations by an individual, individual entrepreneur, private notary officer, private officer of justice, attorney for defence, legal entity provided by the legislation of the Republic of Kazakhstan on pension benefits committed in the form of:

1) non-presentation of the lists of contributors of an integrative accumulative pension fund to the state revenue body in favor of whom the debts on compulsory pension contributions, compulsory professional pension contributions are recovered;

2) non-presentation of the settlements on calculated, dedicated (accrued) and transferred sums of compulsory pension contributions, compulsory professional pension contributions to the state revenue bodies in terms established by the legislation of the Republic of Kazakhstan on pension benefits;

3) non-keeping of primary accounting of calculated, dedicated (accrued) and transferred compulsory pension contributions, compulsory professional pension contributions on each worker in accordance with the manner established by the legislation of the Republic of Kazakhstan;

4) non-presentation of details to contributors on calculated, dedicated (accrued) and transferred compulsory pension contributions, compulsory professional pension contributions in terms established by the legislation of the Republic of Kazakhstan on pension benefits;

5) non-transfer, untimely and (or) incomplete calculation, dedication (accrual) and (or) payment (transfer) of compulsory pension contributions, compulsory professional pension contributions in an integrative accumulative pension fund;

6) non-termination of all debit operations on cash register by order of the state revenue bodies in cases provided by the legislation of the Republic of Kazakhstan on pension benefits shall entail notification.

7. The act provided by a part six of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall entail a fine on individuals in amount of ten, on subjects of small entrepreneurship or non-profit organizations - in amount of twenty, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of fifty percent of a sum of non-transferred, untimely and (or) incompletely calculated, dedicated (accrued) and (or) paid (transferred) compulsory pension contributions, compulsory professional pension contributions.

8. Non-fulfillment of obligations established by the legislation of the Republic of Kazakhstan on pension benefits by banks and organizations carrying out separate types of banking operations, committed in the form of:

1) failure to suspend debit operations on banking accounts of agents - legal entities or individual entrepreneurs, private notary officers, judicial enforcement agent and attorney for defence by order of the state revenue bodies in cases and in the manner provided by the legislation of the Republic of Kazakhstan on pension benefits;

2) failure to transfer (failure to accrue), untimely transfer (later than the date for commission of an operation on debiting money from banking accounts or the next date for introduction of cash money to a bank or organization carrying out separate types of banking operations) or admission of mistakes upon filling the details of a payment document due to the fault of the bank or organization carrying out separate types of banking operations, upon a transfer of a sum of compulsory pension contributions, compulsory professional pension contributions and late fees to the Centre on pension payment;

3) failure to execute collection orders of the state revenue bodies on recovery of the sums of compulsory pension contributions, compulsory professional pension

contributions and late fees in the manner established by the legislation of the Republic of Kazakhstan, shall entail a fine in amount of five percent of the sum of committed debit operations on banking accounts of agents for the period of non-fulfillment of obligations established by the legislation of the Republic of Kazakhstan on pension benefits.

9. Announcement or publication of advertisement by an integrative accumulative pension fund or voluntary pension fund in mass media that does not conform to actuality for a date of publication shall entail a fine on legal entities in amount of two hundred monthly calculation indices.

10. Non-conformance of investment declaration of a voluntary accumulative pension fund to requirements provided by the legislation of the Republic of Kazakhstan on pension benefits, to its content shall entail a fine on legal entities in amount of one hundred monthly calculation indices.

11. Non-presentation, and equally repeatedly second time second time (two and more times within twelve sequent calendar months) untimely representation of details or another requested information by an integrative accumulative pension fund or voluntary accumulative pension fund, founders (shareholders) of voluntary accumulative pension fund and (or) its affiliated persons shall entail a fine on individuals in amount of one hundred, on legal entities - in amount of two hundred monthly calculation indices.

12. Representation of inaccurate, and equally incomplete reporting, details or another requested information by an integrative accumulative pension fund or voluntary accumulative pension fund, founders (shareholders) of voluntary accumulative pension fund and (or) its affiliated persons, shall entail a fine on individuals in amount of one hundred, on legal entities - in amount of two hundred monthly calculation indices.

Note. For the purpose of parts six and seven of this Article, the person shall not be subject to bringing to administrative liability in case if a sum of non-transferred, untimely and (or) incompletely calculated, dedicated (accrued) and (or) paid (transferred) compulsory pension contributions, compulsory professional pension contributions is less than one monthly calculation index established in accordance with the Law being in force as on the date of detection of administrative infraction.

Article 92. Breach of the legislation of the Republic of Kazakhstan on compulsory social insurance

1. Non-payment of social payments by the state fund of social insurance and Centre for pension payment in terms established by the legislation of the Republic of Kazakhstan on compulsory social insurance shall entail a fine on civil servants in amount of thirty monthly calculation indices.

2. Non-fulfillment or improper fulfillment of obligations provided by the legislation of the Republic of Kazakhstan on compulsory social insurance by a payer of social expenditures, committed in the form of:

1) failure to represent the lists of participants of a system of compulsory social insurance to the state revenue body for which the social expenditures are performed;

2) failure to pay (failure to transfer), untimely and (or) incomplete payment (accrual) of social expenditures;

3) failure to terminate all debit operations on cash register by order of the state revenue bodies in cases provided by the legislation of the Republic of Kazakhstan on compulsory social insurance shall entail a notification.

3. Acts provided by a part two of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall entail a fine on private notary officers, judicial enforcement agent, attorney for defence, subjects of small entrepreneurship or non-profit organizations in amount of twenty, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large

entrepreneurship – in amount of fifty percent of a sum of non-paid (non-transferred), untimely and (or) incompletely paid (transferred) social expenditures.

4. Non-fulfillment of obligations by banks and organizations carrying out separate types of banking operations, established by the legislation of the Republic of Kazakhstan on compulsory social insurance, committed in the form of:

1) failure to terminate all debit operations on banking accounts of a payer of social expenditures by order of the state revenue bodies in cases provided by the legislation of the Republic of Kazakhstan on compulsory social insurance;

2) failure to transfer (failure to accrue), untimely transfer (later than the date for commission of operations on debiting money from banking accounts or the next date for introduction of cash money to a bank or organization carrying out separate types of banking operations) or admission of mistakes upon filling the details of a payment document due to the fault of the bank or organization carrying out separate types of banking operations, upon a transfer of a sum of compulsory social expenditures and late fees to the Centre on pension payment;

3) failure to execute collection orders of the state revenue bodies on recovery of the sums of compulsory social expenditures and late fees in the manner established by the legislation of the Republic of Kazakhstan, shall entail a fine in amount of five percent of the sum of committed debit operations on banking accounts of payers for the period of non-fulfillment of obligations established by the legislation of the Republic of Kazakhstan on compulsory social insurance.

Note. For the purpose of parts two and three of this Article, the persons shall not be subject to bringing to administrative liability in case if the sum of non-paid (non-transferred), untimely and (or) incompletely paid (transferred) social expenditures does not exceed amount of one monthly calculation index established in accordance with the Law being in force on a date of detection of administrative infraction.

Article 93. Violation of the rules of safety ensuring and labour protection

1. Absence of safety service (specialist) and labour protection in production organizations in accordance with requirement of the labour legislation of the Republic of Kazakhstan shall entail a notification.

2. Violation of requirements by an employer on conduct of compulsory and periodical medical inspections and pre-shift medical certification of workers in accordance with requirements of the labour legislation of the Republic of Kazakhstan shall entail a notification.

3. Failure to supply medicinal and prophylactic food to workers by means of individual and collective protection in accordance with requirement of the labour legislation of the Republic of Kazakhstan shall entail a notification.

4. Failure to perform the requirements of the labour legislation of the Republic of Kazakhstan by an employer on conduct of teaching and training of workers, inspection of knowledge of heads and specialists on the issues of safety and protection of work shall entail a notification.

5. The actions provided by parts one, two, three, four of this Article committed repeatedly second time second time within a year after a notification shall entail a fine on subjects of small entrepreneurship or non-profit organizations in amount of forty, on subjects of medium entrepreneurship – in amount of sixty, on subjects of large entrepreneurship – in amount of one hundred twenty monthly calculation indices.

6. Failure to perform the requirements of the labour legislation of the Republic of Kazakhstan by an employer on conduct of instructing (except for introductory briefing) and absence of documents on safety and protection of work shall entail a fine on subjects of small entrepreneurship or non-profit organizations in amount of twenty,

on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of eighty monthly calculation indices.

7. Acts provided by a part six of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall entail a fine on subjects of small entrepreneurship or non-profit organizations in amount of forty, on subjects of medium entrepreneurship - in amount of sixty, on subjects of large entrepreneurship - in amount of one hundred twenty monthly calculation indices.

Article 94. Violation of requirements of the legislation on conduct of attestation of production facilities on labour conditions

1. Violation of requirements of the legislation on conduct of attestation of production facilities on labour conditions by an employer, established by the labour legislation of the Republic of Kazakhstan shall entail a notification or fine on subjects of small entrepreneurship or non-profit organizations in amount of twenty, on subjects of medium entrepreneurship - in amount of thirty five, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

2. The act provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall entail a fine on subjects of small entrepreneurship or non-profit organizations in amount of forty, on subjects of medium entrepreneurship - in amount of seventy, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

Article 95. Non-ensuring of investigation of industrial accidents

1. Non-ensuring of investigation of industrial accidents in accordance with a requirement of the labour legislation of the Republic of Kazakhstan shall entail a fine on subjects of small entrepreneurship in amount of fifty, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

2. The action provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall entail a fine on subjects of small entrepreneurship in amount of one hundred, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of four hundred monthly calculation indices.

Article 96. Concealing a fact of industrial accident

1. Concealing a fact of industrial accident shall entail a fine on subjects of small entrepreneurship or non-profit organizations in amount of one hundred, on subjects of medium entrepreneurship - in amount of one hundred fifty, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

2. Action (omission) provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall entail a fine on subjects of small entrepreneurship or non-profit organizations in amount of two hundred, on subjects of medium entrepreneurship - in amount of three hundred, on subjects of large entrepreneurship - in amount of four hundred monthly calculation indices.

Article 97. Violation of requirements of the legislation on conclusion of collective contract, agreement

1. Avoidance from participation in negotiations on conclusion, amending or supplementing collective contract, agreement or violation of terms of holding the mentioned negotiations, failure to ensure work of the relevant commission in terms determined by parties shall entail a fine on persons authorized to hold negotiations in amount of three hundred monthly calculation indices.

2. Unreasonable refusal from conclusion of collective contract, agreement shall - entail a fine on persons authorized to conclude the collective contract, agreement in amount of three hundred monthly calculation indices.

3. Non-fulfillment or violation of the obligation on collective contract, agreement shall entail a fine on persons being guilty in non-fulfilling the obligations on collective contract, agreement in amount of three hundred monthly calculation indices.

4. Non-presentation of information required for holding collective negotiations and carrying out of control for performance of collective contracts, agreements shall entail a fine on persons being guilty in non-presentation of information in amount of fifty monthly calculation indices.

Article 98. Breach of the legislation of the Republic of Kazakhstan on employment of population

1. Breach of the legislation of the Republic of Kazakhstan on employment of population by an employer committed in the form of:

1) failure to represent information to the authorized body on forthcoming relieve of employees due to liquidation of an employer - legal entity or termination of activity of the employer - individual, reduction in the number of employees or staff size;

2) failure to represent, untimely representation of details on existence of free work positions (vacant positions) to the authorized body;

3) failure to represent, untimely notifying on acceptance for work or refusal in acceptance for work;

4) failure to fulfill established quota of work positions for disabled persons, persons released from the places of deprivation of freedom, and minors graduates of foster organizations;

5) failure to represent details to the authorized body on a quantity of those undergoing professional training, retraining and in-plant education with specification of received specialty and qualification shall entail a fine in amount of ten monthly calculation indices.

2. Action (omission) provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall entail a fine in amount of twenty monthly calculation indices.

3. Failure to conclude a contract by an employment agency with a person that referred for rendering of services on labour mediation shall entail a fine in amount of ten monthly calculation indices.

4. Failure to represent primary statistics by individuals and legal entities engaged in labour mediation, as well as employers that received permission for involvement of foreign labour force or at whom the foreign workers that received permission for employment operate, shall entail a fine in amount of ten monthly calculation indices.

Article 99. Breach of the legislation of the Republic of Kazakhstan on state service

1. Violation of a procedure for competitive selection for taking a vacant administrative state position shall entail a fine on civil servants in amount of thirty monthly calculation indices.

2. Illegal dismissal of persons from administrative state positions shall entail a fine on civil servants in amount of sixty monthly calculation indices.

Article 100. Reversion of a claim to the damage of an individual or legal entity filed by him (her) (it)

Reversion of a claim to the damage of an individual or legal entity that filed reasonable claim or in the interest of whom it was filed, shall entail a fine on civil servants in amount of ten monthly calculation indices.

**Chapter 11. ADMINISTRATIVE INFRACTIONS INFRINGING
ON ELECTORAL RIGHTS (RIGHT TO PARTICIPATE IN
REPUBLICAN REFERENDUM)**

**Article 101. Non-presentation of details and materials to
electoral commission (commission of republican referendum) by
civil servants or non-execution of commission's decisions**

Non-presentation of details and materials to electoral commission (commission of republican referendum) by civil servants on existence or absence of outstanding or unexpunged conviction of a candidate in the manner established by the Law; on a guilt in commission of corruption crime and infraction of a candidate recognized by a court in the manner established by the Law; on a citizenship of a candidate; on credibility of details on incomes and property declared by a candidate or his (her) wife (husband); on lists of electorates on each electoral district or non-execution of the commission's decision by them being adopted within its competition, shall

entail a fine in amount of twenty monthly calculation indices.

**Article 102. Conduct of pre-election campaigning during
its prohibition**

Conduct of pre-election campaigning before completion of the term of registration of a candidate, party list on a date of elections or a date preceding it, as well as conduct of campaigning on a date of conducting republican referendum or a date preceding it, shall entail a fine on individuals in amount of fifteen, on subjects of small entrepreneurship or non-profit organizations - in amount of twenty, on subjects of medium entrepreneurship - in amount of twenty five, on subjects of large entrepreneurship - in amount of thirty five monthly calculation indices.

**Article 103. Impeding the right to carry on pre-election
campaigning**

Impeding to candidates for presidency, deputies or for other elective positions, their authorized representatives, policy parties in the process of exercising the right to carry on pre-election campaigning shall entail a fine on individuals in amount of twenty, on civil servants, subjects of small entrepreneurship or non-profit organizations - in amount of thirty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

**Article 104. Distribution of knowingly false information on
candidates, policy parties**

Distribution of knowingly false information on candidates, policy parties or commission of other actions discrediting their honor, dignity and business reputation for the purpose of influence on electoral outcome shall entail a fine on individuals in amount of twenty, on civil servants, subjects of small entrepreneurship or non-profit organizations - in amount of thirty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

**Article 105. Violation of rights of a member of electoral
commission (commission of republican referendum)**

Violation of the rights of a member of electoral commission (commission of republican referendum) to act at a session of electoral commission, make proposals on the issues included to the competence of the relevant electoral commission, and require

conduct of voting on them, familiarize with documents and materials of electoral commission to which he (she) belongs, receive their certified copies, carry out inspection of activity of inferior electoral commission shall entail a fine in amount of thirty five monthly calculation indices.

Article 106. Violation of the right of a citizen to familiarize with a list of electorates

Violation of the right of a citizen to familiarize with a list of electorates (electors, list of persons having the right to participate in republican referendum) or failure to consider an application to electoral commission on a date of receipt, or refusal to issue a copy of a decision to the citizen in written form with exposure of motives for dismissing the application on applying corrections into the list of electorates (electors, list of persons having the right to participate in republican referendum), or non-execution of the court decision on correction of the list of electorates (electors, list of persons having the right to participate in republican referendum) without delay shall entail a fine in amount of thirty monthly calculation indices.

Article 107. Representation of false details on electorates for drawing lists of electorates (citizens having the right to participate in republican referendum)

1. Representation of false details on electorates (citizens having the right to participate in republican referendum) by civil servants to local executive bodies for drawing the lists of electorates (citizens having the right to participate in referendum) shall entail a fine in amount of twenty five monthly calculation indices.

2. Representation of false lists of electorates (citizens having the right to participate in republican referendum) by civil servants of local executive bodies to the relevant electoral commission shall entail a fine in amount of thirty monthly calculation indices.

Article 108. Violation of requirement on equal electoral right

Violation of requirement on equal electoral right by voting two and more times or for another electorate shall entail a fine in amount of twenty five monthly calculation indices.

Article 109. Carrying out of activity by foreign persons, stateless persons, foreign legal entities and international organizations impeding and (or) promoting nomination and election of candidates, policy parties that nominated party list, achievement of certain results at elections

Carrying out of activity by foreign persons, stateless persons, foreign legal entities and international organizations impeding and (or) promoting nomination and election of candidates, policy parties that nominated party list, achievement of certain results at elections shall entail a fine on individuals in amount of thirty monthly calculation indices with administrative expulsion beyond the borders of the Republic of Kazakhstan or without such, on legal entities - in amount of one thousand monthly calculation indices.

Article 110. Issuance of voting bulletins (bulletins for voting) to citizens for the purpose of provision of a possibility to vote for other persons

Issuance of voting bulletins (bulletins for voting) by a member of electoral commission (commission of republican referendum) to citizens for the purpose of provision of a possibility to vote for other persons shall entail a fine in amount of twenty five monthly calculation indices.

Article 111. Refusal of an employer in provision of a leave for participation in elections (republican referendum)

Refusal of an employer to provide a leave provided by the legislative acts to registered candidate for deputies or for another elective position or to a member of electoral commission for participation in preparation and conduct of elections in bodies of state power, management and in bodies of local self-government (republican referendum), shall entail a fine in amount of thirty monthly calculation indices.

Article 112. Violation of conditions for conduct of pre-election campaigning through mass media

1. Non-objective covering of electoral campaign of candidates, policy parties by mass media that is expressed in distortion of purposes, tasks and results of pre-election actions, as well as events and facts linked with them shall entail a fine on individuals in amount of twenty, on civil servants - in amount of thirty, on legal entities - in amount of fifty monthly calculation indices.

2. Publication of information of campaign materials by means of mass media and another information knowingly discrediting honor, dignity and business reputation of a candidate or policy party, as well as refusal in provision of a possibility to mentioned persons to publish freely rebutment in protection of the honor, dignity and business reputation shall entail a fine on individuals in amount of twenty, on civil servants - in amount of thirty, on legal entities - in amount of fifty monthly calculation indices.

3. Interrupting and commenting speeches of candidates on television and radio immediately after the speech, as well as in printed publications in a same number shall entail a fine on individuals in amount of twenty, civil servants - in amount of thirty, on legal entities - in amount of fifty monthly calculation indices.

4. Violation of requirements by means of mass media on distribution of information on events on nomination of all the candidates and party lists, their registration by electoral commissions in equal volumes of print space, broadcast time shall entail a fine on individuals in amount of twenty, civil servants - in amount of thirty, on legal entities - in amount of fifty monthly calculation indices.

5. Publication or airing of campaigning materials of candidates, policy parties participating in elections by means of mass media that no later than ten day after official publication of a decision on appointment (announcement) of elections did not announce and did not publish, as well as did not represent details to the electoral commission on amount of payment, conditions and procedure for representing airing and print space shall entail a fine on civil servants o amount of thirty, on legal entities in amount of fifty monthly calculation indices.

6. Refusal of mass media from allocation of a broadcast time, print space to one of candidates, policy party that nominated a party list, in case if the same mass media gave an agreement to another candidate, policy party that nominated the party list for allocation of the broadcast time, print space, shall entail a fine on civil servants in amount of thirty, on legal entities - in amount of fifty monthly calculation indices.

7. Violation of priority of the speeches of the candidates and policy parties that nominated party lists in mass media, established in the manner of receiving written references or by lot, in case, if the references were received at the same time, shall entail a fine on civil servants in amount of thirty, on legal entities - in amount of fifty monthly calculation indices.

8. Creation of preferences to one or another candidate, policy party that nominated the party list by conditions of a contract on provision of a broadcast time, print space in mass media to candidates and policy parties that nominated the party lists shall entail a fine on civil servants in amount of thirty, on legal entities - in amount of fifty monthly calculation indices.

Article 113. Production or distribution of anonymous campaign materials

During preparation and conduct of elections to bodies of the state power and bodies of local self-government (republican referendum), the production or distribution of campaign printed and electronic materials that do not contain information on organizations that issued these materials, place of their printing, circulation, persons that gave order and from which funds they are paid, as well as production of campaign printed materials beyond the borders of the Republic of Kazakhstan, distribution of anonymous campaign materials shall entail a fine in amount of twenty five monthly calculation indices.

Article 114. Intentional destruction, damage of campaign materials

Intentional destruction, damage of campaign materials of candidates for deputies or for other elective position, posted with consent of the owner or another owner on buildings, structures and other objects shall entail a fine in amount of fifteen monthly calculation indices.

Article 115. Failure to represent or publish reports on payout of funds for preparation and conduct of elections (republican referendum)

Failure to represent details by a candidate, person being elected as a deputy or for another elective position, or by a policy party on amounts of incomings (charitable gifts) to electoral funds and on sources of creation of electoral funds, as well as report on use of the funds of the electoral fund shall entail a fine on a candidate, person elected as a deputy or for another elective position, in amount of fifteen, on a legal entity - in amount of fifty five monthly calculation indices.

Article 116. Financing of electoral campaign or rendering of another material assistance besides the electoral funds

Rendering of financial or another material assistance to candidates, policy parties that nominated the party lists, besides their electoral funds shall entail a fine on individuals in amount of twenty five, on subjects of small entrepreneurship - in amount of thirty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

Article 117. Acceptance of charitable gifts by a candidate for elective state position or by a policy party from foreign states, organizations, foreign persons and stateless persons

Acceptance of charitable gifts by a candidate for deputies or for another elective state position or by a policy party in any form from a foreign state, international organization or international public association, foreign state bodies, foreign persons and legal entities created in accordance with the legislation of another state, as well as stateless persons shall entail a fine on a candidate for deputies or for another elective position in amount of fifty, on a legal entity - in amount of one hundred monthly calculation indices, with confiscation of subjects of gifts.

Article 118. Rendering of services by individuals and legal entities to candidates, policy parties without their written agreement

Rendering of services by individuals and legal entities to candidates, policy parties due to their pre-election activity without their written agreement shall entail a fine on individuals in amount of twenty, on subjects of small entrepreneurship or non-profit organizations - in amount of thirty, on subjects of medium entrepreneurship - in

amount of forty, on subjects of large entrepreneurship – in amount of fifty monthly calculation indices.

Article 119. Failure to represent or publish details on vote returns or on election results (republican referendum)

1. Failure to represent details on vote returns being compulsory for representation in accordance with the legislation of the Republic by a chairman of district election commission for familiarization to the authorized person of a candidate, representative of mass media, spectator shall entail a fine in amount of ten monthly calculation indices.

2. The act provided by a part one of this Article committed by a chairman of circuit election commission, as well as violation of the terms for publication or incomplete publication of details on election results (republican referendum) established by the election legislation (legislation on republican referendum), shall entail a fine in amount of twenty monthly calculation indices.

3. The act provided by a part one of this Article committed by a chairman of territorial election commission, as well as violation of the terms for publication or incomplete publication of details on vote returns at elections (republican referendum) established by the election legislation (legislation on republican referendum) shall entail a fine in amount of fifteen monthly calculation indices.

4. Acts provided by parts one and three of this Article committed by a Chairman of the Central Election Commission of the Republic of Kazakhstan shall entail a fine in amount of twenty five monthly calculation indices.

Article 120. Violation of conditions for conduct of public opinion survey linked with elections

1. Violation of the procedure for publication of results of public opinion surveys, forecasts of election results, other researches linked with elections by mass media, and specifically non-specification of the organization that conducted public opinion survey, persons that ordered the public opinion survey, method of information collection, precise question formulation, number of respondents and a rate of uncertainty on results of the survey, shall entail a fine on individual in amount of fifteen, on legal entities – in amount of thirty monthly calculation indices.

2. Publication of results of public opinion surveys, forecasts of election results, other researches linked with elections in mass media within five days before a polling day and on a polling day, as well as conduct of public opinion survey on a polling day in a premise or voting precinct shall entail a fine on individuals in amount of ten, on legal entities – in amount of twenty five monthly calculation indices.

Article 121. Making amendments into the lists of electorates (electors) after beginning of vote tabulation

Making amendments into the lists of electorates (electors) after beginning of vote tabulation shall entail a fine in amount of twenty monthly calculation indices.

Article 122. Violation of conditions of conducting pre-election campaigning

1. Conduct of pre-election campaigning by state bodies, bodies of local self-government, as well as their civil servants upon fulfillment of official obligations, military servants of the Armed Forces of the Republic of Kazakhstan, other forces and military formations of the Republic of Kazakhstan, workers of national security bodies, law enforcement bodies, judges, members of election commissions, religious associations, as well as distribution of any campaign pre-election materials by mentioned persons shall entail a fine on individuals in amount of twenty, on civil servants – in amount of thirty monthly calculation indices.

2. Conduct of pre-election campaigning accompanied by provision of goods,

services, securities to electorates without payment, as well as conducting of lotteries, charitable actions, payment of money or promise to provide such shall -
entail a fine in amount of twenty monthly calculation indices.

3. Participation of journalists, civil servants of editors of mass media registered by candidates or their authorized persons in coverage of elections through mass media shall entail a fine in amount of twenty monthly calculation indices.

Article 123. Violation of conditions of providing premises to candidates for meetings with electorates

Refusal of civil servants of local executive bodies and bodies of local self-government in provision of premises to one of the candidates, policy party that nominated the party list on a contractual basis for meetings with electorates, in case if they gave a consent to another candidate, policy party that nominated the party list shall entail a fine in amount of thirty monthly calculation indices.

Article 124. Placement of campaigning materials

Placement of campaigning materials on monuments, obelisks, buildings and structures, having historical, cultural or architectural value, as well as in a premise for voting shall entail a fine in amount of twenty five monthly calculation indices.

Article 125. Violation of procedure for expenditure of the funds allocated from republican budget for conduct of pre-election campaigning

Inappropriate expenditure of the funds by candidates for deputies or for another elective position, allocated from republican budget for conduct of pre-election campaigning, shall entail a fine in amount of five monthly calculation indices.

Article 126. Impeding to legal activity of authorized persons of candidates, policy parties, representatives of mass media and spectators at elections

1. Impeding to the right of authorized persons of candidates, policy parties, spectators of policy parties, other public associations, non-profit organizations of the Republic of Kazakhstan, representatives of mass media to attend at sessions of electoral commission or presence at a polling district on a polling day from the date of its opening and until establishment of vote results upon vote tabulation of electorates, or supervision of the course of voting, procedure for vote tabulation and presentation of vote results at a polling district, in a voting precinct, or presence upon opening and installation of equipment of electronic electoral system, as well as upon inspection of its work in cases when such right is provided by the Law shall entail a fine in amount of thirty monthly calculation indices.

2. Impeding to the right of authorized persons of candidates, policy parties, spectators of policy parties, other public associations, non-profit organizations of the Republic of Kazakhstan to accompaniment of the members of electoral commission for organization of voting outside a voting premise or presence upon conduct of voting of electorates outside the voting premise, or carrying out of photo-, audio- and video-recording, or supervision of procedures for transferring the protocols on vote results to superior electoral commissions, or refusal in receipt of information on a quantity of the electorates that took participation in voting, as well as in voting outside the premise, or appeal of decisions, actions (omission) of the relevant electoral commission and (or) its members in cases when such right is provided by the Law, shall entail a fine in amount of thirty five monthly calculation indices.

3. Refusal in repeated vote tabulation to authorized persons of candidates, policy parties in cases when such right is provided, shall entail a fine in amount of thirty five monthly calculation indices.

4. Impeding to the right of spectators of foreign states and international

organizations, representatives of foreign mass media to attend at all the stages of election process or to receive information in electoral commissions on a course of electoral campaign, or to access to voting precincts during conduct of voting and vote tabulation, or to meeting with participants of election process, or to public announcements, or supervision of the procedures for transferring the protocols on vote results to superior electoral commissions in cases when such right is provided, shall entail a fine in amount of thirty five monthly calculation indices.

Chapter 12. ADMINISTRATIVE INFRACTIONS INFRINGING THE RIGHTS OF MINORS

Article 127. Failure to fulfill the obligations on nurturing of children by parents or other legal representatives

1. Failure to fulfill obligations on nurturing and education of minor children by parents or other legal representatives shall entail a fine in amount of seven monthly calculation indices.

2. The action provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall entail a fine in amount of twenty monthly calculation indices or administrative arrest up to fifteen days.

Article 128. Involvement of a minor in commission of administrative infraction

Involvement of a minor in commission of administrative infraction shall entail a fine in amount of one hundred monthly calculation indices.

Article 129. Failure to fulfill the obligation on registration of orphaned children, children left without parental custody, being in need of a dwelling place by persons of local executive bodies and (or) legal representatives of a child

1. Failure to fulfill the obligation on registration of orphaned children, children left without parental custody, being in need of a dwelling place, and equally registration with violation of established term by civil servants of local executive bodies and (or) legal representatives of a child shall entail a fine in amount of one hundred monthly calculation indices.

2. Acts provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall entail a fine in amount of two hundred monthly calculation indices.

Article 130. Failure to fulfill the obligation on preservation of a dwelling place of orphaned children, children left without parental custody by persons of local executive bodies and (or) legal representatives of a child

1. Failure to fulfill the obligation on preservation of a dwelling place of orphaned children, children left without parental custody by civil servants of local executive bodies and (or) legal representatives of a child shall entail a fine in amount of four hundred monthly calculation indices.

2. The act provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall entail a fine in amount of five hundred monthly calculation indices.

Article 131. Reduction of a minor to intoxication

Reduction of a minor to intoxication shall entail a fine in amount of twenty monthly calculation indices or administrative arrest for the term up to five years.

Article 132. Admission for minors to stay in entertainment places at night time

1. Admission for minors to stay in entertainment places without accompaniment of legal representatives at night time (from 22 pm to 6 am) shall entail a fine on individuals in amount of thirty, on subjects of small entrepreneurship or non-profit organizations in amount of forty five, on subjects of medium entrepreneurship - in amount of sixty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

2. The action provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall entail a fine on individuals in amount of sixty, on subjects of small entrepreneurship or non-profit organizations in amount of ninety, on subjects of medium entrepreneurship - in amount of one hundred twenty, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices, with suspension of activity or separate types of activity.

Article 133. Sale of tobacco and tobacco products to persons and by persons that did not attain eighteen years

1. Sale of tobacco and tobacco products to persons and by persons that did not attain eighteen years shall entail a fine on individuals in amount of twenty, on subjects of small entrepreneurship - in amount of forty, on subjects of medium entrepreneurship - in amount of sixty, on subjects of large entrepreneurship - in amount of eighty monthly calculation indices.

2. The action provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall entail a fine on individuals in amount of forty, on subjects of small entrepreneurship - in amount of sixty, on subjects of medium entrepreneurship - in amount of eighty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices, with suspension of activity or separate types of activity.

Article 134. Sale of subjects and materials of erotic content to minors

1. Sale of printed publications, cine- or video-materials, images or other subjects or materials of erotic content to minors shall entail a fine on individuals in amount of twenty, on subjects of small entrepreneurship - in amount of forty, on subjects of medium entrepreneurship - in amount of sixty, on subjects of large entrepreneurship - in amount of eighty monthly calculation indices, with confiscation of subjects and materials of erotic content.

2. The action provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall entail a fine on individuals in amount of forty, on subjects of small entrepreneurship - in amount of sixty, on subjects of medium entrepreneurship - in amount of eighty, on subjects of large entrepreneurship - in amount of one hundred sixty monthly calculation indices, with confiscation of subjects and materials of erotic content.

Article 135. Violation of order and terms for presentation of details on minors being in need of transferring for adoption, under trusteeship (guardianship), for upbringing in families of individuals

1. Violation of by heads of organizations in which there are children left without parental custody, as well as by civil servants of executive bodies of the Republic of Kazakhstan committed in the form of:

1) non-compliance with the terms for representing details on minors being in need of transferring for adoption, under trusteeship (guardianship), for upbringing in families of individuals;

2) representation of inaccurate information on a child, concealing data subjected

to reflection of a possibility for arrangement of a child left without parental custody to a family for his (her) regional and centralized registration of children left without parental custody;

3) illegal divulgence of details on existence of children left without parental custody in regional, centralized registration, and data about them to separate citizens, institutions and public organizations;

4) violation of order of primary, regional, centralized record keeping of orphaned children and children left without parental custody shall entail a fine in amount of thirty monthly calculation indices.

2. The action provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall entail a fine in amount of sixty monthly calculation indices.

Chapter 13. ADMINISTRATIVE INFRACTIONS INFRINGING TO PROPERTY

Article 136. Violation of a right of state ownership of land

Illegal occupation or exchange of state land fields or consummation of other transactions directly or indirectly infringing the right of the state ownership of land, as well as untimely return of temporary occupied state lands, shall entail a fine on individuals in amount of seventy five, on civil servants, subjects of small entrepreneurship or non-profit organizations - in amount of one hundred, on subjects of medium entrepreneurship - in amount of one hundred fifty, on subjects of large entrepreneurship - in amount of seven hundred monthly calculation indices.

Article 137. Breach of the land legislation of the Republic of Kazakhstan upon provision of the right to a land field and upon change of designated purpose of a land field

1. Breach of the land legislation of the Republic of Kazakhstan upon provision of the right to a land field and upon change of designated purpose of a land field, if these actions do not contain signs of criminally punishable act committed in the form of:

1) provision of land fields or the lease rights of land fields being in the state ownership and not provided for land use without holding of biddings (auctions and competitions), with the exception of cases when the auction and competition methods of providing land fields do not apply to the land field or the lease right of land field;

2) violation of established terms of considering the petitions (applications) of individuals and legal entities on provision of the relevant right to land field;

3) adoption of decision by a local executive body on provision of the rights to land fields without a favorable conclusion of the land commission and (or) without approved land surveying project;

4) violation of the term for adoption of decision by a local executive body on refusal to provide the rights to land fields;

5) violation of the term for adoption of decision by a local executive body on provision of the rights to land fields;

6) adoption of decision by a local executive body on provision of the right of private property to land fields that may not be in private ownership;

7) adoption of decision by a local executive body on compulsory alienation of a land field for the state needs in cases not provided by the legislative acts;

8) adoption of decision by a local executive body on free provision of land fields into private ownership with size that is more than a standard provided by the land legislation, as well as repeated free provision;

9) adoption of decision by a local executive body on provision of the right of temporary non-repayable land use for the purpose and in the term not provided by the

land legislation;

10) adoption of decision by a local executive body on provision of the right of private ownership to the agricultural lands for foreign persons and stateless persons;

11) adoption of decision by a local executive body on provision of the rights to land fields that are not included into its competence;

12) violation of the term for consideration of an application on change of designated purpose of a land field;

13) violation of the terms for production and issuance of identification documents for a land field;

14) violation of the terms for consideration and approval of a land surveying project;

15) violation of the terms for conclusion of buy and sell contract or contract of temporary compensated (uncompensated) land use shall entail a fine on civil servants in amount of thirty monthly calculation indices.

2. The actions provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall entail a fine on civil servants in amount of sixty monthly calculation indices.

Article 138. Destruction of special signs

1. Destruction of landmarks of borders of land fields shall entail a notification or a fine on individuals in amount of three, on subjects of small entrepreneurship or non-profit organizations - in amount of ten, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

2. Destruction or damage of monitoring and observation wells for ground waters, observant regime alignments on water objects, water protection or hydroeconomic signs, forest estimation or forestry-based signs in a forest fund, surveying, geodesic and levelling points and signs, shall entail a fine on individuals in amount of five, on subjects of small entrepreneurship or non-profit organizations - in amount of thirty, on subjects of medium entrepreneurship - in amount of seventy, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

Article 139. Violation of the right of state ownership to subsoil

1. Illegal use of subsoil with the exception of ground waters, consummation of transaction violating the right of the state ownership to subsoil in a direct or latent form shall entail a fine on individuals in amount of fifty, on civil servants, subjects of small entrepreneurship - in amount of one hundred, on subjects of medium entrepreneurship - in amount of one hundred fifty, on subjects of large entrepreneurship - in amount of five hundred monthly calculation indices.

2. The actions provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall entail a fine on individuals in amount of one hundred, on civil servants, subjects of small entrepreneurship - in amount of one hundred fifty, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of seven hundred monthly calculation indices, with a confiscation of the property received due to commission of administrative infraction, tools and subjects for commission of the administrative infraction.

Article 140. Selective development of deposit fields

1. Selective development of deposit fields that lead to deterioration of quality of the rest reserves, unreasonable extra-project and losses of mineral resources above permitted standards, shall entail a fine on subjects of small entrepreneurship in amount of one hundred fifty, on subjects of medium entrepreneurship - in amount of two hundred,

on subjects of large entrepreneurship - in amount of one thousand monthly calculation indices.

2. Non-compliance with project decisions on development of deposit fields that lead to environmental harm, shall entail a fine on subjects of small entrepreneurship in amount of one hundred, on subjects of medium entrepreneurship - in amount of two hundred fifty, on subjects of large entrepreneurship - in amount of one thousand monthly calculation indices.

Article 141. Violation of the right of state ownership to waters

1. Illegal seizure of water objects, including discharge of sewage and other waters, illegal water use, reassignment of the right of water use, as well as consummation of other transactions, violating the right of the state ownership to waters in direct or latent form, shall entail a fine on individuals in amount of thirty, on civil servants, subjects of small entrepreneurship or non-profit organizations - in amount of forty, on subjects of medium entrepreneurship - in amount of sixty, on subjects of large entrepreneurship - in amount of one four hundred monthly calculation indices.

2. Water intake with violation of limits, excess of permitted volumes, illegal performance of hydraulic engineering works, irrational, inappropriate use of ground and surface waters, produced or passed off from water objects, shall -

entail a fine on individuals in amount of ten, on civil servants, subjects of small entrepreneurship or non-profit organizations - in amount of twenty, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of two hundred fifty monthly calculation indices.

Article 142. Violation of the right of the state ownership to forests

Buy and sell, giving, pledge, illegal engagement and exchange of fields of the forest fund, as well as illegal reassignment of the right to carry out forest uses violating the right of the state ownership to forests, shall entail a fine on individuals in amount of twenty, on civil servants - in amount of twenty five, on subjects of small entrepreneurship or non-profit organizations - in amount of seventy, on subjects of medium entrepreneurship - in amount of one hundred fifty, on subjects of large entrepreneurship - in amount of five hundred monthly calculation indices.

Article 143. Violation of the right of the state ownership to animal and plant world

1. Illegal reassignment of the right of using objects of animal world, as well as commission of other transactions violating the right of the state ownership to animal world in a direct or latent form, as well as illegal use of objects of the plant world in conservations and on other especially protected natural areas, the use of which requires obtainment of permission, shall entail a fine on individuals in amount of ten, on civil servants - in amount of twenty five, on subjects of small entrepreneurship or non-profit organizations - in amount of seventy, on subjects of medium entrepreneurship - in amount of one hundred fifty, on subjects of large entrepreneurship - in amount of five hundred monthly calculation indices.

2. Illegal reassignment of the right of using the objects of plant world, as well as consummation of other transactions violating the right of the state ownership to plant world in a direct or latent form, and equally illegal use of objects of the plant world the use of which requires obtainment of permission, shall -

entail a fine on individuals in amount of ten, on civil servants - in amount of twenty, on subjects of small entrepreneurship or non-profit organizations - in amount of

fifty, on subjects of medium entrepreneurship – in amount of one hundred, on subjects of large entrepreneurship – in amount of three hundred monthly calculation indices.

Article 144. Illegal connection, use of energy or waters

1. Illegal connection, use of electric and (or) heat energy shall entail a fine on individuals in amount of fifty, on civil servants – in amount of one hundred, on subjects of small entrepreneurship or non-profit organizations – in amount of one hundred fifty, on subjects of medium entrepreneurship – in amount of two hundred, on subjects of large entrepreneurship – in amount of five hundred monthly calculation indices.

2. Illegal connection, use of waters from water supply networks, and equally illegal connection to sewerage networks shall entail a fine on individuals in amount of thirty, on civil servants – in amount of sixty, on subjects of small entrepreneurship or non-profit organizations – in amount of one hundred, on subjects of medium entrepreneurship – in amount of one hundred fifty, on subjects of large entrepreneurship – in amount of three hundred monthly calculation indices.

Article 145. Breach of the legislation of the Republic of Kazakhstan in the field of protection and use of objects of historical and cultural heritage

Breach of the legislation of the Republic of Kazakhstan in the field of protection and use of objects of historical and cultural heritage committed in the form of:

- 1) violations of the rules of protection and maintenance of monuments of history and culture;
- 2) violations of conditions of maintenance of a monument of history and culture signed in preservation orders;
- 3) violation of requirements of constructing new monuments of history and culture;
- 4) illegal movement and change of a monument of history and culture;
- 5) failure to conduct research works on detection of objects having historical, scientific, artistic and other cultural value upon land invasion before land allotment;
- 6) performance of works that may create a threat to existence of objects of historical and cultural heritage, shall entail a fine on individuals in amount of ten, on civil servants, subjects of small entrepreneurship – in amount of fifty, on subjects of medium entrepreneurship – in amount of one hundred, on subjects of large entrepreneurship – in amount of two hundred fifty monthly calculation indices, with suspension of performed works.

Article 146. Passage on sowings or plantings

Passage on sowings or plantings on a mechanical transport vehicle, animal transport shall –

entail a notification or a fine in amount of five monthly calculation indices.

Article 147. Damage of sowings, hayricks, spoiling or destruction of harvests of gathered agricultural crops being in a field, damage of plantings

1. Damage of sowings, hayricks, spoiling or destruction of harvests of gathered agricultural crops being in a field or damage of plantings of agricultural organizations independently from their legal organizational form, peasant or farm enterprises, personal subsidiary husbandries by livestock or birds, shall –

entail a fine on individuals in amount of twenty, on civil servants – in amount of fifty monthly calculation indices.

2. The same actions committed repeatedly second time second time within a year after imposition of administrative sanction provided by a part one of this Article, shall –

entail a fine on individuals in amount of forty, on civil servants - in amount of seventy monthly calculation indices.

Article 148. Violation of terms for return of the state nature grants

Violation of grants for return of the state nature grants established by the legislation on investments, shall -

entail a fine on subjects of small entrepreneurship in amount of one hundred fifty, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of one thousand monthly calculation indices.

Article 149. Non-fulfillment and (or) improper fulfillment of obligations on ensuring of antiterrorist protection and compliance with adequate level of security of an object being assailable in a terrorist relation

1. Non-fulfillment and (or) improper fulfillment of obligations by an owner or head of an object being assailable in a terrorist relation on ensuring of antiterrorist protection and compliance with adequate level of security of the object entrusted to him (her), shall -

entail a fine on individuals or civil servants in amount of one hundred, on subjects of small entrepreneurship or non-profit organizations - in amount of two hundred, on subjects of medium entrepreneurship - in amount of three hundred, on subjects of large entrepreneurship - in amount of five hundred monthly calculation indices.

2. Actions (omission) provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall -

entail a fine on individuals or civil servants in amount of two hundred, on subjects of small entrepreneurship or non-profit organizations - in amount of three hundred, on subjects of medium entrepreneurship - in amount of five hundred, on subjects of large entrepreneurship - in amount of one thousand monthly calculation indices.

Article 150. Advertising of activity of financial (investment) pyramids

Production, dissemination and positioning of advertising of the activity of financial (investment) pyramids shall -

entail a fine on individuals in amount of one hundred fifty, on civil servants - in amount of one hundred seventy, on subjects of small entrepreneurship or non-profit organizations - in amount of two hundred, on subjects of medium entrepreneurship - in amount of three hundred, on subjects of large entrepreneurship - in amount of six hundred monthly calculation indices with suspension of release (airing) of mass media for a term up to three months.

Chapter 14. ADMINISTRATIVE INFRACTIONS IN THE FIELD OF ENTREPRENEURSHIP ACTIVITY

Article 151. Violation of the rules for outflow or dispatch of raw materials, food commodities and industrial products beyond the borders of the Republic of Kazakhstan

1. Violation of the rules for outflow or dispatch of raw materials, food commodities, industrial products beyond the borders of the Republic of Kazakhstan shall -

entail a fine on individuals in amount of five, on subjects of small entrepreneurship - in amount of twenty, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of fifty monthly

calculation indices.

2. The action provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall - entail a fine on individuals in amount of ten, on subjects of small entrepreneurship - in amount of twenty five, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of sixty monthly calculation indices with confiscation of raw materials or goods or without such.

Article 152. Violation of rules for acceptance of raw materials, food commodities and industrial products for dispatch beyond the borders of the Republic of Kazakhstan

Violation of rules for acceptance of raw materials, food commodities and industrial products for dispatch from the Republic of Kazakhstan committed by workers of postal organizations, railway, automobile, river, marine and air transport shall - entail a fine in amount of ten monthly calculation indices.

Article 153. Illegal entrepreneurship

Engagement in prohibited types of entrepreneurial activity, if this action causes heavy damage to a citizen, organization or the state or connected with deriving revenue in a large amount or production, storage, transfer or selling of sub-excite goods in a considerable amount, if these actions do not contain signs of criminally punishable act, shall -

entail a fine on individuals, subjects of small entrepreneurship in amount of thirty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of fifty percent of a sum of inflicted damage, of a sum of derived revenue and cost of sub-excite goods received in a result of illegal entrepreneurship.

Note.

1. Heavy damage in Articles 153 and 155 of this Code shall be considered as the damage inflicted to a citizen to the sum not exceeding one thousand monthly calculation indices, or damage inflicted to organization or the state to the sum not exceeding ten thousand monthly calculation indices.

2. Revenue in a large amount in Articles 153 and 155 of this Code shall be considered as the revenue the sum of which does not exceed ten thousand monthly calculation indices.

3. In this Article, the considerable amount is such quantity of goods, the cost of which does not exceed one thousand monthly calculation indices.

Article 154. Engagement in entrepreneurial activity by a person for whom the prohibition to carry out such activity is established by the legislation of the Republic of Kazakhstan

Engagement in entrepreneurial activity by a person for whom the prohibition to carry out such activity is established by the legislation of the Republic of Kazakhstan, shall -

entail a fine on individuals in amount of two hundred monthly calculation indices with confiscation of subjects and (or) tools of committing administrative infractions and (or) revenues (dividends), money, securities received due to commission of the infraction.

Article 155. Illegal banking activity

Carrying out of banking activity (banking operations) without registration or without special permission (license) in cases when such permission (license) is compulsory, that inflicted heavy damage to a citizen, organization or the state or connected with deriving revenues in a large amount, if this action does not contain the signs of criminally punishable act, shall -

entail a fine on individuals, subjects of small entrepreneurship in amount of thirty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of fifty percent of a sum of inflicted damage, of a sum of derived revenue received in a result of illegal activity.

Article 156. Violation of requirements of the legislation of the Republic of Kazakhstan on culture

1. Violation of requirements of the legislation of the Republic of Kazakhstan on culture committed in a form of:

1) distribution and public demonstration of films in a territory of the Republic of Kazakhstan without distribution certificate for a film;

2) non-informing audience in established manner on viewers' age limit (index) of a film;

3) non-compliance with established time upon distribution and public demonstration of films with indices "E18" and "HA" in cinema halls and other places designated for these purposes and on television channels (with the exception of foreign television channels);

4) non-compliance with order and conditions of temporary coming out of cultural values;

5) non-provision of compulsory free example of publication to the national libraries, shall -

entail a notification.

2. The action provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall -

entail a fine on individuals in amount of twenty, on subjects of small entrepreneurship or non-profit organizations - in amount of thirty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

Article 157. Knowingly false advertising

Use of knowingly false information by an advertiser in advertisement in respect of goods, works and services, as well as their producers, performers or sellers committed for selfish motives and that inflicted heavy damage shall -

entail a fine on individuals in amount of one hundred, on subjects of small entrepreneurship - in amount of three hundred, on subjects of medium entrepreneurship - in amount of five hundred, on subjects of large entrepreneurship - in amount of one thousand monthly calculation indices.

Note. Heavy damage in this Article shall be considered as a damage inflicted to an individual to the sum hundredfold exceeding monthly calculation index, or the damage inflicted to organization or the state to the sum five hundredfold exceeding the monthly calculation index.

Article 158. Illegal use of wrong trademark, service mark, name of a place of origin of goods or firm name

Illegal use of wrong trademark, service mark or name of the place of origin of goods or designations for homogeneous goods or services being similar to them, as well as illegal use of wrong firm name, if these actions do not contain the signs of criminally punishable act, shall -

entail a fine on individuals in amount of thirty, on subjects of small entrepreneurship - in amount of forty, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices, with confiscation of goods containing illegal image of a trademark, service mark, name of the place of origin of goods or designations for homogeneous goods or services being similar to them.

Note.

1. Confiscation for commission of infractions mentioned in this Article shall be carried out in case of impossibility to destroy the produced image of a trademark, service mark, name of the place of origin of goods or firm name, its package, blanks or another documentation, illegally used trademark or name of the place of origin, as well as designations being similar to them up to the mixtion extent.

2. Goods confiscated in accordance with parts one and two of this Article shall be subject to destruction in the manner provided by Article 795 of this Code, with the exception of cases of their transfer to a rights holder upon his (her) request.

Article 159. Monopolistic activity

1. Anticompetitive agreements of market entities prohibited by the Law of the Republic of Kazakhstan "On business competition", if these actions do not contain signs of criminally punishable act, shall -

entail a fine on subjects of small or medium entrepreneurship or non-profit organizations in amount of three, on subjects of large entrepreneurship - in amount of five percent of the revenue (profit) received in a result of carrying out of the monopolistic activity, with a confiscation of monopoly income received in a result of carrying out of the monopolistic activity, no more than for one year.

2. Anticompetitive coordinated actions of market entities prohibited by the Law of the Republic of Kazakhstan "On business competition", if these actions do not contain the signs of criminally punishable act, shall -

entail a fine on subjects of small or medium entrepreneurship or non-profit organizations in amount of three, on subjects of large entrepreneurship - in amount of five percent of the revenue (profit) received in a result of carrying out of the monopolistic activity, with a confiscation of monopoly income received in a result of carrying out of the monopolistic activity, no more than for one year.

3. Abuse of dominant or monopoly position by market entities prohibited by the Law of the Republic of Kazakhstan "On business competition", if these actions do not contain the signs of criminally punishable act, shall -

entail a fine on subjects of small or medium entrepreneurship or non-profit organizations in amount of three, on subjects of large entrepreneurship - in amount of five percent of the revenue (profit) received in a result of carrying out of the monopolistic activity, with a confiscation of monopoly income received in a result of carrying out of the monopolistic activity, no more than for one year.

4. The actions provided by parts one, two and three of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -

entail a fine on subjects of small or medium entrepreneurship or non-profit organizations in amount of five, on subjects of large entrepreneurship - in amount of ten percent of the revenue (profit) received in a result of carrying out of the monopolistic activity, with a confiscation of monopoly income received in a result of carrying out of the monopolistic activity, no more than for one year.

5. Coordination of economic activity of market entities by individuals and (or) legal entities that may lead, leading or that lead to any form of anticompetitive agreements of market entities prohibited by the Law of the Republic of Kazakhstan "On business competition", shall -

entail a fine on individuals in amount of two hundred, on subjects of small entrepreneurship or non-profit organizations - in amount of three hundred fifty, on subjects of medium entrepreneurship - in amount of five hundred, on subjects of large entrepreneurship - in amount of one thousand monthly calculation indices.

6. The action provided by a part five of this Article committed repeatedly second

time second time within a year after imposition of administrative sanction, shall - entail a fine on individuals in amount of three hundred, on subjects of small entrepreneurship or non-profit organizations - in amount of three hundred fifty, on subjects of medium entrepreneurship - in amount of seven hundred, on subjects of large entrepreneurship - in amount of one thousand monthly calculation indices.

Note.

Market entity that committed administrative infraction in the form of anticompetitive agreement or anticompetitive coordinated actions shall be released from administrative liability upon cumulative compliance with the following conditions:

1) at the time, when a market entity applies to the antimonopoly body o anticompetitive agreements or anticompetitive coordinated actions, the antimonopoly body did not receive the information on these anticompetitive agreements or anticompetitive coordinated actions from other sources;

2) market entity takes urgent measures on termination of own participation in anticompetitive agreements or anticompetitive coordinated actions;

3) market entity informs full information on the facts of anticompetitive agreements or anticompetitive coordinated actions during all the investigation from the date of application;

4) market entity compensates damage to consumers on a voluntary basis inflicted in a result of commission of anticompetitive agreements or anticompetitive coordinated actions.

Footnote. Article 159 as amended by the Law of the Republic of Kazakhstan dated 05.05.2015 No. 312-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Article 160. Breach of the legislation of the Republic of Kazakhstan on state monopoly

1. Non-compliance of restrictions by a subject of state monopoly established by the legislation of the Republic of Kazakhstan on state monopoly, shall - entail a fine in amount of three hundred monthly calculation indices.

2. Carrying out of activity related to the scope of the state monopoly by the unauthorized person shall -

entail a fine on individuals in amount of one hundred, on subjects of small entrepreneurship - in amount of one hundred fifty, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of three hundred monthly calculation indices, with a confiscation of the subjects and (or) tools for commission of administrative infraction or without such.

Article 161. Illegal actions of market entities upon economic concentration

1. Economic concentration of market entities without receipt of agreement of the antimonopoly body in case if such agreement is required, non-fulfillment of requirements and obligations by market entities participating in economic concentration, by whom the decision on giving the agreement for economic concentration is conditioned, shall -

entail a fine on individuals in amount of eighty, on subjects of small entrepreneurship or non-profit organizations - in amount of two hundred, on subjects of medium entrepreneurship - in amount of three hundred twenty, on subjects of large entrepreneurship - in amount of one thousand six hundred monthly calculation indices.

2. Non-provision or untimely provision of a notification to the antimonopoly body on committed economic concentration in case if existence of such notification is required, shall -

entail a fine on individuals in amount of eighty, on subjects of small entrepreneurship or non-profit organizations - in amount of two hundred, on subjects of

medium entrepreneurship - in amount of three hundred twenty, on subjects of large entrepreneurship - in amount of one thousand six hundred monthly calculation indices.

Article 162. Non-fulfillment of a prescription of the antimonopoly body. Violation of obligations on provision of information and creation of obstacles to access to premises and in a territory

Non-fulfillment of a prescription or fulfillment not in a full measure, non-provision of information or provision of information not in a full measure to the antimonopoly body within established terms, provision of inaccurate and (or) false information to the antimonopoly body, creation of obstacles to civil servants of the antimonopoly body prosecuting the investigation to access to premises and in a territory, shall -

entail a fine on individuals in amount of eighty, on civil servants, subjects of small entrepreneurship or non-profit organizations - in amount of one hundred sixty, on subjects of medium entrepreneurship - in amount of three hundred sixty, on subjects of large entrepreneurship - in amount of one thousand six hundred monthly calculation indices.

Article 163. Anticompetitive actions of the state, local executive bodies, unfair competition

1. Anticompetitive actions of the state, local executive bodies shall - entail a fine on civil servants in amount of three hundred monthly calculation indices.

2. Unfair competition shall - entail a fine on subjects of small entrepreneurship in amount of two hundred, on subjects of medium entrepreneurship - in amount of three hundred, on subjects of large entrepreneurship - in amount of one thousand five hundred monthly calculation indices.

3. The action provided by a part two of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall - entail a fine on subjects of small entrepreneurship in amount of three hundred, on subjects of medium entrepreneurship - in amount of four hundred, on subjects of large entrepreneurship - in amount of two thousand monthly calculation indices.

Article 164. Breach of the legislation of the Republic of Kazakhstan on natural monopolies and regulated markets

1. Non-provision of information, report, notification of established forms to the authorized body carrying out management in the scopes of natural monopolies and on regulated markets by a subject of natural monopoly, and equally provision of information, report, notification of established forms with violation of established terms, shall -

entail a fine on subjects of small entrepreneurship in amount of two hundred, on subjects of medium entrepreneurship - in amount of two hundred forty, on subjects of large entrepreneurship - in amount of eight hundred monthly calculation indices.

2. The same actions (omission) committed repeatedly second time second time within a year after imposition of administrative sanction provided by a part one of this Article, shall -

entail a fine on subjects of small entrepreneurship in amount of two hundred forty, on subjects of medium entrepreneurship - in amount of two hundred eighty, on subjects of large entrepreneurship - in amount of one thousand two hundred monthly calculation indices.

3. Non-provision of an application and documents, information on inclusion into the State register on subjects of natural monopolies by persons carrying out the activity related to the scope of natural monopoly to the authorized body within fifteen

calendar days from the date of beginning of carrying out of this activity in the manner established by the legislation on natural monopolies and regulated markets, shall -
entail a fine in amount of one hundred percent of a sum of revenue (profit) received in a result of commission of administrative infraction.

4. Non-compliance with restrictions by a subject of natural monopoly, and equally non-fulfillment or improper fulfillment of the obligations established by the legislation of the Republic of Kazakhstan on natural monopolies and regulated markets by the subject of natural monopoly, with the exception of the obligation of providing information, report, notification to the authorized body carrying out management in the scopes of natural monopolies and on regulated markets, shall -

entail a fine on subjects of small entrepreneurship in amount of two hundred eighty, on subjects of medium entrepreneurship - in amount of three hundred twenty, on subjects of large entrepreneurship - in amount of six hundred monthly calculation indices.

5. Action (omission) provided by a part three of this Article that incurred receipt of revenue (profit), shall -

entail a fine on legal entities in amount of ten percent of the revenue (profit) received in a result of commission of administrative infraction.

Note. The revenue (profit) received in a result of commission of administrative infraction shall be regarded as the difference between the revenue (profit) received by a subject of natural monopoly, and the revenue (profit) that the subject of natural monopoly should receive upon compliance with the legislation of the Republic of Kazakhstan.

Article 165. Violation of procedure for sales (disposal) of electric energy

1. Sales (disposal) of electric energy by energy producing organization, with the exception of cases of selling (disposing) on spot-biddings (no more than ten percent of the volumes of produced electric energy), balancing market and for export, according to the tariff exceeding the limiting, individual, calculation tariffs of electric energy respectively, shall -

entail a fine on legal entities in amount of ten percent of the revenue (profit) received in a result of commission of administrative infraction.

2. Sale (disposal) of electric energy by energy producing organization to individuals and legal entities that are not the subjects of wholesale and (or) retail market, with the exception of cases of exporting electric energy, shall -

entail a fine on legal entities in amount of one hundred percent of the sum of the revenue (profit) received in a result of commission of administrative infraction.

3. Illegal acquisition (purchase) of electric energy by energy producing organization from another energy producing organization, shall -

entail a fine on legal entities in amount of one hundred percent of payment for electric energy being acquired (purchased) in a result of commission of administrative infraction.

4. Illegal sale (disposal) of electric energy by energy producing organization to another energy producing organization, and equally its illegal acquisition (purchase) from another energy producing organization shall -

entail a fine on legal entities in amount of one hundred percent of a sum of payment for electric energy being sold (disposed), equally as acquired (purchased) in a result of commission of administrative infraction.

Note.

1. The revenue (profit) received in a result of commission of administrative infraction shall be regarded as:

1) according to part one of this Article: the difference between the revenue (profit) received by energy producing organization, with the exception of cases provided by this Article, and the revenue (profit) calculated respectively on limiting, calculation, individual tariffs of electric energy;

2) according to parts one, three and four of this Article: all the income (profit) received in a result of violation of prohibition for selling (disposing) electric energy established by the legislation of the Republic of Kazakhstan on electric power industry.

2. Composition of revenue (profit) shall include the cost of sold (disposed) electric energy, but not paid on a date of drawing up the protocol on administrative infraction.

Article 166. Violation of obligations by regulated markets entities

1. Non-provision of information by a regulated market entity on selling prices accompanied by supporting materials confirming the level of price, financial report in accordance with the legislation of the Republic of Kazakhstan on business accounting and financial reporting, as well as information on the volumes of production (sale), rate of return and selling prices of monopolistically produced (sold) goods (works, services) within the terms established by the legislation of the Republic of Kazakhstan on natural monopolies and regulated markets, as well as provision of inaccurate and (or) incomplete information to the authorized body carrying out management in the scopes of natural monopolies and on regulated markets, shall -

entail a fine on subjects of small entrepreneurship in amount of three hundred, on subjects of medium entrepreneurship - in amount of four hundred, on subjects of large entrepreneurship - in amount of two thousand monthly calculation indices.

2. Non-execution of investment programs (projects) considered in limit prices by regulated market entities, shall -

entail a fine on subjects of small entrepreneurship, subjects of medium entrepreneurship, subjects of large entrepreneurship - in amount of ten percent of sums not used for realization of investment programs (projects).

3. Non-fulfillment of the obligation by regulated market entities on return of the revenue (profit) received and not used for realization of investment programs (projects) considered in limit prices to consumers or in case of impossibility to establish the full list of the consumers by lowering the limit price level for the coming period in accordance with the manner of price formation, shall -

entail a fine on subjects of small entrepreneurship - in amount of sixty five, on subjects of medium entrepreneurship - in amount of eighty, on subjects of large entrepreneurship - in amount of one hundred percent of a sum of the revenue (profit) received in a result of commission of administrative infraction.

4. Non-fulfillment of the obligation by regulated market entities on return of the revenue (profit) received in a result of unreasonable excess of limit price to consumers or in case of impossibility to establish the full list of the consumers by lowering the limit price level for the coming period in accordance with the manner of price formation, shall -

entail a fine on subjects of small entrepreneurship in amount of sixty five, on subjects of medium entrepreneurship - in amount of eighty, on subjects of large entrepreneurship - in amount of one hundred percent of a sum of the revenue (profit) received in a result of commission of administrative infraction.

5. Excess of a price and sale of goods (works, services) by regulated market entity without representation of a notification on coming excess of the price to the authorized body carrying out management in the scopes of natural monopolies and on regulated markets within the terms established by the legislation of the Republic of

Kazakhstan, and equally non-lowering of current or projected price up to the price level determined by the authorized body carrying out the management in the scopes of natural monopolies and on regulated markets, in the manner established by the legislation of the Republic of Kazakhstan on natural monopolies and regulated markets, shall -

entail a fine on subjects of small entrepreneurship, subjects of medium entrepreneurship, subjects of large entrepreneurship - in amount of ten percent of the revenue (profit) received in a result of commission of administrative infraction.

Note.

1. The revenue (profit) received in a result of commission of administrative infraction shall be regarded as:

1) according to part three of this Article: the difference between the revenue (profit) received by regulated market entity for selling investment programs (projects) on account of applying the limit price, and the revenue (profit) used for realization of investment programs (projects);

2) according to part of this Article: the difference between the revenue (profit) received by regulated market entity, and the revenue (profit) formed proceeding from the limit price level;

3) according to part two of this Article: the difference between the revenue (profit) received by regulated market entity, and the revenue (profit) calculated at the price, the level of which is determined by the authorized body carrying out management in the scopes of natural monopolies and on regulated markets.

2. Composition of the revenue (profit) should include the cost of sold goods (works, services), but not paid on a date of drawing up the protocol on administrative infraction.

Article 167. Non-compliance with procedure for price formation by regulated market entity

Non-compliance with procedure for price formation established by the authorized body carrying out management in the scopes of natural monopolies and on regulated markets by regulated market entity, shall -

entail a fine on subjects of small entrepreneurship in amount of three hundred, on subjects of medium entrepreneurship - in amount of four hundred, on subjects of large entrepreneurship - in amount of two thousand monthly calculation indices.

Footnote. Article 167 as amended by the Law of the Republic of Kazakhstan dated 05.05.2015 No. 312-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Article 168. Non-execution of investment program by energy producing organization

Non-execution of a prescription on execution of investment program by energy producing organization introduced by the authorized body carrying out management in the scopes of natural monopolies and on regulated markets, shall -

entail a fine in amount of ten percent of the sums received from consumers and not used for the purpose of realization of investment program.

Article 169. Breach of the legislation of the Republic of Kazakhstan on the state regulation of production and turnover of biofuel

1. Excess of quota standard by producers of biofuel for acquisition of food raw materials for the following its processing into biofuel, shall -

entail a fine on subjects of small entrepreneurship in amount of two hundred fifty, on subjects of medium entrepreneurship - in amount of three hundred forty, on subjects of large entrepreneurship - in amount of one thousand five hundred seventy monthly calculation indices.

2. The action provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall - entail a fine on subjects of small entrepreneurship in amount of three hundred, on subjects of medium entrepreneurship - in amount of three hundred ninety, on subjects of large entrepreneurship - in amount of one thousand eight hundred twenty monthly calculation indices, with a confiscation of products produced from the food raw materials in amount of exceeded quota, and suspension of activity on production of biofuel for the term up to three months.

3. Use of wheat of the classes 1 and 2 as a food raw material upon production of biofuel shall -

entail a fine on subjects of small entrepreneurship in amount of one hundred, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of seven hundred fifty monthly calculation indices.

4. Sale of biofuel, the composition of which does not conform to the composition established by the technical regulations shall -

entail a fine on subjects of small entrepreneurship in amount of two hundred, on subjects of medium entrepreneurship - in amount of three hundred, on subjects of large entrepreneurship - in amount of seven hundred fifty monthly calculation indices.

5. Production of turnover of undenatured bioethanol, with the exception of cases of its delivery to the plant on production of biofuel or to the oil processing plant for processing into other types of biofuel, shall -

entail a fine on subjects of small entrepreneurship in amount of two hundred, on subjects of medium entrepreneurship - in amount of three hundred, on subjects of large entrepreneurship - in amount of seven hundred fifty monthly calculation indices.

6. Carrying out of production of biofuel by two and more producers of biofuel at one and the same plant on production of biofuel, shall -

entail a fine on subjects of small entrepreneurship in amount of fifty, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of seven hundred fifty monthly calculation indices.

7. Production of biofuel by producers of the biofuel without production passport, without control instruments for recording the volumes of producing the biofuel or during their state of defect, shall -

entail a fine on subjects of small entrepreneurship in amount of one hundred ten, on subjects of medium entrepreneurship - in amount of two hundred twenty, on subjects of large entrepreneurship - in amount of seven hundred thirty monthly calculation indices, with the confiscation of products produced during this period.

8. Acceptance of biofuel of food raw materials by producers that is genetically modified source (object) or containing genetically modified sources (objects) without scientific substantiated confirmation of their safety and conduct of their state registration, shall -

entail a fine on subjects of small entrepreneurship in amount of one hundred twenty five, on subjects of medium entrepreneurship - in amount of two hundred fifty, on subjects of large entrepreneurship - in amount of nine hundred forty monthly calculation indices.

9. Sale of biofuel by producers of the biofuel without execution of accompanying notes, shall -

entail a fine on subjects of small entrepreneurship in amount of one hundred thirty, on subjects of medium entrepreneurship - in amount of two hundred seventy, on subjects of large entrepreneurship - in amount of seven hundred ten monthly calculation indices.

10. Sale of biofuel by producers of the biofuel to the persons that do not carry

out production of biofuel and (or) that do not have a license for compounding of oil products, with the exception of exporting the biofuel upon existence of the relevant documents, shall -

entail a fine on subjects of small entrepreneurship in amount of one hundred thirty, on subjects of medium entrepreneurship - in amount of three hundred, on subjects of large entrepreneurship - in amount of nine hundred ninety monthly calculation indices, with a confiscation of biofuel in a volume equal to the sold batch.

11. Release of produced biofuel by producers of the biofuel for its storage to persons that are not the participants of the biofuel market, with the exception of exporting the biofuel upon existence of the relevant documents, shall -

entail a fine on subjects of small entrepreneurship in amount of one hundred ten, on subjects of medium entrepreneurship - in amount of three hundred, on subjects of large entrepreneurship - in amount of six hundred monthly calculation indices, with a confiscation of biofuel in a volume equal to the sold batch.

12. Storage of biofuel by persons that are not the participants of the biofuel market and (or) that do not have a license for compounding of oil products, with the exception of exporting biofuel upon existence of the relevant documents, shall -

entail a fine on subjects of small entrepreneurship in amount of one hundred thirty five, on subjects of medium entrepreneurship - in amount of one hundred seventy, on subjects of large entrepreneurship - in amount of two hundred sixty monthly calculation indices, with a confiscation of biofuel in a volume equal to the sold batch.

13. The actions provided by parts seven, eight, nine, ten, eleven of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -

entail a fine on subjects of small entrepreneurship in amount of two hundred, on subjects of medium entrepreneurship - in amount of four hundred, on subjects of large entrepreneurship - in amount of one thousand three hundred monthly calculation indices, with a confiscation of biofuel in a relevant volume.

14. The action provided by a part twelve of this Article committed repeatedly second time second time within a year after imposition of administrative sanction shall -

entail a fine on subjects of small entrepreneurship in amount of one hundred twenty, on subjects of medium entrepreneurship - in amount of two hundred forty, on subjects of large entrepreneurship - in amount of four hundred thirty monthly calculation indices.

Article 170. Violation of requirements of the legislation of the Republic of Kazakhstan on gas and gas supply

1. Non-provision of details by a subject of gas supply systems on production, transportation (transfer), storage and sale of sales, liquefied petroleum and (or) liquefied natural gas, and equally provision of details with violation of established terms, shall -

entail a fine on subjects of small entrepreneurship in amount of twenty five, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

2. Non-compliance with restrictions on operation of objects of the gas supply systems established by the legislation of the Republic of Kazakhstan on gas and gas supply, shall -

entail a fine on subjects of small entrepreneurship in amount of fifty, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of three hundred monthly calculation indices.

3. Violation of procedure for recording and (or) sale of sales and (or) liquefied

petroleum gas established by the legislation of the Republic of Kazakhstan on gas and gas supply, shall -

entail a fine on subjects of small entrepreneurship in amount of seventy five, on subjects of medium entrepreneurship - in amount of one hundred fifty, on subjects of large entrepreneurship - in amount of seven hundred monthly calculation indices.

4. Violation of a priority right of the state by a subsurface user to acquisition of raw and (or) commercial gas, shall -

entail a fine on legal entities in amount of one thousand monthly calculation indices.

5. Violation of a priority right of the state by an owner of an object of the gas supply systems to acquisition of objects of the unified commercial gas supply system, shares in a right of common property to objects of the unified commercial gas supply system and (or) blocks of shares (participatory interests) of legal entities-owners of the objects of the unified commercial gas supply system, shall -

entail a fine on legal entities in amount of thousand monthly calculation indices.

6. Non-compliance with established technical operating regimes of the objects of unified commercial gas supply system shall -

entail a fine on subjects of small entrepreneurship in amount of one hundred, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of one thousand five hundred monthly calculation indices.

7. The action provided by a part three of this Article that lead receipt of the revenue (profit), shall -

entail a fine on legal entities - in amount of thirty percent of the revenue (profit) received in a result of commission of administrative infraction, with suspension of the action or deprivation of accreditation certificate.

8. Violation of the rules of accreditation of gas network organizations shall -

entail a fine on subjects of medium entrepreneurship in amount of two hundred, on subjects of large entrepreneurship - in amount of five hundred monthly calculation indices, with suspension of the validity term of accreditation certificate.

9. Provision of knowingly inaccurate information by an applicant upon receipt of accreditation certificate, and equally the actions (omission) provided by a part seven of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, as well as non-elimination of the violations of rules of accreditation that lead bringing to administrative liability, upon expiry of the term for suspension of validity term of accreditation certificate, shall -

entail a fine on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of five hundred monthly calculation indices, with deprivation of the accreditation certificate.

Note. The revenue (profit) received in a result of commission of administrative infraction shall be regarded as the difference between the revenue (profit) received by a person that committed the administrative infraction, and the revenue (profit) that this person should receive upon compliance with the legislation of the Republic of Kazakhstan.

Article 171. Excess of limit prices of selling oil products, commercial liquefied petroleum gas to which the state regulation of prices is established

1. Excess of limit price of retail sale of oil products by retail sellers of oil products established I accordance with the legislation of the Republic of Kazakhstan on the state regulation of production and turnover of separate types of oil products, shall -

entail a fine on subjects of small entrepreneurship in amount of one hundred, on

subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of one thousand monthly calculation indices.

2. Excess of limit prices of wholesale trade by persons carrying out wholesale trade of commercial or liquefied petroleum gas established in accordance with the legislation of the Republic of Kazakhstan on gas and gas supply, shall -

entail a fine on subjects of small entrepreneurship in amount of one hundred fifty, on subjects of medium entrepreneurship - in amount of three hundred, on subjects of large entrepreneurship - in amount of two thousand monthly calculation indices.

3. The actions provided by parts one and two of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -

entail a fine on legal entities in amount of one hundred percent of the revenue (profit) received in a result of commission of administrative infraction, with suspension of the validity term or deprivation of accreditation certificate.

Note. The revenue (profit) received in a result of commission of administrative infraction shall be regarded as the difference between the revenue (profit) received by a person that committed the administrative infraction, and the revenue (profit) that this person should receive upon compliance with the legislation of the Republic of Kazakhstan.

Article 172. Breach of the legislation of the Republic of Kazakhstan on electric power industry

1. Non-publication, untimely, inaccurate or incomplete publication of details in mass media by energy producing organization on a volume and directions of investments or fulfillment of investment obligations provided by the legislation of the Republic of Kazakhstan on electric power industry, shall -

entail a fine on subjects of medium entrepreneurship in amount of one hundred sixty, on subjects of large entrepreneurship - in amount of eight hundred monthly calculation indices.

2. Non-provision, untimely, inaccurate or incomplete provision of reports on expenses for production and sale of electric energy and on volumes of production and sale of electric energy provided by the legislation of the Republic of Kazakhstan on electric power industry by energy producing organization, shall -

entail a fine on subjects of medium entrepreneurship in amount of three hundred twenty, on subjects of large entrepreneurship - in amount of one thousand six hundred monthly calculation indices.

3. Non-provision, untimely, inaccurate or incomplete provision of information by energy producing, power transmission organizations, requested by the state bodies, required for carrying out of their powers provided by the legislation of the Republic of Kazakhstan on electric power industry, shall -

entail a fine on subjects of medium entrepreneurship in amount of three hundred twenty, on subjects of large entrepreneurship - in amount of one thousand six hundred monthly calculation indices.

4. Non-fulfillment of investment obligations by energy producing organization determined by the agreement, with the exception of cases provided by the legislation of the Republic of Kazakhstan on electric power industry, shall -

entail a fine on subjects of medium entrepreneurship in amount of five, on subjects of large entrepreneurship - in amount of ten percent of the sums not used for realization of investment obligations provided by the agreement.

5. Illegal restriction and (or) cutoff of electric and (or) heat energy shall -

entail a fine on subjects of small entrepreneurship in amount of twenty five, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large

entrepreneurship – in amount of seventy five monthly calculation indices.

6. Refusal of energy producing organization from conclusion of individual contract of energy supply with a consumer, shall –

entail a fine on subjects of small entrepreneurship in amount of twenty five, on subjects of medium entrepreneurship – in amount of fifty, on subjects of large entrepreneurship – in amount of seventy five monthly calculation indices.

Footnote. Article 172 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 173. Illegal interference of civil servants in entrepreneurial activity

Illegal interference of civil servants of the state bodies carrying out supervisory and control functions, as well as of the local executive bodies in activity of individual entrepreneurs, legal entities by issuance of illegal acts and giving of illegal orders impeding their entrepreneurial activity, shall –

entail a fine in amount of one hundred monthly calculation indices.

Article 174. Bribery of participants and organizers of professional sporting competitions and entertaining commercial tenders

1. Bribery of sportsmen, sport judges, trainers, team leaders and other participants or organizers of professional sporting competitions, and equally organizers or award panels of entertaining commercial tenders for the purpose of influencing on results of these competitions or tenders, shall –

entail a fine in amount of two hundred monthly calculation indices.

2. The action provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall –

entail a fine in amount of three hundred monthly calculation indices or administrative arrest up to fifteen days.

3. Illegal receipt of money, securities or another property by sportsmen, transferred to them for the purpose of influencing on results of competitions, and equally illegal use of the services of property character by the sportsmen, rendered to them for the same purposes shall –

entail a fine in amount of four hundred monthly calculation indices.

4. Illegal receipt of money, securities or another property, illegal use of services of property character by sports judges, trainers, team leaders and other participants or organizers of professional sports competitions, and equally by organizers or award panels of entertaining commercial tenders for the purposes mentioned in a part three of this Article, shall –

entail a fine in amount of four hundred monthly calculation indices.

Article 175. Violation of the procedure for conduct of inspection of subjects of private entrepreneurship

1. Violation of the procedure for inspection of subjects of private entrepreneurship, including:

- 1) absence of grounds for conduct of inspection;
- 2) absence of the act on assignment of inspection;
- 3) non-compliance with the terms of notifying conduct of inspection;
- 4) inspection of performing the requirements established by the Laws of the Republic of Kazakhstan, decrees of the President of the Republic of Kazakhstan and regulations of the Government of the Republic of Kazakhstan, if such requirements do not relate to the competence of the state body;

5) requirement on representing documents, information, samples of products, samples of surveying an object of ecological interest and objects of industrial

environment, if they are not the objects of inspection or do not relate to the subject of inspection;

6) selection of samples of the products, samples of surveying objects of ecological interest and objects of industrial environment for conduct of their researches, tests, meterings without drawing up of the protocols on selection of mentioned samples, samples on established form and (or) quantity exceeding the norms, established by the national standards, rules of selecting the samples, samples and methods of their researches, tests, meterings, technical regulations or other regulatory technical documents, rules and methods of researching, tests, meterings being valid up to the date of their entering into force;

7) divulgation and (or) distribution of information received in a result of conduct of inspection and that is commercial or another secret protected by the Law, with the exception of cases provided by the legislation of the Republic of Kazakhstan;

8) excess of established terms for conduct of inspection;

9) conduct of knowingly repeated inspection of an individual or legal entity in respect of whom the inspection was conducted on one and the same question for one and the same period, with the exception of cases provided by subparagraphs 2), 4), 6), 7) and 8) of paragraph 7 of Article 16 of the Law of the Republic of Kazakhstan "On state control and supervision in the Republic of Kazakhstan";

10) conduct of measures having cost-based character for the purpose of the state control on account of subjects of private entrepreneurship;

11) violation of time duration in respect of the previous inspection upon assignment of scheduled inspection;

12) non-representation of the act of inspection to a subject being under inspection shall -

entail a fine on a civil servant I amount of twenty monthly calculation indices.

2. The action provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall - entail a fine on a civil servant in amount of twenty five monthly calculation indices.

Article 176. Unlawful actions upon rehabilitation and bankruptcy

1. Concealing a property or property obligations, details on the property, its size, location or another information on the property, transfer of the property to another possession, alienation or destruction of the property, and equally non-representation, concealing, destruction, falsification of bookkeeping and other accounting documents, non-taking the measures on their restoration, if these actions (omission) are committed upon rehabilitation or bankruptcy or in anticipation of the bankruptcy and do not have the signs of criminally punishable act, shall -

entail a fine on subjects of small entrepreneurship in amount of three hundred, on subjects of medium entrepreneurship - in amount of five hundred, on subjects of large entrepreneurship - in amount of one thousand monthly calculation indices.

2. Illegal satisfaction of property requirements of separate creditors by a civil servant, property owner of a debtor or individual entrepreneur who knows on own factual insolvency (bankruptcy), as well as by a person vested with functions of managing the property and affairs of the insolvent debtor upon the procedure for bankruptcy or rehabilitative procedure, knowingly in prejudice of other creditors, and equally acceptance of such satisfaction by the creditor who knows about the preference given to him (her) by the insolvent debtor in prejudice of other creditors, if these actions did not inflict heavy damage, shall -

entail a fine on subjects of small entrepreneurship in amount of three hundred

fifty, on subjects of medium entrepreneurship – in amount of six hundred, on subjects of large entrepreneurship – in amount of two thousand monthly calculation indices.

Article 177. Breach of the legislation of the Republic of Kazakhstan on rehabilitation and bankruptcy by a temporary manager

1. Non-fulfillment or improper fulfillment of the obligation to represent a conclusion on financial status of a debtor to the court, shall – entail a fine in amount of fifty monthly calculation indices.

2. Non-fulfillment or improper fulfillment of the obligation to conduct inventory of a property mass of a bankrupt and (or) to represent a report on the inventory, shall – entail a fine in amount of fifty monthly calculation indices.

3. Non-fulfillment or improper fulfillment of the obligation to direct a notice to the authorized body in the field of rehabilitation and bankruptcy on initiation of a case on bankruptcy and procedure for applying requirements by the creditors for its placing on a website, shall – entail a fine in amount of fifteen monthly calculation indices.

4. Non-ensuring of control of the assets of a debtor for the purpose of non-admission of withdrawal by the property owner and assets of the debtor, founders (participants) during the judicial proceeding, shall – entail a fine in amount of fifty monthly calculation indices.

5. Non-fulfillment or improper fulfillment of the obligation to represent information to the authorized body in the field of rehabilitation and bankruptcy on a course of carrying out the procedure for bankruptcy in a due form, shall – entail a fine in amount of fifteen monthly calculation indices.

6. Untimely notification of creditors on decision adopted following the results of considering the requirements applied in accordance with the legislation of the Republic of Kazakhstan on rehabilitation and bankruptcy, shall – entail a fine in amount of fifteen monthly calculation indices.

7. Non-fulfillment or improper fulfillment of the obligation on notifying the creditors on a date, time and place of holding the meeting of creditors, shall – entail a fine in amount of fifteen monthly calculation indices.

8. Violation of the procedure for placing informational message on holding of electronic auction established by the legislation of the Republic of Kazakhstan on rehabilitation and bankruptcy, shall – entail a fine in amount of fifteen monthly calculation indices.

9. Non-fulfillment or improper fulfillment of the obligation to accept constitutive, financial, entitling and other documents and seals of a debtor from his (her) suspended civil servants, and equally to go to the court with the application on issuing the order of enforcement on enforcement of the court decision in a part of transferring mentioned documents and seals by suspended civil servants to a temporary manager, shall – entail a fine in amount of fifteen monthly calculation indices.

10. Non-fulfillment or improper fulfillment of the obligation to transfer constitutive documents, accounting records, seals, stamps, material and other values of a debtor upon transferring the powers from a temporary manager to a bankruptcy manager or the debtor, substitution of the temporary manager, in case of delivering the ruling of the court on suspension or termination of proceeding on a case, decision on refusal in recognizing the debtor as the bankrupt or reversal of the court decision on recognizing the debtor as the bankrupt, as well as imposition of conduct of liquidation without initiation of the bankruptcy proceeding on the authorized body in the field of

rehabilitation and bankruptcy, shall -

entail a fine in amount of fifteen monthly calculation indices.

11. Non-fulfillment or improper fulfillment of the obligation to represent information on the basis of written request of a creditor and property owner of a debtor, shall -

entail a fine in amount of thirty monthly calculation indices.

12. Non-fulfillment or improper fulfillment of the obligation to form a register of requirements of the creditors shall -

entail a fine in amount of fifty monthly calculation indices.

13. Non-fulfillment or improper fulfillment of the obligation to consider the application of a debtor on coordination of transactions outside the regular commercial operations, shall -

entail a fine in amount of fifty monthly calculation indices.

14. Selling of a perishable property of a bankrupt without coordination with the authorized body in the field of rehabilitation and bankruptcy, shall -

entail a fine in amount of fifty monthly calculation indices.

15. Actions (omission) provided by parts one - fourteen of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -

entail a fine in amount of one hundred monthly calculation indices.

Article 178. Violation of established procedure for conduct of public biddings, auctions and tenders

Violation of established procedure for conduct of public biddings, auctions and tenders that inflicted heavy damage to the property owner, organizer of biddings or auctions, customer or another economic entity, shall -

entail a fine in amount of one hundred fifty monthly calculation indices.

Note. Heavy damage in this Article shall be considered as the damage inflicted to an individual to the sum one hundredfold exceeding the monthly calculation index, or the damage inflicted to an organization or the state to the sum, five hundredfold exceeding monthly calculation index.

Article 179. Breach of the legislation of the Republic of Kazakhstan on rehabilitation and bankruptcy by a bank manager

1. Non-fulfillment or improper fulfillment of the obligation to conduct inventory and (or) represent a report on inventory to the meeting of creditors, shall -

entail a fine in amount of fifty monthly calculation indices.

2. fulfillment or improper fulfillment of the obligation to ensure security and control of the property of a bankrupt, shall -

entail a fine in amount of fifty monthly calculation indices.

3. Non-fulfillment or improper fulfillment of the obligation to specify requirements on recovery of a debt from the persons having debts before a bankrupt in a judicial procedure, with the exception of cases established by the legislation of the Republic of Kazakhstan on rehabilitation and bankruptcy, shall -

entail a fine in amount of fifteen monthly calculation indices.

4. Non-fulfillment or improper fulfillment of the obligation to represent information to the authorized body in the field of rehabilitation and bankruptcy on the course of carrying out the procedure for bankruptcy, shall -

entail a fine in amount of fifteen monthly calculation indices.

5. Non-notification or improper notification of a creditor on a date, time and place of holding a meeting of creditors in the procedure of bankruptcy, shall -

entail a fine in amount of fifteen monthly calculation indices.

6. Violation of the procedure for placing informational message on conduct of

electronic auction established by the legislation of the Republic of Kazakhstan on rehabilitation and bankruptcy, shall -

entail a fine in amount of fifteen monthly calculation indices.

7. Violation of the procedure for generation of sales plan of a property (assets) of a bankrupt, shall -

entail a fine in amount of fifteen monthly calculation indices.

8. Non-fulfillment or improper fulfillment of the obligation to carry out calculations with creditors after adoption of decision by the meeting of creditors on transition to calculations, and equally conduct of calculations with the creditors with violation of established procedure for satisfying requirements of the creditors, shall -

entail a fine in amount of fifteen monthly calculation indices.

9. Failure to deliver information to the law enforcement bodies in cases of detection of the signs of premeditated and (or) false bankruptcy, shall -

entail a fine in amount of fifteen monthly calculation indices.

10. Non-fulfillment or improper fulfillment of the obligations to detect transactions committed by a debtor or a person authorized by him (her) with violation of requirements provided by the civil legislation of the Republic of Kazakhstan and the Law of the Republic of Kazakhstan "On rehabilitation and bankruptcy", and non-specification of requirements on recognizing them invalid or return of the property in a judicial proceeding to the property mass of a bankrupt, shall -

entail a fine in amount of fifteen monthly calculation indices.

11. Overexpenditure or inappropriate use of money provided by administrative expenditure estimate, shall -

entail a fine in amount of fifteen monthly calculation indices.

12. Non-fulfillment or improper fulfillment of the obligations to transfer constitutive documents, accounting records, seals, stamps, material and other values of a debtor to newly appointed bankrupt manager or debtor upon suspension (release) of the bankrupt manager or reversal of the court decision on recognizing the debtor as bankrupt, shall -

entail a fine in amount of fifteen monthly calculation indices.

13. Non-representation, untimely presentation or presentation of concluding statement that does not conform to requirements of the legislation of the Republic of Kazakhstan on rehabilitation and bankruptcy to the court, shall -

entail a fine in amount of fifteen monthly calculation indices.

14. Non-fulfillment or improper fulfillment of the obligations to provide information to the authorized body in the field of rehabilitation and bankruptcy with accompanied by confirming documents, shall -

entail a fine in amount of fifteen monthly calculation indices.

15. Failure to notify or untimely notice of a creditor on the course of carrying out the procedure for bankruptcy on the basis of his (her) written request, shall -

entail a fine in amount of fifteen monthly calculation indices.

16. Untimely application to a creditor on setoff of requirements on the basis of decision of the creditors' commission, shall -

entail a fine in amount of fifteen monthly calculation indices.

17. Non-fulfillment or improper fulfillment of the obligations on request of information from the state bodies, individuals and legal entities on a bankrupt, property belonging to him (her) and copies of confirming documents, shall -

entail a fine in amount of fifteen monthly calculation indices.

18. Non-specification of requirements to the court on recovery (compensation) of damage (subsidiary responsibility) in case of establishment of guilt of civil servants of a debtor, shall -

entail a fine in amount of fifty monthly calculation indices.

19. Non-fulfillment or improper fulfillment of the obligations on provision of a copy of the court act to the creditors' committee concerning the interests of a bankrupt and his (her) creditors for consideration of the question of his (her) appealing, unless otherwise established by the agreement with a bankrupt manager, shall -

entail a fine in amount of fifteen monthly calculation indices.

20. Non-fulfillment or improper fulfillment of obligations on acceptance of constitutive, financial and entitling documents for a bankrupt's property, seal and the bankrupt's property from a temporary manager, shall -

entail a fine in amount of fifteen monthly calculation indices.

21. Untimely closing of a bankrupt's banking account, delivery of a taxpayer's certificate blank and certificates on registering for the value added tax (where available) to the state revenues body, destruction of a bankrupt's seal, shall -

entail a fine in amount of fifteen monthly calculation indices.

22. Action (omission) provided by parts one - twenty one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -

entail a fine in amount of one hundred monthly calculation indices.

Article 180. Breach of the legislation of the Republic of Kazakhstan on rehabilitation and bankruptcy by a temporary administrator

1. Non-fulfillment or improper fulfillment of the obligation to direct notices to the authorized body in the field of rehabilitation and bankruptcy on applying rehabilitative procedure and procedure for specifying requirements by creditors for placing on its website, shall -

entail a fine in amount of fifteen monthly calculation indices.

2. Violation of the procedure for formation of a register of requirements of the creditors established by the legislation of the Republic of Kazakhstan on rehabilitation and bankruptcy, shall -

entail a fine in amount of fifty monthly calculation indices.

3. Non-fulfillment or improper fulfillment of the obligation to direct conclusions on efficiency of a rehabilitation plan to the court, shall -

entail a fine in amount of fifteen monthly calculation indices.

4. Non-fulfillment or improper fulfillment of the obligation to consider an application of a debtor within five business days on coordination of the transaction outside regular commercial operations, shall -

entail a fine in amount of fifty monthly calculation indices.

5. Non-fulfillment or improper fulfillment of the obligation to provide requested information to the authorized body in the field of rehabilitation and bankruptcy accompanied by confirming documents, shall -

entail a fine in amount of fifteen monthly calculation indices.

6. Non-fulfillment or improper fulfillment of the obligation to consider requirements of the creditors and bring the results of consideration to them, shall -

entail a fine in amount of fifteen monthly calculation indices.

7. Non-fulfillment or improper fulfillment of the obligation to notify the creditors on place and date of holding the creditors' meeting, shall -

entail a fine in amount of fifteen monthly calculation indices.

8. Non-fulfillment or improper fulfillment of the obligation to file an application to the court on termination of rehabilitative procedure in case of non-coordination of a rehabilitation plan by the creditors and (or) non-representation of the rehabilitation plan to the court within the term established by the Law of the

Republic of Kazakhstan "On rehabilitation and bankruptcy", shall -
entail a fine in amount of fifteen monthly calculation indices.

9. Actions (omission) provided by parts one - eight of this Article committed repeatedly second time second time after imposition of administrative sanction, shall -
entail a fine in amount of one hundred monthly calculation indices.

Article 181. Breach of the legislation of the Republic of Kazakhstan on rehabilitation and bankruptcy by a rehabilitation manager

1. Violation of the procedure for placing informational message on conduct of electronic auction established by the legislation of the Republic of Kazakhstan on rehabilitation and bankruptcy, shall -

entail a fine in amount of fifteen monthly calculation indices.

2. Non-fulfillment of the terms of agreement concluded with a creditors' committee in rehabilitative procedure, shall -

entail a fine in amount of fifteen monthly calculation indices.

3. Non-fulfillment or improper fulfillment of the obligation to accept a debtor's property in management and to ensure its protection, shall -

entail a fine in amount of fifteen monthly calculation indices

4. Non-fulfillment or improper fulfillment of a rehabilitation plan, shall -
entail a fine in amount of fifty monthly calculation indices.

5. Non-fulfillment or improper fulfillment of the obligation to provide information to the authorized body in the field of rehabilitation and bankruptcy on the course of carrying out the rehabilitative procedure accompanied by copies of documents, shall -

entail a fine in amount of fifteen monthly calculation indices.

6. Non-notifying or improper notification of a creditor on date, time and place of holding the meeting of creditors in rehabilitative procedure, shall -

entail a fine in amount of fifteen monthly calculation indices.

7. Non-fulfillment or improper fulfillment of the obligation to transfer constitutive, financial, entitling and other documents and seals of a debtor to appointed rehabilitation manager upon dismissal (release) or substitution of the rehabilitation manager, shall -

entail a fine in amount of fifty monthly calculation indices.

8. Commission of transactions outside regular commercial operations not provided by the rehabilitation plan, in a rehabilitative procedure without a consent of the creditors' meeting, shall -

entail a fine in amount of fifty monthly calculation indices.

9. Non-representation, untimely presentation or presentation of concluding statement to the court that does not conform to requirements of the legislation of the Republic of Kazakhstan on rehabilitation and bankruptcy, shall -

entail a fine in amount of fifteen monthly calculation indices.

10. Non-fulfillment or improper fulfillment of the obligation to detect existence (absence) of signs of premeditated bringing of a debtor to the state of insolvency and filing the application to the law enforcement bodies in existence of the signs for adoption of procedural decision, shall -

entail a fine in amount of fifteen monthly calculation indices.

11. Non-fulfillment or improper fulfillment of the obligation to represent information to a debtor's creditor on the course of carrying out the activity on the basis of his (her) written request, shall -

entail a fine in amount of thirty monthly calculation indices.

12. Non-fulfillment or improper fulfillment of the obligation to provide requested

information to the authorized body in the field of rehabilitation and bankruptcy accompanied by the confirming documents, shall -

entail a fine in amount of thirty monthly calculation indices.

13. Non-fulfillment or improper fulfillment of the obligation to file a petition in court on introduction of amendments and supplements in a rehabilitation plan, shall - entail a fine in amount of thirty monthly calculation indices.

14. Untimely reference to the court on suspension of rehabilitative procedure, shall -

entail a fine in amount of thirty monthly calculation indices.

15. Non-fulfillment or improper fulfillment of the obligation to bring the information to the notice of members of the creditors' committee on financial state, transactions made in the course of regular commercial operations to the creditors' committee, shall -

entail a fine in amount of thirty monthly calculation indices.

16. Non-fulfillment or improper fulfillment of the obligation to detect transactions committed by a debtor or a person authorized by him (her) with a violation of requirements provided by the civil legislation of the Republic of Kazakhstan and the Law of the Republic of Kazakhstan "On rehabilitation and bankruptcy", and non-specification of requirements on recognizing them invalid or return of the property in a judicial proceeding, shall -

entail a fine in amount of fifty monthly calculation indices.

17. Non-coordination of actions with the creditors' meeting not provided by the rehabilitation plan before their commission, shall -

entail a fine in amount of one hundred monthly calculation indices.

18. Commission of transactions entailing increase of credit indebtedness, if a total sum of the credit indebtedness that occurred after applying rehabilitative procedure increases twenty percent of the total sum of the credit indebtedness to the date of introduction of rehabilitative procedure without approval of the creditors' meeting, shall -

entail a fine in amount of one hundred monthly calculation indices.

19. Actions (omission) provided by parts one - eighteen of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -

entail a fine in amount of one hundred monthly calculation indices.

Article 182. Premeditated bankruptcy

Premeditated bankruptcy, i.e. intentional creation or increase of insolvency committed in a result of actions (omission) of a founder (participant), civil servant, bodies of a legal entity, and equally individual entrepreneur in personal interests or in the interests of other persons, if this act does not contain signs of criminally punishable act, shall -

entail a fine on subjects of small entrepreneurship in amount of three hundred, on subjects of medium entrepreneurship - in amount of five hundred, on subjects of large entrepreneurship - in amount of eight hundred monthly calculation indices.

Article 183. False bankruptcy

False bankruptcy, i.e. knowingly false notification by a founder (participant), civil servant, bodies of a legal entity, and equally individual entrepreneur on own insolvency for the purpose of false suggestion of the creditors for receiving deferral or making payments due and owing to the creditors by installments or discounts from debts, and equally for non-payment of debts, if this act does not contain the signs of criminally punishable act, shall -

entail a fine on subjects of small entrepreneurship in amount of three hundred, on

subjects of medium entrepreneurship – in amount of four hundred, on subjects of large entrepreneurship – in amount of seven hundred monthly calculation indices.

Article 184. Breach of the legislation of the Republic of Kazakhstan on valuation activity

1. Drawing up of inaccurate report by an evaluator on property valuation, and equally carrying out of the property valuation in cases prohibited by the legislation of the Republic of Kazakhstan on valuation activity, shall –

entail a fine on subjects of small entrepreneurship or non-profit organizations in amount of sixty, on subjects of medium entrepreneurship – in amount of seventy, on subjects of large entrepreneurship – in amount of one hundred twenty monthly calculation indices, with suspension of the license validity term for the right to carry out valuation activity.

2. The actions provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall –

entail a fine on subjects of small entrepreneurship or non-profit organizations in amount of eighty, on subjects of medium entrepreneurship – in amount of ninety, on subjects of large entrepreneurship – in amount of one hundred eighty monthly calculation indices, with deprivation of a license for the right to carry out valuation activity.

Article 185. Violation of the obligation to protect commercial, banking secret, details of credit reports or information from database of creditor histories of a credit bureau

Violation of the obligation to protect details containing commercial, banking secret, details of credit reports or information received from database of creditor histories of a credit bureau without the consent of their owner by a person who became known due to professional or official activity, if this action does not contain the signs of criminally punishable act, shall –

entail a fine in amount of fifty monthly calculation indices.

Note.

1. Person shall not bear liability in case of transferring details that are commercial, banking secret, or details of credit reports or information received from database of creditor histories of a credit bureau, owner or persons having the right to receive such details upon their legal request in accordance with the legislative acts.

2. Bringing to administrative liability for commission of the act provided by this Article shall be carried out upon application of organizations, owner or individual entrepreneur to which the damage is inflicted.

Article 186. Violation of the obligation to protect secret of insurance or pension savings or secret of extending microcredit

Violation of the obligation to protect details containing secret of insurance or pension savings or secret of extending microcredit without the consent of their owner by a person that became known on them due to professional or official activity, shall –

entail a fine in amount of fifty monthly calculation indices.

Article 187. Breach of the legislation of the Republic of Kazakhstan on tourist activity

1. Non-presentation, untimely presentation or incomplete presentation of details by persons carrying out touristic activity on special aspects of the travels, dangers that they may face upon travelling mentioned in rules of rendering of touristic services, or non-carrying out of prevention measures oriented to safety ensuring of the tourists, shall –

entail a fine on subjects of small entrepreneurship in amount of seventeen, on subjects of medium entrepreneurship – in amount of twenty five, on subjects of large entrepreneurship – in amount of fifty monthly calculation indices.

2. Rendering of touristic services by persons carrying out the touristic activity without conclusion of written contract for tourist services, shall -

entail a fine on subjects of small entrepreneurship in amount of seventeen, on subjects of medium entrepreneurship - in amount of twenty five, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices, with suspension of license validity term.

3. Action (omission) provided by parts one and two of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -

entail a fine on subjects of small entrepreneurship in amount of thirty five, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices, with deprivation of a license.

4. Non-provision or untimely provision of information by persons carrying out touristic activity to the state bodies concerned and a family of a tourist on emergency situations with tourists during travels, shall -

entail a fine on subjects of small entrepreneurship in amount of thirty five, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices, with deprivation of a license.

5. Action (omission) provided by a part four of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -

entail a fine on subjects of small entrepreneurship in amount of seventy five, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of one hundred fifty monthly calculation indices, with deprivation of a license.

Article 188. Non-provision or untimely provision of information on initiation of a case in court on a corporate dispute

Non-provision or untimely provision of information on initiation of a case in court on a corporate dispute in case if its provision is provided by the Law, shall -

entail a fine on legal entities in amount of five hundred monthly calculation indices.

Article 189. Violation of the procedure and terms for considering references of individuals and legal entities

1. Violation of procedure and terms for considering references of individuals and legal entities by a subject of large entrepreneurship established by the legislation of the Republic of Kazakhstan on procedure for consideration of references of individuals and legal entities, shall -

entail a fine on legal entities in amount of thirty monthly calculation indices.

2. The same action (omission) committed repeatedly second time second time within a year after imposition of administrative infraction, provided by a part one of this Article, shall -

entail a fine on legal entities in amount of sixty monthly calculation indices.

Chapter 15. ADMINISTRATIVE INFRACTIONS IN THE FIELD OF TRADE AND FINANCES

Article 190. Consumer fraud

1. False measurement, false weighting, cheating in accounts, false suggestion in respect of application characteristics or quality of goods (services) or another consumer fraud by individual entrepreneurs or organizations carrying out trading activity and rendering of services, shall -

entail a fine on individuals in amount of ten, on subjects of small entrepreneurship - in amount of twenty, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

2. The actions provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall - entail a fine on individuals in amount of thirty, on subjects of small entrepreneurship - in amount of fifty, on subjects of medium entrepreneurship - in amount of seventy five, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices, with deprivation of a license for particular type of activity and suspension or prohibition of activity for a term up to three years.

3. The actions provided by a part one of this Article that entailed infliction of substantial damage, shall -

entail a fine on individuals in amount of thirty, on subjects of small entrepreneurship - in amount of fifty, on subjects of medium entrepreneurship - in amount of seventy five, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices, with deprivation of a license for particular type of activity and suspension or prohibition of activity for a term up to three years.

4. The actions provided by a part one of this Article that entailed infliction of heavy damage, shall -

entail a fine on individuals in amount of fifty, on subjects of small entrepreneurship - in amount of seventy five, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices, with deprivation of a license for particular type of activity and suspension or prohibition of activity for a term up to three years.

Note. As applied to this Article, the substantial damage shall be regarded as a sum exceeding one monthly calculation index, heavy damage - the sum that is no less than three monthly calculation indices.

Article 191. Violation of rules for selling weapons and ammunition to them

1. Violation of rules for selling non-military and service weapons and ammunition to them by legal entities having the relevant licenses, shall -

entail a fine in amount of fifty monthly calculation indices with suspension of license validity term.

2. The action provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -

entail a fine in amount of eighty monthly calculation indices with deprivation of a license.

Article 192. Violation of procedure for selling special technical means

Sale of special technical means intended for conduct of the special operational-investigative means to persons that do not have the relevant permission, except for the state bodies authorized to carry out operative-investigative activity, shall -

entail a fine in amount of forty monthly calculation indices.

Article 193. Breach of the legislation of the Republic of Kazakhstan on regulation of trading activity

1. Non-provision of required information upon request of a consumer on goods, place of origin, producers, application characteristics, guarantee obligations and procedure for submission of claims, shall -

entail a notification or fine on individuals in amount of two, on subjects of small entrepreneurship - in amount of six, on subjects of medium entrepreneurship - in

amount of ten, on subjects of large entrepreneurship – in amount of thirty monthly calculation indices.

2. Unlawful use of official document certifying conformance of the goods to safety requirements, shall –

entail a fine on individuals in amount of seven, on subjects of small entrepreneurship – in amount of fifty five, on subjects of medium entrepreneurship – in amount of one hundred, on subjects of large entrepreneurship – in amount of one hundred fifty monthly calculation indices, with a confiscation of goods or without such.

3. Commission of actions (omission) provided by parts one and two of this article repeatedly second time second time within a year after imposition of administrative sanction, shall –

entail a fine on individuals in amount of ten, on subjects of small entrepreneurship – in amount of sixty five, on subjects of medium entrepreneurship – in amount of one hundred twenty, on subjects of large entrepreneurship – in amount of two hundred monthly calculation indices, with a confiscation of goods or without such.

Article 194. Refusal in acceptance of payments with use of charge cards

1. Refusal in acceptance of payments with use of charge cards by an individual entrepreneur or legal entity being obliged to accept them upon carrying out of trading activity (performance of works, rendering of services) in a territory of the Republic of Kazakhstan, shall –

entail a notification or fine on subjects of small entrepreneurship in amount of twenty, on subjects of medium entrepreneurship – in amount of thirty, on subjects of large entrepreneurship – in amount of fifty monthly calculation indices.

2. The act provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall –

entail a fine on subjects of small entrepreneurship in amount of forty, on subjects of medium entrepreneurship – in amount of sixty, on subjects of large entrepreneurship – in amount of one hundred monthly calculation indices.

Article 195. Absence of equipment (device) at an individual entrepreneur or legal entity intended for making payments with use of charge cards

1. Absence of equipment (device) at an individual entrepreneur or legal entity being obliged to accept payments with use of charge cards upon carrying out of trading activity (performance of works, rendering of services) in a territory of the Republic of Kazakhstan, intended for making payments with use of charge cards, shall –

entail a notification.

2. The act provided by a part one of this Article committed by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall –

entail a fine on subjects of small entrepreneurship in amount of fifty, on subjects of medium entrepreneurship – in amount of sixty, on subjects of large entrepreneurship – in amount of eighty monthly calculation indices.

Article 196. Illegal trade in goods or other subjects

Trade in goods and other subjects, the open trade of which is prohibited or restricted by the legislation of the Republic of Kazakhstan, shall – entail a fine in amount of twenty five monthly calculation indices.

Article 197. Use of mark of tobacco product

1. Intended distribution, exhibition, sale of any goods having a mark of tobacco product, except for the tobacco products themselves or any package, packing in which the tobacco product is sold or transported, shall –

entail a fine on individuals in amount of ten, on subjects of small entrepreneurship - in amount of twenty five, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

2. The actions provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall - entail a fine on individuals in amount of fifteen, on subjects of small entrepreneurship - in amount of forty, on subjects of medium entrepreneurship - in amount of seventy, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

Article 198. Violation of requirements of the legislation on information on tobacco and tobacco products

1. Violation of requirements of the legislation on information on tobacco and tobacco products, shall -

entail a fine on individuals in amount of ten, on subjects of small entrepreneurship - in amount of twenty five, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

2. The action provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall - entail a fine on individuals in amount of fifteen, on subjects of small entrepreneurship - in amount of forty, on subjects of medium entrepreneurship - in amount of seventy, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

Article 199. Violation of requirements of the legislation of the Republic of Kazakhstan on selling tobacco and tobacco products, sponsorship of tobacco, tobacco products, as well as on production, sale and distribution of goods imitating tobacco products

Footnote. Title of Article 199 is in the wording of the Law of the Republic of Kazakhstan dated 06.04.2015 No. 299-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

1. Violation of requirements of the legislation of the Republic of Kazakhstan on selling tobacco and tobacco products, with the exception of a case provided by Article 133 of this Code, shall -

entail a notification or fine on individuals in amount of five, on subjects of small entrepreneurship - in amount of twenty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of sixty monthly calculation indices.

2. The action provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall - entail a fine on individuals in amount of ten, on subjects of small entrepreneurship - in amount of forty, on subjects of medium entrepreneurship - in amount of seventy, on subjects of large entrepreneurship - in amount of ninety monthly calculation indices, with suspension of activity or separate types of activity.

3. Sponsorship of tobacco, tobacco products, as well as production, sale, distribution of goods imitating tobacco products, shall -

entail a fine on individuals in amount of three, on subjects of small entrepreneurship - in amount of five, on subjects of medium entrepreneurship - in amount of eight, on subjects of large entrepreneurship - in amount of twenty monthly calculation indices.

4. The actions provided by a part three of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall

- entail a fine on individuals in amount of five, on subjects of small entrepreneurship - in amount of ten, on subjects of medium entrepreneurship - in amount of fifteen, on subjects of large entrepreneurship - in amount of forty monthly calculation indices.

Footnote. Article 199 as amended by the Law of the Republic of Kazakhstan dated 06.04.2015 No. 299-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Article 200. Violation of requirements of the legislation of the Republic of Kazakhstan on selling alcoholic products

1. Sale of alcoholic products to persons under twenty one years, shall - entail a fine on individuals in amount of ten, on subjects of small entrepreneurship - in amount of forty, on subjects of medium entrepreneurship - in amount of eighty, on subjects of large entrepreneurship - in amount of one hundred twenty monthly calculation indices, with suspension of the license validity term for the relevant type of activity.

2. The action provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall - entail a fine on individuals in amount of twenty, on subjects of small entrepreneurship - in amount of eighty, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of one hundred eighty monthly calculation indices, with deprivation of the license for the relevant type of activity.

3. Retail trade of alcoholic products, with the exception of selling in restaurants, bars and cafes:

from 23 to 8 hours of next day;

with ethyl alcohol volume ratio more than thirty percent from 21 to 12 hours of next day, shall -

entail a fine on individuals in amount of ten, on subjects of small entrepreneurship - in amount of forty, on subjects of medium entrepreneurship - in amount of eighty, on subjects of large entrepreneurship - in amount of one hundred twenty monthly calculation indices, with suspension of the license validity term for the relevant type of activity.

4. The action provided by a part three of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -

entail a fine on individuals in amount of twenty, on subjects of small entrepreneurship - in amount of eighty, on subjects of medium entrepreneurship - in amount of one hundred forty, on subjects of large entrepreneurship - in amount of one hundred eighty monthly calculation indices, with deprivation of the license for the relevant type of activity.

Footnote. Article 200 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 201. Access restriction of goods to the trade networks or large retail facilities

1. Access restriction of goods to the trade networks or large retail facilities by subjects of trade activity carrying out the activity on selling the goods by organizing the trade network or large retail facilities, being expressed in unreasonable refusal from conclusion of agreement for supply of goods or in conclusion of the contract having knowingly discriminatory character and containing conditions on:

1) prohibition for a subject of trade activity to conclude the agreements for supply of goods with other subjects of the trade activity carrying out the same activity, as well as with other subjects of trade activity on the same or another conditions;

2) requirement to provide details by a subject of trade activity carrying out supply of goods on concluded contracts with other subjects of trade activity carrying out the same activity, shall -

entail a fine in amount of one hundred monthly calculation indices.

2. The action provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -

entail a fine in amount of four hundred monthly calculation indices.

Article 202. Excess of size of maximum allowed limit prices of socially significant food commodities

1. Excess of size of maximum allowed limit prices of socially significant food commodities by subjects of trade activity in accordance with the legislation of the Republic of Kazakhstan on regulation of trade activity, shall -

entail a fine in amount of two hundred monthly calculation indices.

2. The action provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -

entail a fine in amount of four hundred monthly calculation indices.

Article 203. Sale of goods without documents

1. Sale of goods by individual entrepreneurs and organizations carrying out trade activity without documents containing details on the country of origin, producer, supplier or seller or trustworthy and sufficient information on goods (service) in Kazakh and Russian languages, with the exception of the cases provided by Articles 415 and 416 of this Code, shall -

entail a fine on subjects of small entrepreneurship in amount of forty five, on subjects of medium entrepreneurship - in amount of seventy, on subjects of large entrepreneurship - in amount of one hundred fifty monthly calculation indices.

2. The action provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -

entail a fine on subjects of small entrepreneurship in amount of ninety, on subjects of medium entrepreneurship - in amount of one hundred fifty, on subjects of large entrepreneurship - in amount of three hundred monthly calculation indices.

Article 204. Trade at undisclosed places

1. Trade outside the places established by a local executive body, shall - entail a notification or fine in amount of five monthly calculation indices.

2. The action provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -

entail a fine in amount of ten monthly calculation indices.

Article 205. Incomplete and untimely payment of non-tax payments and incomings from selling a capital stock into the budget, with the exception of receipt of funds of connected grants

Incomplete and untimely payment of non-tax payments and incomings from selling a capital stock into the budget, with the exception of receipt of funds of connected grants, shall -

entail a fine on individuals in amount of seven, on subjects of small entrepreneurship or non-profit organizations - in amount of one hundred twenty, on subjects of medium entrepreneurship - in amount of two hundred fifty, on subjects of large entrepreneurship - in amount of six hundred fifty monthly calculation indices.

Article 206. Refusal in acceptance of banknotes and coins of the national currency

1. Refusal in acceptance of banknotes and coins of the national currency at face amount being in circulation in a territory of the Republic of Kazakhstan that are the legal mean of payment, except for the cases mentioned in a note to this Article, shall - entail a fine on subjects of small entrepreneurship or non-profit organizations in amount of five, on subjects of medium entrepreneurship - in amount of ten, on subjects of large entrepreneurship - in amount of twenty five monthly calculation indices.

2. Refusal in acceptance, change and exchange of banknotes and coins of the national currency being in circulation in a territory of the Republic of Kazakhstan and subjected to acceptance by all the types of payments by banks and organizations carrying out separate types of banking operations, except for the cases mentioned in a note to this Article, shall -

entail a fine in amount of fifty monthly calculation indices.

Note. Banknotes and coins of the national currency of the Republic of Kazakhstan are not a legal mean of payment as follows:

- 1) if there are obvious signs of forgery (counterfeit);
- 2) waste banknotes and coins having obvious signs of deviation from technical conditions (non-conformance to size, surface tears, non-conformance to numeration, blotches, color imposition, combination and (or) blurred image of coining and others);
- 3) withdrew from currency circulation, as well as redeemed banknotes and riffled coins;
- 4) banknotes having a sign «ОБРАЗЕЦ», «SPECIMEN», «УЛГИ».

Article 207. Breach of the legislation of the Republic of Kazakhstan on state procurements

1. Violation of requirements of the legislation of the Republic of Kazakhstan on state procurements to the tender, auction documentation or in information placed upon carrying out of the state procurements by a method of requesting pricing facilities, by indicating the characteristics determining belonging of acquired goods, work, services to separate potential suppliers, with the exception of cases provided by the legislation of the Republic of Kazakhstan on state procurements, shall -

entail a fine on civil servants in amount of fifty monthly calculation indices.

2. Untimely direction of a text of amendments and (or) supplements made into tender or auction documentation to the persons the details on whom are introduced into registration log of the persons that received the tender or auction documentation, and equally untimely publication of corrected tender or auction documentation, shall -

entail a fine on civil servants in amount of thirty monthly calculation indices.

3. Refusal from carrying out of state procurements in cases not provided by the legislation of the Republic of Kazakhstan on state procurements, shall -

entail a fine on civil servants in amount of one hundred monthly calculation indices.

4. Opening of envelopes with applications for participation in a tender with violation of the term, time and place stated in a tender documentation, as well as change of date, time and place for opening of envelopes with applications for participation in the tender without making mentioned amendments into the tender documentation, shall -

entail a fine on civil servants in amount of fifty monthly calculation indices.

5. Direction of a request, and equally the actions of a tender committee linked with supplementing an application for participation in a tender by insufficient documents represented in the application for participation in the tender, bringing to conformity of unduly executed documents, shall -

entail a fine on civil servants in amount of one hundred monthly calculation indices.

6. Establishment of qualification requirements in a tender or auction documentation to potential suppliers and (or) subcontractors (joint participants) involved by them, not provided by the legislation of the Republic of Kazakhstan on state procurements, shall -

entail a fine on civil servants in amount of one hundred monthly calculation indices.

7. Violation of requirements of the legislation of the Republic of Kazakhstan on state procurements in a part of non-inclusion of criteria into the tender documentation having an impact on competitive pricing facilities of participants of the tender, shall -

entail a fine on civil servants in amount of fifty monthly calculation indices.

8. Violation of requirements of the legislation of the Republic of Kazakhstan on state procurements in a part of non-applying the specific criteria value to the pricing facilities having an impact on competitive pricing facilities of participants of the tender, shall -

entail a fine on civil servants in amount of fifty monthly calculation indices.

9. Unreasonable recognition of a potential supplier and (or) subcontractors (joint participants) involved by him (her) that does not conform to qualification requirements and (or) requirements of tender or auction documentation on the grounds not provided by the legislation of the Republic of Kazakhstan on state procurements, shall -

entail a fine on civil servants in amount of one hundred monthly calculation indices.

10. Non-separation of several types of homogeneous goods, works, services upon carrying out of state procurements by lots on their homogeneous types and (or) at the place of their supply (performance, rendering), shall -

entail a fine on civil servants in amount of fifty monthly calculation indices.

11. Delivery by expert commission or drawing up by an expert of knowingly false expert opinion on the basis of which the illegal decision of the tender or auction commission is adopted, shall -

entail a fine in amount of fifty monthly calculation indices.

12. Non-reference or untimely reference of a customer to the court with a suit on recognition of potential suppliers, suppliers as unfair participants of state procurements in cases of:

1) non-fulfillment or improper fulfillment of own obligations by suppliers on the state procurement contracts concluded with them;

2) avoidance of potential suppliers determined as winners from conclusion of the state procurement contract, shall -

entail a fine on civil servants in amount of thirty monthly calculation indices.

13. Carrying out of state procurements without applying the rules of the legislation of the Republic of Kazakhstan on state procurements regulating the choice of a supplier and conclusion of the state procurement contract with him (her) in cases not provided by the legislation of the Republic of Kazakhstan on state procurements, shall -

entail a fine on civil servants in amount of one hundred monthly calculation indices.

14. Actions (omission) provided by parts one, four, seven, eight and nine of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -

entail a fine on civil servants in amount of one hundred monthly calculation indices.

15. Actions (omission) provided by parts two and eleven of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -

entail a fine on civil servants in amount of sixty monthly calculation indices.

16. The action provided by a part ten of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on individuals in amount of one hundred monthly calculation indices.

17. The actions (omission) provided by parts three, five, six and twelve of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -

entail a fine on civil servants in amount of two hundred monthly calculation indices.

Note. The civil servants in this Article shall be regarded as:

1) in a part one - the chief executive officers of an organizer of the state procurements, customer or the persons fulfilling their obligations, being liable for carrying out of procedures for organizing and conduct of the state procurements, and (or) persons participating directly in development of the tender or auction documentation;

2) in a part two - the chief executive officers of an organizer of the state procurements, customer or the persons fulfilling their obligations, being liable for carrying out of procedures for organizing and conduct of the state procurements;

3) in a part three - the chief executive officer or executive secretary or another civil servant exercising the powers of the executive secretary determined by the President of the Republic of Kazakhstan, customer or the person fulfilling his (her) obligations;

4) in parts four and five - the chairman of the tender committee and his (her) deputy, as well as members and secretary of the tender committee;

5) in a part six - the chief executive officer or executive secretary or another civil servant exercising the powers of the executive secretary determined by the President of the Republic of Kazakhstan, customer or the person fulfilling his (her) obligations;

6) in a part seven - the chief executive officers of an organizer of the state procurements;

7) in a part eight - the chairman of the tender committee and his (her) deputy, as well as members of the tender committee;

8) in parts eight and nine - the chief executive officer or executive secretary or another civil servant exercising the powers of the executive secretary determined by the President of the Republic of Kazakhstan, customer or the person fulfilling his (her) obligations;

9) in a part nine - the chairman of the tender or auction committee and his (her) deputy, as well as members of the tender or auction committee;

10) in a part ten - the chief executive officers of an organizer of the state procurements.

Article 208. Violation of requirements of the legislation of the Republic of Kazakhstan on credit bureau and formation of credit histories

1. Breach of the legislation of the Republic of Kazakhstan on credit bureau and formation of credit histories by a credit bureau shall -

entail a fine on legal entities in amount of two hundred monthly calculation indices.

2. Provision of details by an information provider on a subject of credit history

to the credit bureaus (with the exception of a credit bureau with state participation) for formation of credit history and (or) filing request by a recipient of credit report on representing the credit report without the consent of the subject of information, with the exception of cases of providing negative information on the subject of creditor history and (or) credit report containing negative information of the subject of creditor history, as well as its incorrect execution, shall -

entail a fine on individuals in amount of twenty, on civil servants - in amount of fifty, on subjects of small entrepreneurship - in amount of one hundred, on subjects of medium entrepreneurship - in amount of one hundred fifty, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

3. Non-provision, and equally untimely provision of details by an information provider to the credit bureau, received from a subject of credit history, the presentation of which is required in accordance with the legislation of the Republic of Kazakhstan on credit bureau and formation of credit histories, or provision of inaccurate details, shall -

entail a fine on individuals in amount of twenty, on civil servants - in amount of fifty, on subjects of small entrepreneurship - in amount of one hundred, on subjects of medium entrepreneurship - in amount of one hundred fifty, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

Note. The details shall be regarded as the details in respect of subjects of credit histories in electronic and paper media transferred by the participants of the credit history formation system and their use, certified by electronic digital signature when necessary.

Article 209. Breach of the legislation of the Republic of Kazakhstan on concessions

Introduction of amendments into conditions of a tender at the choice of a concessionary, as well as into initial parameters and characteristics of a concessionary application in the course of holding negotiations with a participant of the tender, the concessionary application of whom is recognized as the best on adjusting a concessionary project and conditions of concession agreement, shall -

entail a fine on civil servants in amount of one hundred monthly calculation indices.

Note. The civil servants in this Article shall be regarded as the chief executive officers of an organizer of the tender on concession or the persons fulfilling their obligations being liable for carrying out of the procedures for organizing and holding the tender.

Article 210. Making payments and money transfers on currency operations without representation of a currency agreement (original or its copies) in provided cases of registration certificate

1. Making payments and money transfers by the authorized banks on currency operations without representation of a currency agreement (original or its copies), in provided cases of registration certificate, shall -

entail a notification.

2. The action provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall - entail a fine in amount of fifty monthly calculation indices.

Note. If the currency agreement is linked with export or import and requires receipt of accounting number of a contract, the original of the currency agreement or its copy with a mark of receiving the accounting number of the contract shall be represented.

Article 211. Violation of requirements of the legislation of the Republic of Kazakhstan on microfinance organizations

1. Carrying out of the types of activity by microfinance organizations not provided by the Law of the Republic of Kazakhstan "On microfinance organizations", shall

- entail a fine in amount of one hundred monthly calculation indices.

2. Distribution or placement of advertisement by a microfinance organization in mass media that does not conform to actuality, if these actions do not have signs of criminally punishable act, shall -

entail a fine in amount of one hundred fifty monthly calculation indices.

3. Non-provision, and equally repeated (two and more times within twelve sequential calendar months) untimely provision of information by the microfinance organizations to the National bank of the Republic of Kazakhstan required by the legislation of the Republic of Kazakhstan on microfinance organizations, or provision of information to the National Bank of the Republic of Kazakhstan that does not contain details the provision of which is required in accordance with the legislation of the Republic of Kazakhstan on microfinance organizations, or provision of inaccurate information, shall -

entail a fine in amount of two hundred monthly calculation indices.

4. Repeated (two and more times within twelve sequential calendar months) violation of the prudential regulations established by the National bank of the Republic of Kazakhstan by microfinance organizations and (or) other standards and limits compulsory for compliance, shall -

entail a fine in amount of three hundred monthly calculation indices.

5. Non-statement of the size of annual effective rate of remuneration in contracts on extending microcredit by microfinance organizations, calculated in the manner established by the legislation of the Republic of Kazakhstan, and equally excess of limit size of annual effective rate of remuneration by the microfinance organization, determined by the regulatory legal act of the National Bank of the Republic of Kazakhstan shall -

entail a fine on legal entities in amount of fifty monthly calculation indices.

6. Loss of payment documents of clients by microfinance organizations shall - entail a fine on legal entities in amount of one hundred monthly calculation indices.

Article 212. Violation of terms for presentation of financial and other reporting by financial organizations and other persons

1. Repeated (two and more times within twelve sequential calendar months) non-presentation of financial and other reporting by financial organizations within established term, the presentation of which is required in accordance with the regulatory legal acts of the National Bank of the Republic of Kazakhstan, shall - entail a fine on legal entities in amount of two hundred monthly calculation indices.

2. Repeated (two and more times within twelve sequential calendar months) non-presentation of financial and other reporting by microfinancial organizations within established term, the presentation of which is required in accordance with the regulatory legal acts of the National Bank of the Republic of Kazakhstan, shall - entail a fine on legal entities in amount of one hundred monthly calculation indices.

3. Repeated (two and more times within twelve sequential calendar months) non-presentation of reporting by banking holdings, insurance holdings within established

term, the presentation of which is required in accordance with the regulatory legal acts of the National Bank of the Republic of Kazakhstan, shall -

entail a fine on legal entities in amount of two hundred monthly calculation indices.

Article 213. Violation of requirements of banking legislation of the Republic of Kazakhstan

1. Non-presentation, and equally repeated (two and more times within twelve sequential calendar months) untimely representation of details and other requested information by banks, founders (shareholders) of a bank and (or) its affiliated persons, as well as banking holdings and persons that conform to the signs of a large participant of the bank, banking holding, organizations carrying out separate types of banking operations, shall -

entail a fine on individuals in amount of fifty, on legal entities - in amount of two hundred monthly calculation indices.

2. Presentation of inaccurate, and equally incomplete reporting, details or other requested information by banks, founders (shareholders) of a bank and (or) its affiliated persons, as well as banking holdings and persons that conform to the signs of a large participant of the bank, banking holding, organizations carrying out separate types of banking operations, shall -

entail a fine on individuals in amount of fifty, on legal entities - in amount of two hundred monthly calculation indices.

3. Actions (omission) provided by parts one, two of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -

entail a fine on legal entities in amount of six hundred monthly calculation indices.

4. Repeated (two and more times within twelve sequential calendar months) violation of prudential regulations by banks, organizations carrying out separate types of banking operations established by the National Bank of the Republic of Kazakhstan and (or) other standards and limits compulsory for compliance, shall -

entail a fine on legal entities in amount of three hundred monthly calculation indices.

5. Repeated (two and more times within three sequential calendar months) violation of the regulations of minimum reserve requirements by banks established by the National Bank of the Republic of Kazakhstan, shall -

entail a fine on legal entities in amount of three hundred monthly calculation indices.

6. Carrying out of operations and transactions by banks, banking holdings, organizations carrying out separate types of banking operations, prohibited in accordance with the bank legislation of the Republic of Kazakhstan in breach of the bank legislation of the Republic of Kazakhstan, and equally that are beyond their legal capacity, shall -

entail a fine on legal entities in amount of one tenth percent of a sum of transaction, but no less than two hundred and no more than one thousandth monthly calculation indices.

7. The action provided by a part six of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -

entail a fine on legal entities in amount of one percent of a sum of transaction, but no less than four hundred and no more than two thousand monthly calculation indices.

8. Preparation of reporting by banks, organizations carrying out separate types of banking operations that lead to distortion of indices or details contained in it on

performance of prudential regulations and (or) other norms and limits compulsory for compliance, determined by the bank legislation of the Republic of Kazakhstan, shall - entail a fine on legal entities in amount of two hundred monthly calculation indices.

9. The action provided by a part eight of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall - entail a fine on legal entities in amount of six hundred monthly calculation indices.

10. Non-fulfillment of the obligation by banks, organizations carrying out separate types of banking operations on stating a rate of remuneration in a trustworthy, annual, effective, comparable calculation in contracts concluded with clients, as well as upon distribution of information on sizes of remuneration on loans and contributions (with the exception of inter-banks), as well as its publications, shall - entail a fine on legal entities in amount of fifty monthly calculation indices.

11. Announcement or publication of advertisement by bank in mass media that does not conform to reality on a date of publication, shall - entail a fine in amount of two hundred monthly calculation indices.

12. Excess of a limit size of annual effective rate of remuneration determined by regulatory legal act of the National Bank of the Republic of Kazakhstan by banks, organizations carrying out separate types of banking operations, shall - entail a fine on legal entities in amount of fifty monthly calculation indices.

13. Violation of a procedure for calculation, condition for effect of a variable rate of remuneration on bank loan contracts by banks, organizations carrying out separate types of banking operations, as well as on mortgage loan contracts concluded with individuals, shall - entail a fine on legal entities in amount of fifty monthly calculation indices.

Article 214. Breach of the legislation of the Republic of Kazakhstan on counteraction to legalization (laundering) of incomes received by illegal means, and financing of terrorism

1. Breach of the legislation of the Republic of Kazakhstan on counteraction to legalization (laundering) of incomes received by illegal means and financing of terrorism by subjects of financial monitoring in a part of documentary fixing, storage and provision of information on operations subjected to financial monitoring, their clients, proper inspection of clients (their representatives) and beneficiary owners, suspension and refusal from conduct of the operations subjected to financial monitoring, protection of documents, received in a process of own activity, shall -

entail a fine on individuals in amount of one hundred, on civil servants, notary officers and advocates, subjects of small entrepreneurship or non-profit organizations - in amount of one hundred forty, on subjects of medium entrepreneurship - in amount of two hundred twenty, on subject of large entrepreneurship - in amount of four hundred monthly calculation indices.

2. Non-fulfillment of the obligations by subjects of financial monitoring on development, acceptance and (or) execution of the rules of internal control and programs of its carrying out, shall -

entail a fine on individuals in amount of one hundred, on civil servants, notary officers and advocates, subjects of small entrepreneurship or non-profit organizations - in amount of one hundred sixty, on subjects of medium entrepreneurship - in amount of two hundred fifty, on subject of large entrepreneurship - in amount of nine hundred monthly calculation indices.

3. Notification of own clients and other persons on information provided to the authorized body on financial monitoring by civil servants of the subjects of financial

monitoring, shall -

entail a fine in amount of one hundred fifty monthly calculation indices.

4. Actions (omission) provided by parts one, two and three of this Article, committed repeatedly second time second time within a year after imposition of administrative sanction, shall -

entail a fine on individuals in amount of one hundred fifty, on civil servants, notary officers and advocates, subjects of small entrepreneurship or non-profit organizations - in amount of one hundred eighty, on subjects of medium entrepreneurship - in amount of three hundred, on subjects of large entrepreneurship - in amount of one thousand two hundred monthly calculation indices.

5. Actions (omission) provided by parts one, two and three of this Article committed three and more times within a year after imposition of administrative sanction, shall -

entail a fine on individuals - in amount of two hundred, on civil servants, advocates, notary officers, individual entrepreneurs - in amount of four hundred, on commodity exchanges, legal entities carrying out entrepreneurial activity in the scope of rendering of accounting services, microfinance organizations, operators of electronic money systems that are not the banks, organizers of gambling industry and lotteries, postal operators, audit organizations - in amount of two thousand monthly calculation indices, with suspension of the license validity term for particular type of activity or with temporary suspension of qualification testimony (certificate) for the term up to six months or their deprivation or suspension of activity of a legal entity for the term up to three months.

Article 215. Violation of a procedure for formation of risk management and internal control systems

1. Violation of a procedure for formation of risk management and internal control systems by financial organizations, established by the regulatory legal act of the National Bank of the Republic of Kazakhstan in case, if the detected violations are not eliminated by the financial organization within the terms established by the National Bank of the Republic of Kazakhstan, shall -

entail a fine on legal entities in amount of one hundred monthly calculation indices.

2. Violation of requirements by a parent organization of a bank conglomerate or insurance group, specified to the risk management and internal control systems on a consolidated basis established by the regulatory legal act of the National Bank of the Republic of Kazakhstan, in case if the detected violations are not eliminated by the parent organization of a bank conglomerate or insurance group within the terms established by the National Bank of the Republic of Kazakhstan, shall -

entail a fine on legal entities in amount of one hundred monthly calculation indices.

Article 216. Non-achievement of results of budget investments by subjects of quasi-public sector

1. Non-achievement of results of budget investments by branch, related and other legal entities that are affiliated in accordance with the legislative acts of the Republic of Kazakhstan, by participation of the state in their charter capital provided in a financial feasibility study, shall -

entail a fine on civil servants - chief executive officers in amount of four hundred monthly calculation indices.

2. Non-achievement of results of budget investments by the state enterprises, limited liability partnerships, joint stock companies, the participant or shareholder of which is the state, by participation of the state in their charter capital provided in a

financial feasibility study, shall -

entail a fine on civil servants - chief executive officers in amount of four hundred monthly calculation indices.

Article 217. Violation of a procedure and terms for representation of reporting by agents of currency control

1. Untimely representation of reporting on operations of clients by agents of currency control, shall -

entail a notification on legal entities.

2. The action provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -

entail a fine on subjects of medium entrepreneurship in amount of fifteen, on subjects of large entrepreneurship - in amount of forty monthly calculation indices.

3. Representation of inaccurate reporting on operations of clients by agents of currency control, shall -

entail a notification on legal entities.

4. The action provided by a part three of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -

entail a fine on subjects of medium entrepreneurship in amount of fifteen, on subjects of large entrepreneurship - in amount of forty monthly calculation indices.

5. Non-presentation of reporting on operations of clients by agents of currency control, shall -

entail a fine on subjects of medium entrepreneurship in amount of thirty, on subjects of large entrepreneurship - in amount of eighty monthly calculation indices.

Article 218. Violation of a procedure and terms for representation of reporting by the authorized banks for the purpose of carrying out the monitoring of demand and supply sources, as well as directions of using foreign currency at internal currency market

1. Untimely representation of reporting by the authorized banks for the purpose of carrying out the monitoring of demand and supply sources, as well as directions of using foreign currency at internal currency market, shall -

entail a notification on legal entities.

2. The action provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -

entail a fine on legal entities in amount of forty monthly calculation indices.

3. Representation of inaccurate reporting by the authorized banks for the purposes of carrying out the monitoring of demand and supply sources, as well as directions of using foreign currency at internal currency market, shall -

entail a notification on legal entities.

4. The action provided by a part three of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -

entail a fine on legal entities in amount of forty monthly calculation indices.

5. Non-representation of reporting by the authorized banks for the purpose of carrying out the monitoring of demand and supply sources, as well as directions of using foreign currency at internal currency market, shall -

entail a fine on legal entities in amount of eighty monthly calculation indices.

Article 219. Excess of natural norms on administrative costs

Excess of natural norms on administrative costs by the state enterprises, joint stock companies and limited liability partnerships controlled by the state, established by the regulatory legal acts, shall -

entail a fine on chief executive officers in amount of fifty monthly calculation indices.

Article 220. Violation of requirements linked with banking servicing of clients

1. Untimely accept or refusal in accept (later than three business days from the date of receipt of instructions, with the exception of cases provided by Article 38 of the Law of the Republic of Kazakhstan "On payments and money transfers" and Article 581 of the Tax Code of the Republic of Kazakhstan), untimely execution (later than the business date, next to the date of accept of received instruction, or later than the term for execution of the instruction, if conditions of such instruction establish the term for its execution) of the instructions on payment or money transfer by banks, organizations carrying out separate types of banking operations, shall -

entail a fine on legal entities in amount of five percent of a sum of instruction on payment or money transfer, but no more than two hundred monthly calculation indices.

2. Execution of instruction on payment or money transfer by banks, organizations carrying out separate types of banking operations, committed in a favor of a beneficiary being different from that stated in the instruction, or on a sum different from that stated in the instruction, shall -

entail a fine on legal entities in amount of five percent of a sum of instruction on payment or money transfer, but no more than two hundred monthly calculation indices.

3. Loss of payment documents of clients by banks, organizations carrying out separate types of banking operations, shall -

entail a fine on legal entities in amount of one hundred monthly calculation indices for each payment document.

4. Unreasonable refusal in accept on payment or money transfer by banks, organizations carrying out separate types of banking operations:

1) upon covering of a sum of money by a sender, required for making money transfer;

2) if the payment document does not contain signs of forgery;

3) if the sender complies with requirements on a procedure for preparation and submission of the instruction on money transfer and (or) other requirements established by the legislation of the Republic of Kazakhstan and (or) conditions of a contract;

4) if the refusal in accept of the instruction do not relate to the cases provided by the Law of the Republic of Kazakhstan "On counteraction to legalization (laundering) of incomes received by illegal means and financing of terrorism", shall -

entail a fine on legal entities I amount of five percent of a sum of instruction on payment or money transfer, but no more than two hundred monthly calculation indices.

5. Violation of order of priority of withdrawing money from bank account of a client by banks, organizations carrying out separate types of banking operations, established by the Civil Code of the Republic of Kazakhstan, shall -

entail a fine on legal entities in amount of one hundred monthly calculation indices.

6. Non-execution of instructions on payment or money transfer by banks, organizations carrying out separate types of banking operations, committed in the form of:

1) non-transfer of acceptable instructions on money transfer in favor of a beneficiary by a bank or organization carrying out separate types of banking operations to the next bank or organization carrying out separate types of banking operations;

2) non-completion of money transferring, if the bank recipient (bank or organization carrying out separate types of banking operations to which the instruction on transfer or payment of money is directed) is the bank of a beneficiary (bank or

organization carrying out separate types of banking operations which shall be subjected to receive money in accordance with conditions of a contract with a sender and (or) instruction of the sender, receiving in favor of a beneficiary, and (or) to perform other actions provided by the instruction or contract with the sender);

3) non-disbursement of cash money to a sender that presented an instruction on payment of cash money, shall -

entail a fine on legal entities in amount of five percent of a sum of instruction on payment or money transfer, but no more than two hundred monthly calculation indices.

Note.

Requirement of this Article shall not apply to actions (omission), the responsibility of which is provided by a part eight of Article 91, part four of Article 92, Article 285 of this Code.

Article 221. Issuance of accommodation, prime and financial bills in a territory of the Republic of Kazakhstan

Issuance of accommodation, prime and financial bills in a territory of the Republic of Kazakhstan, shall -

entail a fine on individuals in amount of forty, on subjects of small entrepreneurship - in amount of one hundred twenty, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of four hundred monthly calculation indices.

Article 222. Violation of requirements of creation, use and disbursement of electronic money

1. Issuance of electronic money by an emitter to the sum that does not conform to the sum of imposed obligations, shall -

entail a fine in amount of three hundred monthly calculation indices.

2. The same action committed repeatedly second time second time within a year after imposition of administrative sanction provided by a part one of this Article, shall -

entail a fine in amount of six hundred monthly calculation indices.

3. Creation of electronic money by an emitter to the sum exceeding one hundred monthly calculation indices without identifying the owner of electronic money, as well as admission of using electronic money by the emitter in a system of electronic money upon commission of operations to the sum that exceeds established limitations on a maximum sum of one operation, shall -

entail a fine in amount of two hundred monthly calculation indices.

4. The same actions committed repeatedly second time second time within a year after imposition of administrative sanction provided by a part three of this Article, shall -

entail a fine in amount of five hundred monthly calculation indices.

5. Non-disbursement, untimely and incomplete disbursement of electronic money by an emitter received by an individual entrepreneur or legal entity from individuals upon payment on civil transactions, shall -

entail a fine in amount of one hundred monthly calculation indices.

6. The same actions committed repeatedly second time second time within a year after imposition of administrative sanction provided by a part five of this Article, shall -

entail a fine in amount of two hundred monthly calculation indices.

Article 223. Violations linked with direct or indirect unlawful acquisition of ten and more percent of shares of a financial organization without receipt of written consent of the National Bank of the Republic of Kazakhstan

Direct or indirect acquisition of the shares of a financial organization in amount of ten and more percent of outstanding shares (with the deduction of privileged and repurchased shares) of the financial organization, as well as control or possibility to have an impact on decisions adopted by the financial organization in amount of ten and more percent of outstanding shares (with the deduction of privileged and repurchased) shares of the financial organization without the written consent of the National Bank of the Republic of Kazakhstan, shall -

entail a fine on individuals in amount of two hundred, on legal entities - in amount of one thousandth monthly calculation indices.

Note. The financial organizations in this Article shall be regarded as a bank, insurance (reinsurance) organization, manager of investment portfolio.

Article 224. Violations linked with unlawful acquisition of participatory shares in charter capitals of legal entities or shares by banks, insurance (reinsurance) organizations, banking holdings, insurance holdings

1. Acquisition of participatory shares in charter capitals of legal entities or shares by banks, insurance (reinsurance) organizations in violation of requirements of the legislative acts of the Republic of Kazakhstan, with the exception of acts provided by a part three of this Article, shall -

entail a fine on legal entities in amount of two thousand monthly calculation indices.

2. Acquisition of participatory shares in charter capitals of legal entities or shares by banking holdings, insurance holdings in violation of requirements of the legislative acts of the Republic of Kazakhstan, with the exception of acts provided by a part three of this Article, shall -

entail a fine on legal entities in amount of two thousand monthly calculation indices.

3. Creation or acquisition of a branch organization by a bank, insurance (reinsurance) organization, banking holding, insurance holding without preliminary permission of the National Bank of the Republic of Kazakhstan, shall -

entail a fine on legal entities in amount of two thousand monthly calculation indices.

Article 225. Inappropriate use of pension assets

1. Violation of conditions and procedure for investment by a manager of investment portfolio, as well as by members of investment committee, established by the legislation of the Republic of Kazakhstan, shall -

entail a fine on an individual in amount of four hundred, on legal entities in amount of eight hundred monthly calculation indices.

2. Non-carrying out of control of appropriate placement of pension assets of voluntary pension saving fund by a bank-custodian, shall -

entail a fine on legal entities in amount of two hundred monthly calculation indices.

Note. For the purpose of a part two of this Article, the bank-custodian shall be regarded as the second tier bank.

Article 226. Violation of requirements linked with liquidation of banks, insurance (reinsurance) organizations

1. Avoidance of a chairman or head of liquidation committee's subdivision from conduct of inspection of activity of the liquidation committee by the National Bank of the Republic of Kazakhstan or impeding its conduct, shall -

entail a fine in amount of twenty five monthly calculation indices.

2. Repeated (two and more times within six sequential calendar months)

representation of inaccurate reporting and information established by the bank legislation of the Republic of Kazakhstan, legislation of the Republic of Kazakhstan on insurance and insurance activity, untimely representation, non-representation of reporting and additional information established by the bank legislation of the Republic of Kazakhstan, legislation of the Republic of Kazakhstan on insurance and insurance activity by a chairman, head of the liquidation committee's subdivision to the National Bank of the Republic of Kazakhstan, shall -

entail a fine in amount of fifty monthly calculation indices.

Article 227. Non-fulfillment, untimely fulfillment of obligations accepted and (or) imposed by applying restrictive enforcement measures

1. Non-fulfillment, untimely fulfillment of obligations by banks, large participants of banks, banking holdings, organizations included into the composition of banking conglomerate, Development Bank of Kazakhstan, organizations carrying out separate types of banking operations, accepted by them and (or) imposed on them by the National Bank of the Republic of Kazakhstan by applying restrictive enforcement measures, shall -

entail a fine on individuals in amount of fifty, on subjects of small entrepreneurship - in amount of two hundred, on subjects of medium entrepreneurship - in amount of three hundred fifty, on subjects of large entrepreneurship - in amount of four hundred fifty monthly calculation indices.

2. Non-fulfillment, untimely fulfillment of obligations by insurance (reinsurance) organization, insurance broker, insurance holding, large participants of insurance (reinsurance) organization, legal entities included into the composition of insurance group, actuary, single accumulative pension fund, manager of investment portfolio, large participants of a manager of investment portfolio, individuals or legal entities, the relevant signs of a large participant of a manager of investment portfolio, securities market entity, special financial company, Islamic special financial company, investment fund, microfinance organizations, accepted by them and (or) imposed on them by the National Bank of the Republic of Kazakhstan by applying restricted enforcement measures, shall -

entail a fine on individuals in amount of fifty, on subjects of small entrepreneurship or non-profit organizations - in amount of one hundred twenty, on subjects of medium entrepreneurship - in amount of one hundred ninety, on subjects of large entrepreneurship - in amount of two hundred fifty monthly calculation indices.

3. Non-execution of written prescription by a chairman of the bank's liquidation committee, insurance (reinsurance) organization within the term established by the National Bank of the Republic of Kazakhstan on elimination of the breaches of the legislation of the Republic of Kazakhstan, shall -

entail a fine on individuals in amount of forty monthly calculation indices.

Article 228. Violation of requirements established by the legislation of the Republic of Kazakhstan on insurance and insurance activity

1. Non-provision, and equally repeated (two and more times within twenty sequential calendar months) untimely provision of details or other requested information by insurance (reinsurance) organization, insurance broker, insurance holding of insurance (reinsurance) organization, participants (shareholders) and (or) affiliated persons of insurance (reinsurance) organization, as well as individuals and legal entities, the relevant signs of a large participant (insurance holding) of insurance (reinsurance) organization, shall -

entail a fine on individuals in amount of fifty, on legal entities - in amount of

two hundred monthly calculation indices.

2. Provision of inaccurate, and equal incomplete reporting, details or other requested information by insurance (reinsurance) organization, insurance broker, insurance holding of insurance (reinsurance) organization, participants (shareholders) and (or) affiliated persons of insurance (reinsurance) organization, as well as by individuals and legal entities, the relevant signs of a large participant (insurance holding) of insurance (reinsurance) organization, shall -

entail a fine on individuals in amount of fifteen, on legal entities - in amount of two hundred monthly calculation indices.

3. Untimely provision, non-provision or provision of inaccurate reporting or other information requested by the authorized body by a mutual insurance company to the state body in the field of plant production in accordance with the Law of the Republic of Kazakhstan "On compulsory insurance in plant production", shall -

entail a fine in amount of fifty monthly calculation indices.

4. Non-provision or untimely provision of a contract on joint activity to the National Bank of the Republic of Kazakhstan by an insurance (reinsurance) organization for its registration, shall -

entail a fine in amount of four hundred monthly calculation indices.

5. Repeated (two and more times within twelve sequential calendar months) violation of prudential regulations established by the National Bank of the Republic of Kazakhstan and (or) other norms and limits compulsory for compliance by insurance (reinsurance) organization, parent organization of insurance group, shall -

entail a fine in amount five hundred monthly calculation indices.

6. Carrying out of transactions and operations by an insurance (reinsurance) organization, insurance holding, insurance broker, insurance agent in breach of the legislation of the Republic of Kazakhstan on insurance and insurance activity, shall -

entail a fine in amount of one tenth percent of a sum of the transaction or one hundred percent of a sum of received income on operations, but no less than fifty and no more than two thousand monthly calculation indices.

7. Carrying out of mutual insurance of transactions and operations by a society in breach of the legislation of the Republic of Kazakhstan on mutual insurance, shall -

entail a fine in amount of two hundred monthly calculation indices.

8. Carrying out of the activity by an actuary in breach of the legislation of the Republic of Kazakhstan on insurance and insurance activity, shall -

entail a fine in amount of fifty monthly calculation indices.

9. Untimely notification of insurants by an insurance organization in the manner established by the legislation of the Republic of Kazakhstan on change of location of own permanent body, separate subdivision or change of name, shall -

entail a fine in amount of fifty monthly calculation indices.

10. Violation of conditions by an insurance (reinsurance) organization established by the legislation of the Republic of Kazakhstan on insurance and insurance activity on a proper documenting, storage of documents, placement of the copies of licenses for the right of carrying out the insurance activity, as well as violation of the rules for accounting and storage of the blanks of insurance documentation, work with cash money established by the legislation of the Republic of Kazakhstan by the insurance organization, insurance broker and insurance agent, shall -

entail a fine in amount of fifty monthly calculation indices.

11. Announcement or publication of advertisement by an insurance (reinsurance) organization and insurance broker in mass media that does not conform to actuality on a date of publication, shall -

entail a fine in amount of two hundred monthly calculation indices.

12. Preparation of reporting by an insurance (reinsurance) organization that lead to distortion of indices or details contained in it on compliance with prudential regulations and (or) other norms and limits compulsory for compliance, shall -
entail a fine on legal entities in amount of four hundred monthly calculation indices.

13. The action provided by a part twelve of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -
entail a fine in amount of six hundred monthly calculation indices.

14. Failure to deliver the facts by an insurance broker to the National Bank that became known to him (her) on insolvency of an insurance (reinsurance) organization, shall -
entail a fine in amount of one hundred monthly calculation indices.

15. Failure to deliver the established facts by an actuary to the National Bank of the Republic of Kazakhstan on non-compliance of an insurance (reinsurance) organization with requirements of the legislation of the Republic of Kazakhstan on formation of insurance reserves, shall -
entail a fine in amount of fifty monthly calculation indices.

16. Non-payment, late payment or payment of compulsory or emergency contributions in incomplete volume to the Guarantee fund of insurance payments, shall -
entail a fine on legal entities in amount of two hundred fifty monthly calculation indices.

17. Violation of a requirement by an insurance (reinsurance) organization on obligatoriness to publish financial statement and other details in mass media in accordance with the Laws of the Republic of Kazakhstan, shall -
entail a fine in amount of one hundred monthly calculation indices.

Article 229. Violation of requirements by an insurance organization linked with conclusion and execution of insurance contracts

1. Failure to make, and equally late making of insurance payment or incorrect performance of other conditions of concluded insurance contract, shall -
entail a fine on legal entities in amount of one hundred monthly calculation indices.

2. Loss of documents represented by a client for execution of insurance contract, shall -
entail a fine on legal entities in amount of fifty monthly calculation indices.

Article 230. Breach of the legislation of the Republic of Kazakhstan on compulsory insurance

1. Avoidance of an insurance organization from conclusion of compulsory insurance contract provided by the legislative acts of the Republic of Kazakhstan, shall -
entail a fine on a legal entity in amount of five hundred monthly calculation indices.

2. Avoidance from conclusion of compulsory insurance contract by a person being liable to conclude the compulsory insurance contract in accordance with the legislative act of the Republic of Kazakhstan on compulsory insurance, shall -
entail a fine on individuals in amount of twenty, on civil servants, private notary officers, on subjects of small entrepreneurship or non-profit organizations - in amount of two hundred, on subjects of medium entrepreneurship - in amount of four hundred, on subjects of large entrepreneurship - in amount of one thousand monthly calculation indices.

3. Violation of requirements of the legislative acts of the Republic of Kazakhstan

by an insurance (reinsurance) organization consisting in non-fulfillment or improper fulfillment of requirements on presence of the branches and (or) insurance agents in the capital, conclusion of participant agreement in insurance database, provision of information to the insurance database, in excess of amount of commission remuneration paid to the insurance agent on conclusion of insurance contracts, shall -

entail a fine on a legal entity in amount of three hundred monthly calculation indices.

4. Conclusion of compulsory insurance contract by an insurance (reinsurance) organization on terms that do not conform to requirements of the legislation of the Republic of Kazakhstan consisting in:

1) establishment of amounts of insurance sums being other than those determined by the Laws of the Republic of Kazakhstan on compulsory types of insurance;

2) establishment of amounts of insurance premiums being other than those determined by the Laws of the Republic of Kazakhstan on compulsory types of insurance, and equally incorrect (unreasonable) applying the rates upon calculation of insurance premiums;

3) insurance of objects on compulsory types of insurance that are not subject to insurance, shall -

entail a fine on legal entities in amount of one tenth percent of a sum of transaction or one hundred percent of a sum of earned revenue on operations, or one hundred percent of a sum of insurance premiums received on operations, but no less than two hundred and no more than two thousand monthly calculation indices.

Footnote. Article 230 as amended by the Law of the Republic of Kazakhstan dated 27.04.2015 No. 311-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Article 231. Violation of the terms established by the legislation of the Republic of Kazakhstan for coordination of leading employees of financial organizations, banking and insurance holdings, Guarantee fund of insurance payments

1. Violation of the terms for coordination of a leading employee of a financial organization, banking and insurance holding, Guarantee fund of insurance payments by a financial organization, banking and insurance holding, Guarantee fund of insurance payments, shall -

entail a fine on legal entities in amount of ninety monthly calculation indices.

2. The action provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -

entail a fine on legal entities in amount of two hundred monthly calculation indices.

Article 232. Untimely notification of the National Bank of the Republic of Kazakhstan on opening and termination of the activity of branches and representations of financial organizations, as well as non-compliance with requirements of the legislation of the Republic of Kazakhstan upon opening of the branches, representations of financial organizations

Untimely notification of the National Bank of the Republic of Kazakhstan on opening and termination of the activity of branches and representations of financial organizations, as well as non-compliance with requirements of the bank legislation of the Republic of Kazakhstan, legislation of the Republic of Kazakhstan on insurance and insurance activity upon opening of branches, representations of financial organizations, shall -

entail a fine on legal entities in amount of one hundred monthly calculation indices.

Article 233. Obtaining or use of credit, loan with breach of the legislation of the Republic of Kazakhstan

1. Obtaining of credit or preferential terms by an individual entrepreneur or organization for crediting by representing knowingly false details to the bank or organization carrying out separate types of banking operations on household status, financial status or pledged assets of the individual entrepreneur or organization or on other circumstances having essential significance for obtaining of the credit, preferential terms for crediting, and equally failure to deliver information to the bank or another creditor on occurrence of circumstances that may entail termination of the crediting, repeal of benefits or limitation of amounts of allocated credit, if these actions did not inflict heavy damage, shall -

entail a fine in amount of fifty monthly calculation indices.

2. Use of budget credit not for intended purpose, if this action did not inflict heavy damage to an individual, organization or the state, shall -

entail a fine in amount of one hundred monthly calculation indices.

3. Use of the funds of loans being guaranteed by the state and of the loan attracted under surety of the state for the purposes not provided by conditions of the loan and not provided by the contract of guarantee, as well as for crediting of the state bodies, shall -

entail a fine on the chief executive officers of a relevant legal entity-loan debtor on the loan having the state guarantee, their deputies or persons substituting them on which the relevant orders imposed the fulfillment of obligations, in amount of one hundred monthly calculation indices.

Article 234. Untimely, incomplete crediting of revenues into republican and local budgets

1. Untimely, incomplete crediting of the funds coming into republican and local budgets, shall -

entail a fine on civil servants in amount of one hundred monthly calculation indices.

2. Untimely, incomplete crediting of the funds transferred on accounts of recipients of budget funds in the relevant banks or organizations carrying out separate types of banking operations, shall -

entail a fine on civil servants in amount of seventy monthly calculation indices.

Article 235. Violation of rules for keeping budgetary accounting, preparation and representation of reporting

Violation of rules for keeping budgetary accounting, preparation and representation of reporting, shall -

entail a fine on civil servants in amount of two hundred monthly calculation indices.

Article 236. Violation of conditions and procedures for extending budget credits, state guarantees and warrantees of the state

Violation of conditions and procedures for extending budget credits, state guarantees and warrantees of the state, shall -

entail a fine on civil servants in amount of four hundred monthly calculation indices.

Article 237. Violation of rules for compensation of expenses

1. Violation of rules for compensation of the expenses by administrators of budget programs on rendering of guaranteed volume of gratuitous medical assistance, shall - entail a fine on civil servants in amount of fifty monthly calculation indices.

2. The same act committed repeatedly second time second time within a year after imposition of administrative sanction, shall - entail a fine on civil servants in amount of one hundred of monthly calculation indices.

Article 238. Breach of the legislation of the Republic of Kazakhstan on business accounting and financial statement by individuals and civil servants

1. Non-fulfillment and (or) improper fulfillment of the obligations by individuals and civil servants provided by the legislation of the Republic of Kazakhstan on business accounting and financial statement committed in the form of:

1) avoidance from maintenance of business accounting that did not inflict heavy damage;

2) preparation of distorted financial statement, concealing of data subjected to reflection in business accounting, and equally destruction of accounting documents that did not inflict heavy damage;

3) appointment of a person to a position of senior accountant of public organization that does not have a certificate of professional accountant, shall - entail a fine in amount of one hundred monthly calculation indices.

2. Acts provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall - entail a fine in amount of two hundred monthly calculation indices.

Article 239. Breach of the legislation of the Republic of Kazakhstan on business accounting and financial statement by a legal entity

1. Breach of the legislation of the Republic of Kazakhstan on business accounting and financial statement by a legal entity committed in the form of:

1) avoidance from maintenance of business accounting, if this action does not contain signs of criminally punishable act;

2) representation of knowingly false financial statement, refusal from representing financial statement, presentation with violation of established term or its non-representation without justifiable reason to founders (participants) of organizations in accordance with the constitutive documents, to the authorized body in the field of the state statistics at place of registration, to bodies of state control and supervision in accordance with their competence, to the depository of financial statement;

3) preparation of distorted financial reporting, concealing of data subjected to reflection in business accounting, and equally destruction of accounting documents;

4) signing of financial statement by a senior accountant of the organization of public interest that is not a professional accountant, shall - entail a fine on subjects of small entrepreneurship or non-profit organizations in amount of one hundred, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of five hundred monthly calculation indices.

2. The act provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -

entail a fine on subjects of small entrepreneurship or non-profit organizations in amount of two hundred, on subjects of medium entrepreneurship - in amount of four hundred, on subjects of large entrepreneurship - in amount of one thousand monthly

calculation indices.

3. Conduct of operations without the relevant reflection of their results in business accounting by financial organizations, Islamic special financial companies, microfinance organizations, investment funds and the Development Bank of Kazakhstan, shall -

entail a fine on legal entities in amount of twenty percent of a sum that was not considered, but no less than one hundred and no more than four thousand monthly calculation indices.

4. Maintenance of business accounting in violation of the requirements established by the legislation of the Republic of Kazakhstan on business accounting and financial statement, and methods (principles) of business accounting that lead to distortion of the financial statement by financial organizations, special financial companies, Islamic special financial companies, microfinance organizations, investment funds and the Development Bank of Kazakhstan, shall -

entail a fine on legal entities in amount up to five percent of a sum that was considered improperly, but no less than one hundred and no more than four thousand monthly calculation indices.

Article 240. Divulgence of secrecy of accounting information

Divulgence of accounting information that is commercial secret by persons having an access to it, that did not inflict heavy damage, shall -

entail a fine in amount of one hundred fifty monthly calculation indices.

Article 241. Violation of rules for accreditation established by the legislation of the Republic of Kazakhstan on business accounting and financial statement

1. Violation of rules for accreditation established by the legislation of the Republic of Kazakhstan on business accounting and financial statement, shall -

entail a notification or fine on a legal entity in amount of two hundred monthly calculation indices.

2. The action provided by this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -

entail a fine on a legal entity in amount of three hundred monthly calculation indices.

Article 242. Failure to perform the prudential regulations and (or) other norms and limits being compulsory for compliance by a manager of investment portfolio

1. Preparation of reporting by a manager of investment portfolio that lead to distortion of indices or details contained in it on performance of prudential regulations and (or) norms and limits compulsory for compliance, determined by the legislation of the Republic of Kazakhstan on pension benefits, shall -

entail a fine on legal entities in amount of two hundred monthly calculation indices.

2. The action provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -

entail a fine on legal entities in amount of six hundred monthly calculation indices.

3. Repeated (two and more times within twelve sequential calendar months) failure to perform the prudential regulations and (or) other norms and limits being compulsory for compliance by a manager of investment portfolio established by the National Bank of the Republic of Kazakhstan, shall -

entail a fine on legal entities in amount of three hundred monthly calculation indices.

Article 243. Violation of a procedure for representing reporting on executed registration certificates or certificates on notification or on currency monitoring, on exchange operations with cash foreign currency, as well as information and documents confirming occurrence of the circumstances that have an impact on terms and conditions for repatriation of the national and foreign currency

1. Representation of inaccurate reporting on executed registration certificates or certificates on notification or on currency monitoring, on exchange operations with cash foreign currency, shall -

entail a fine on individuals and legal entities.

2. The action provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -

entail a fine on individuals in amount of five, on subjects of small entrepreneurship - in amount of ten, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship, branches and representations of legal entities-non-residents acting in a territory of the Republic of Kazakhstan more than one year - in amount of forty monthly calculation indices.

3. Untimely representation of reporting on executed registration certificates or certificates on notification or on currency monitoring, on exchange operations with cash foreign currency, shall -

entail a notification on individuals and legal entities.

4. The action provided by a part three of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -

entail a fine on individuals in amount of five, on subjects of small entrepreneurship - in amount of ten, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship, branches and representations of legal entities-non-residents acting in a territory of the Republic of Kazakhstan more than one year - in amount of forty monthly calculation indices.

5. Non-representation of reporting on executed registration certificates, certificates on notification or on currency monitoring, on exchange operations with cash foreign currency, shall -

entail a fine on individuals in amount of forty, on subjects of small entrepreneurship - in amount of seventy, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship, branches and representations of legal entities-non-residents acting in a territory of the Republic of Kazakhstan more than one year - in amount of one hundred fifty monthly calculation indices.

6. Untimely provision of information and documents confirming occurrence of the circumstances that have an impact on the terms and (or) conditions for repatriation of the national and foreign currency, shall -

entail a notification.

7. The action provided by a part six of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -

entail a fine on subjects of small entrepreneurship in amount of thirty, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

8. Non-provision of information and documents confirming occurrence of the circumstances that have an impact on the terms and (or) conditions of repatriation of the national and foreign currency, shall -

entail a fine on subjects of small entrepreneurship in amount of fifty, on

subjects of medium entrepreneurship – in amount of seventy, on subjects of large entrepreneurship – in amount of one hundred fifty monthly calculation indices.

Article 244. Violation of the term for submission of documents for receiving certificate on notification on currency operations or registration certificate on currency operations

1. Violation of the term for submission of documents by individuals and legal entities for receiving certificate on notification on currency operations or registration certificate on currency operations, shall –

entail a notification on individuals and legal entities.

2. Action (omission) provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall –

entail a fine on individuals in amount of fifty, on subjects of small entrepreneurship or non-profit organizations – in amount of eighty, on subjects of medium entrepreneurship – in amount of one hundred twenty, on subjects of large entrepreneurship – in amount of two hundred monthly calculation indices.

Article 245. Concealing a fact of the breach of the legislation of the Republic of Kazakhstan on business accounting and financial statement by an auditor from the customers of conducting audit

Concealing a fact of the breach of the legislation of the Republic of Kazakhstan on business accounting and financial statement by an auditor from the customers of conducting audit, detected upon conduct of inspection, shall –

entail a fine in amount of seventy five monthly calculation indices with deprivation of qualification certificate “auditor”.

Article 246. Preparation of inaccurate audit report, as well as inaccurate audit opinion on taxes by an auditor and audit organization

Footnote. Title of Article 246 is in the wording of the Law of the Republic of Kazakhstan dated 29.12.2014 No. 269-V (shall be enforced from 01.01.2015).

1. Preparation of inaccurate audit report by an auditor and audit organization, with the exception of the case provided by Article 249 of this Code, shall –

entail a fine on auditors in amount of eighty, on audit organization – in amount of one hundred eighty monthly calculation indices, with suspension of the license validity term for carrying out of audit activity or without such.

2. Preparation of knowingly inaccurate audit report by an auditor and audit organization, shall –

entail a fine on auditors in amount of one hundred ten monthly calculation indices with the deprivation of qualification certificate, on audit organizations – in amount of two hundred twenty monthly calculation indices with the suspension of the license validity term for carrying out of audit activity.

3. The action provided by a part one of this Article committed repeatedly second time second time by an auditor within a year after imposition of administrative sanction, shall –

entail a fine in amount of one hundred fifty monthly calculation indices with deprivation of qualification certificate.

4. The actions provided by parts one and two of this Article committed repeatedly second time second time by an audit organization within a year after imposition of administrative sanction, shall –

entail a fine in amount of two hundred fifty monthly calculation indices with the deprivation of a licence for carrying out of audit activity.

5. Drawing up of inaccurate audit opinion on taxes by an audit organization, shall

-
entail a fine on an audit organization in amount of two hundred monthly calculation indices with the suspension of the license validity term for carrying out of audit activity or without such.

6. The action provided by a part five of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -
entail a fine on audit organization in amount of two hundred fifty monthly calculation indices with deprivation of a license for carrying out of audit activity.

Footnote. Article 246 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 269-V (shall be enforced from 01.01.2015).

Article 246-1. Violation of a procedure for conduct of audit on taxes by an audit organization

Violation of a procedure for conduct of audit on taxes by an audit organization, with the exception of the violations entailing recognition of audit opinion on taxes as inaccurate, shall -

entail a fine on audit organization in amount of one hundred fifty monthly calculation indices.

Note. The violation of a procedure for conduct of audit on taxes in this Article shall be regarded as non-compliance with obligations by an audit organization established by the procedure for conduct of audit on taxes by the audit organization determined by the state body carrying out regulation in the field of audit activity.

Footnote. Chapter 15 is supplemented by Article 246-1 in accordance with the Law of the Republic of Kazakhstan dated 29.12.2014 No. 269-V (shall be enforced from 01.01.2015).

Article 247. Breach of the legislation of the Republic of Kazakhstan on audit activity

1. Carrying out of the types of activity by an audit organization not provided by the legislation of the Republic of Kazakhstan on audit activity, shall -
entail a notification.

2. The action provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -
entail a fine in amount of one hundred monthly calculation indices.

3. Conduct of audit in the cases prohibited by the Law of the Republic of Kazakhstan "On audit activity", shall -

entail a fine on legal entities in amount of one hundred monthly calculation indices with suspension of the license validity term.

4. Failure to notify the National Bank of the Republic of Kazakhstan and failure to notify the audited financial organizations for which the conduct of audit is compulsory on breaches of the legislation of the Republic of Kazakhstan regulating the activity of financial market and financial organizations detected in a result of audit of these organizations, shall -

entail a fine on legal entities in amount of one hundred fifty monthly calculation indices.

5. Untimely representation or non-representation, and equally representation of inaccurate details by accredited professional audit organizations to the relevant authorized bodies, information the provision of which is required in accordance with the legislation of the Republic of Kazakhstan on audit activity, shall -

entail a fine in amount of one hundred fifty monthly calculation indices.

6. Failure to notify the bodies of state financial control by the audited subjects represented by the state institutions and state enterprises, as well as legal entities with state participation on breaches of the legislation of the Republic of Kazakhstan

upon using budget funds, credits, connected grants, assets of the state, loans guaranteed by the state, detected in a result of audit of these organizations, shall - entail a fine on chief executive officers in amount of one hundred fifty monthly calculation indices.

7. Untimely representation or non-representation of reporting by audit organizations to the authorized body in accordance with qualification requirements and (or) information on insurance of own civil liability in the form approved by the authorized body, shall -

entail a fine on legal entities in amount of one hundred fifty monthly calculation indices.

8. Non-representation of audit report by audit organizations to the National Bank of the Republic of Kazakhstan, shall -

entail a fine on legal entities in amount of two hundred monthly calculation indices.

Article 248. Violations linked with use and storage of personal seal of an auditor

1. Violation of requirements by an auditor on a proper storage and use of personal seal established by the legislation of the Republic of Kazakhstan on audit activity, shall -

entail a fine in amount of one hundred monthly calculation indices.

2. The action provided by a part one of this Article committed repeatedly second time second time by an audit within a year after imposition of administrative sanction, shall -

entail a fine in amount of two hundred monthly calculation indices.

Article 249. Provision of untimely, inaccurate or incomplete information by the audited subject to audit organization

Provision of untimely, inaccurate or incomplete information by the audited subject to audit organization in the course of conduct of audit, that lead to preparation of inaccurate audit report, shall -

entail a fine on subjects of small entrepreneurship or non-profit organizations in amount of twenty, on subjects of medium entrepreneurship - in amount of twenty five, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

Article 250. Avoidance from conduct of compulsory audit

Avoidance from conduct of compulsory audit or impeding its conducting, shall -

entail a fine on subjects of small entrepreneurship or non-profit organizations in amount of fifteen, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

Article 251. Failure to perform the requirement of repatriation of the national and foreign currency

Failure to perform the requirement of repatriation of the national and foreign currency committed in the form of non-passing of the national and foreign currency to banking accounts in the authorized banks:

1) revenue in the national and foreign currency from export of goods (works, services);

2) national and foreign currency transferred by a resident in favor of non-resident for import of goods (works, services) subjected to return due to non-fulfillment or incomplete fulfillment of the obligations by the non-resident on goods delivery (carrying out of works, rendering of services), shall -

entail a fine on subjects of small entrepreneurship, on subjects of medium

entrepreneurship, on subjects of large entrepreneurship, non-profit organizations in amount of twenty percent of a sum of not passed national and foreign currency, but no more than two thousand monthly calculation indices.

Note.

Liability for commission of infractions provided by this Article shall occur in cases when after expiration term of repatriation, the sum of not passed national and foreign currency exceeds the sum being equivalent to fifty thousand USD, and if these actions (omission) do not contain the signs of criminally punishable act.

Individuals that are not individual entrepreneurs shall not bear liability provided by this Article.

Article 252. Conduct of currency operations with breach of currency legislation of the Republic of Kazakhstan

1. Conduct of exchange operations with foreign currency not through the authorized banks and their exchange officers, as well as exchange officers of the authorized organizations, conduct of prohibited currency operations between residents, making payments and money transfers not through the accounts in the authorized banks, when such requirement is established by the currency legislation of the Republic of Kazakhstan, shall -

entail a fine on individuals and legal entities.

2. The actions provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -

entail a fine on individuals in amount of fifty, on subjects of small entrepreneurship or non-profit organizations - in amount of sixty, on subjects of medium entrepreneurship - in amount of seventy, on subjects of large entrepreneurship - in amount of one hundred percent of a sum of the operation conducted with violation of established procedure.

3. Non-compliance with limits established by the National Bank of the Republic of Kazakhstan for deviation of buying rate from selling rate of foreign currency for tenge by the authorized banks and authorized organizations on operations conducted through the exchange officers, shall -

entail a fine on subjects of medium entrepreneurship in amount of two hundred, on subjects of large entrepreneurship - in amount of five hundred monthly calculation indices.

Article 253. Violation of special currency regime

Violation of special currency regime in a part of:

1) failure to perform the requirement to receive special permission of the National Bank of the Republic of Kazakhstan for conduct of currency operation;

2) failure to perform the requirement of compulsory sale of foreign currency received by residents;

3) use of accounts in foreign banks;

4) failure to perform the requirements to the procedure for conduct of currency operations;

5) non-compliance with other temporary currency restrictions introduced by the President of the Republic of Kazakhstan, shall -

entail a fine on individuals and legal entities in amount of one hundred percent of a sum of the operation conducted with violation of special currency regime.

Article 254. Illegal use of insider information

1. Actions of insiders on use of insider information upon consummation of transactions with securities and (or) derivative financial instruments, illegal transfer of insider information to third persons, provision of recommendations or suggestions to third persons on consummation of transactions with securities and (or) derivative

financial instruments, based on the insider information, as well as failure to perform the requirements of the legislation of the Republic of Kazakhstan on provision of information to emitters by legal entities that recognized as insiders, in respect of these emitters, if these actions did not inflict heavy damage, shall -

entail a fine on an individual in amount of two hundred, on civil servant - in amount of four hundred, on legal entity - in amount of six hundred monthly calculation indices.

2. Violation of requirements by emitters established by the legislation of the Republic of Kazakhstan in a part of controlling disposal and use of insider information on the emitter and securities (derivative financial instruments) issued (provided) by him (her), shall -

entail a fine on legal entities in amount of six hundred monthly calculation indices.

Article 255. Unfair advertisement of activity at securities market

Unfair advertisement of activity at securities market by representation and distribution of inaccurate details by securities market entities on a date of publication of advertisement, shall -

entail a fine on individuals and legal entities in amount of one hundred monthly calculation indices.

Article 256. Violation of requirements by securities market entity and other persons on representation of reporting, information, details

1. Non-representation, and equally repeated (two and more times within twelve sequential calendar months) untimely representation of reporting, details and (or) other requested information by securities market entity, as well as his (her) participants (shareholders) and (or) affiliated persons, shall -

entail a fine on individuals in amount of fifty, on legal entities - in amount of two hundred monthly calculation indices.

2. Representation of inaccurate, and equally incomplete reporting, details and (or) other requested information by securities market entity, as well as his (her) participants (shareholders) and (or) affiliated persons, as well as in the course of conducting inspections of activity of the securities market entities, shall -

entail a fine on individuals in amount of fifty, on legal entities - in amount of two hundred monthly calculation indices.

3. Representation of knowingly false details by securities market entity on operations with securities that does not have the signs of criminally punishable act, shall -

entail a fine on legal entities in amount of two hundred monthly calculation indices.

Note. The reporting in a part one of this article shall be regarded as documents and reporting, the representation of which is provided by the legislation of the Republic of Kazakhstan for the purpose of state registration of issuing equity securities, registration of amendments and supplements in a prospectus of issuing equity securities, approval of a report on results of placement and (or) redemption of equity securities, informing on activity of a representative of bond holders and on non-fulfillment or improper fulfillment of the obligations on bonds, representation of the list of affiliated persons of a joint stock company; assessment of performing requirements to the risk management system and internal control of professional participants of securities market.

Article 257. Violation of rights of securities holders

1. Violation of rights of shareholders to management of the affairs of a joint stock company, procedure for distribution of a part of revenues (payment of dividends), privileged purchase of securities, receipt of information on activity of the company, as well as violation of the procedure for calling and holding general meeting of shareholders established by the legislation of the Republic of Kazakhstan, shall - entail a fine on legal entities in amount of four hundred monthly calculation indices.

2. Violation of procedure and conditions for payment of remuneration on bonds and (or) their redemption established by the legislation of the Republic of Kazakhstan, shall - entail a fine on legal entities in amount of four hundred monthly calculation indices.

3. Violation of a procedure and conditions by an issuer of securities for repurchase of the securities placed by him (her) established by the legislation of the Republic of Kazakhstan and (or) prospectus of issuing these securities, as well as non-carrying out of the repurchase of securities placed by him (her) in the cases established by the legislation of the Republic of Kazakhstan and (or) prospectus of issuing these securities, shall - entail a fine on legal entities in amount of four hundred monthly calculation indices.

Article 258. Violation of a procedure for consummation of transactions with securities and (or) derivative financial instruments, as well as conditions for conclusion of transactions

Violation of a procedure established by the legislation of the Republic of Kazakhstan for consummation of transactions with securities and (or) derivative financial instruments, as well as conditions for conclusion of transactions established by the legislation of the Republic of Kazakhstan, shall -

entail a fine on individuals in amount of two hundred, on civil servants, subjects of small entrepreneurship - in amount of three hundred, on subjects of medium entrepreneurship - in amount of four hundred, on subjects of large entrepreneurship - in amount of five hundred monthly calculation indices.

Article 259. Consummation of transactions for the purpose of price-gouging of securities

Consummation of transactions by securities market entities for the purpose of price-gouging of securities, shall -

entail a fine on individuals in amount of two hundred, on subjects of small entrepreneurship - in amount of three hundred, on subjects of medium entrepreneurship - in amount of four hundred, on subjects of large entrepreneurship - in amount of five hundred monthly calculation indices.

Article 260. Violation of a procedure for registration of transactions with securities, accounting and confirmation of rights on them

1. Violation of a procedure for maintenance of a register system of securities holders or accounting system of nominal holding by a professional securities market participant, and equally violation of a procedure for confirmation of the rights to securities, if these actions do not contain the signs of criminally punishable act, shall -

entail a fine in amount of three hundred monthly calculation indices.

2. Violation of a procedure and conditions for transferring documents and details established by the legislation of the Republic of Kazakhstan, that are the system of

nominal holding by professional securities market participant to the other professional securities market participant, shall -

entail a fine on a legal entity in amount of four hundred monthly calculation indices.

Article 261. Violation of conditions and procedure for issuance and (or) placement of equity securities by an emitter

1. Violation of conditions and procedure for issuance and (or) placement of equity securities by an emitter, established by the legislation of the Republic of Kazakhstan, as well as linked with violation by an emitter that is not a financial organization of conditions and procedure established by prospectus of issuing bonds for using money received from placement of the bonds, with the exception of actions provided by a part two of this Article, shall -

entail a fine on civil servants in amount of three hundred, on subjects of small entrepreneurship, non-profit organizations - in amount of three hundred fifty, on subjects of medium entrepreneurship - in amount of four hundred, on subjects of large entrepreneurship - in amount of five hundred monthly calculation indices.

2. Violation of conditions and procedure for placement of equity securities by an emitter in a territory of foreign state established by the legislation of the Republic of Kazakhstan, shall -

entail a fine on legal entities in amount of fifty percent of a sum of money received from placement of equity securities.

Article 262. Violation of requirements by professional securities market participant and organizer of biddings with securities established by the legislation of the Republic of Kazakhstan to their activity

Repeated (two and more times within twelve sequential calendar months) violation of requirements by professional securities market participant and organizer of biddings with securities established by the legislation of the Republic of Kazakhstan to their activity, shall -

entail a fine in amount of three hundred monthly calculation indices.

Article 263. Violation of the obligation on disclosure of information at securities market

Non-fulfillment of the obligation on disclosure of information by securities market entities in the manner and on conditions determined by the legislation of the Republic of Kazakhstan and (or) internal rules of stock exchanges, as well as provision of incomplete or inaccurate information of own activity, shall -

entail a fine on individuals in amount of fifty, on legal entities - in amount of one hundred monthly calculation indices.

Article 264. Breach of the legislation of the Republic of Kazakhstan on securities market by single accumulative pension fund, voluntary accumulative pension funds and managers of investment portfolio

1. Violation of a procedure for accounting pension savings on personal accounts of contributors (receivers) by a single accumulative pension fund, voluntary accumulative pension funds, as well as violation of a procedure for relations with custody banks and single accumulative pension fund, voluntary accumulative pension funds by a manager of investment portfolio established by the legislation of the Republic of Kazakhstan on securities market, that did not inflict heavy damage, shall -

entail a fine on legal entities in amount of four hundred monthly calculation indices.

2. Carrying out of transactions and operations by a single accumulative pension fund or voluntary accumulative pension fund in breach of the legislation of the Republic of Kazakhstan on securities market, shall -

entail a fine on legal entities in amount of four hundred monthly calculation indices.

Article 265. Violation of requirements of the Law of the Republic of Kazakhstan “On investment funds”

1. Violation of requirements of the Law of the Republic of Kazakhstan “On investment funds” by an incorporated investment fund, management company of investment fund to the content of information on own activity, indices characterizing the composition and value of net assets of investment fund, as well as procedure for its publication and distribution, shall -

entail a fine on legal entities in amount of four hundred monthly calculation indices.

2. Distribution or publication of inadequate, incomplete or misinforming information by an incorporated investment fund, manager company of investment fund, shall -

entail a fine on legal entities in amount of four hundred monthly calculation indices.

Article 266. Violation of restrictions established by the legislative acts of the Republic of Kazakhstan on making payments

Making a payment by legal entities in cash on civil transaction to the amount more than one thousand monthly calculation indices in favour of other legal entity, shall -

entail a fine on a legal entity that made payment, in amount of five percent of a sum of the payment.

Article 267. Illegal actions of civil servants of the state institution and state enterprise based on the right of operational management (treasury enterprise) on incurrence of pecuniary liability on account of the funds of state budget

1. Illegal actions of civil servants of the state institution or state enterprise based on the right of operational management (treasury enterprise) on incurrence of pecuniary liability on account of the funds of state budget without registration of civil transactions established by the legislation and (or) in excess of the sums of cost estimations approved by the authorized body that entailed liability of the Government of the Republic of Kazakhstan or the relevant local executive body on obligations of the state institution or state enterprise based on the right of operational management (treasury enterprise), shall -

entail a fine in amount of fifty monthly calculation indices.

2. The actions provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -

entail a fine in amount of one hundred monthly calculation indices.

Article 268. Breach of the legislation of the Republic of Kazakhstan on goods exchange

1. Participation of employees of goods exchange in exchange transactions, shall - entail a fine in amount of one hundred fifty monthly calculation indices.

2. Carrying out of commercial or another activity by goods exchange that is not linked directly with organization of exchange business, shall -

entail a fine in amount of five hundred monthly calculation indices.

3. Sale of goods included into the list of exchange commodities outside the goods

exchange, shall -

entail a fine on individuals in amount of seventy, on subjects of small entrepreneurship or non-profit organizations - in amount of one hundred, on subjects of medium entrepreneurship - in amount of one hundred forty, on subjects of large entrepreneurship - in amount of four hundred monthly calculation indices.

4. Non-compliance with requirements by exchange brokers and (or) exchange dealers on maintenance of records of consummated exchange transactions separately on each client and storage of details on these transactions within five years from the date of consummation of a transaction, shall -

entail a fine in amount of eighty monthly calculation indices.

Chapter 16. ADMINISTRATIVE INFRACTIONS IN THE FIELD OF TAX ASSESSMENT

Article 269. Violation of the term for registration in the state revenues body

1. Violation of the terms established by the legislative acts of the Republic of Kazakhstan for filing tax application on registration in the state revenues body, on registration of an individual entrepreneur, private notary officer, private officer of justice, advocate, on registration on separate types of activity, shall -

entail a notification.

2. The act provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -

entail a fine on individuals in amount of eight, on private notary officers, judicial enforcement agent, advocates, on subjects of small entrepreneurship or non-profit organizations - in amount of fifteen, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of seventy monthly calculation indices.

3. Violation of the term established by the legislative acts of the Republic of Kazakhstan for filing tax application to the state revenues body by a tax payer on registration on value added tax, shall -

entail a fine on subjects of small entrepreneurship in amount of ten, on subjects of medium entrepreneurship - in amount of fifteen, on subjects of large entrepreneurship - in amount of thirty percent of a sum of taxable turnover for the period of non-registration.

Article 270. Illegal carrying out of activity upon applying special tax regime

1. Applying special tax regime with violation of conditions provided by the legislative acts of the Republic of Kazakhstan for this regime, shall -

entail a notification.

2. The action provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -

entail a fine on subjects of small entrepreneurship in amount of fifteen, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

3. Violation of the term by an individual entrepreneur for filing cost calculation of patent or tax application on suspension (prolongation, renewal) of representing tax reporting, shall -

entail a notification.

4. The act provided by a part three of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -

entail a fine in amount of fifteen monthly calculation indices.

Article 271. Carrying out of activity during the period of validity term of decision of the state revenues body on suspension of representing tax reporting

1. Carrying out of activity by persons during the period of validity term of decision of the state revenues body on suspension of representing tax reporting, shall - entail a notification.

2. The action provided by a part one of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall - entail a fine on private notaries, judicial enforcement agent, advocates, on subjects of small entrepreneurship or non-profit organizations in amount of forty, on subjects of medium entrepreneurship - in amount of forty five, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

Note of RCLII!

The Title of Article 272 is in the wording of the Law of the Republic of Kazakhstan, dated 18.11.2015 No. 412-V (shall be enforced from 01.01.2017).

large

Article 272. Non-representation of tax reporting, as well as documents linked with conditional bank deposit

1. Non-representation of tax reporting by a tax payer to the state revenues body within the term established by the legislative acts of the Republic of Kazakhstan, shall -

entail a notification.

2. The act provided by a part one of this Article, with the exception of the act mentioned in a part three of this Article committed repeatedly second time second time within a year after imposition of administrative sanction, shall -

entail a fine on individuals in amount of fifteen, on private notary officers, on judicial enforcement agent, advocates, on subjects of small entrepreneurship or non-profit organizations - in amount of thirty, on subjects of medium entrepreneurship - in amount of forty five, on subjects of large entrepreneurship - in amount of seventy monthly calculation indices.

3. The act provided by a part one of this Article that is expressed in non-representation of reporting on monitoring within the term established by the legislative acts of the Republic of Kazakhstan, committed repeatedly second time second time within a year after imposition of administrative sanction, shall -

entail a fine on large taxpayers subjected to monitoring, in amount of five hundred fifty monthly calculation indices.

4. Non-representation or untimely presentation of a contract on conditional bank deposit to the state revenues body by a tax agent in case of payment of income tax through conditional bank deposit, shall -

entail a fine on private notaries, judicial enforcement agent, advocates, on subjects of small entrepreneurship, including legal entities non-residents carrying out the activity in the Republic of Kazakhstan through permanent institution, branch, representative offices of twenty, on subjects of medium entrepreneurship, including legal entities-non-residents carrying out the activity in the Republic of Kazakhstan through permanent institution, branch, representation - in amount of thirty, on subjects of large entrepreneurship, including legal entities-non-residents carrying out the activity in the Republic of Kazakhstan through the permanent institution, branch, representative offices - in amount of fifty monthly calculation indices.

5. Non-representation of documents to the state revenues body, required for determination of a sum of income or a part of income of a legal entity-non-resident located and (or) registered in a state with concessional taxation subjected to taxation

in accordance with the Tax Code of the Republic of Kazakhstan, shall -

entail a fine on individuals in amount of one hundred, on subjects of small entrepreneurship - in amount of one hundred fifty, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of five hundred monthly calculation indices.

Article 273. Non-representation of reporting on monitoring of transactions, as well as documents required for control upon transfer pricing

1. Non-representation of reporting to the state revenues body on monitoring of transactions within the term established by the legislation of the Republic of Kazakhstan on transfer pricing, as well as non-representation within the term established by the authorized body, or refusal in representation of documents by a taxpayer (as well as in electronic form) required for control upon transfer pricing, shall -

entail a fine on subjects of small entrepreneurship or non-profit organizations in amount of one hundred, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of three hundred fifty monthly calculation indices.

2. Detection of discrepancies of more than two thousand-fold amount of monthly calculation index established for the relevant financial year by the Law on republican budget between reporting data on monitoring of transactions and data received in the course of inspection, shall -

entail a fine on subjects of small entrepreneurship or non-profit organizations in amount of one hundred, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of three hundred fifty monthly calculation indices.

3. Actions (omission) provided by a part one of this Article committed repeatedly second time within the year after imposition of administrative sanction, shall -

entail a fine on subjects of small entrepreneurship or non-profit organizations in amount of one hundred twenty five, on subjects of medium entrepreneurship - in amount of two hundred fifty, on subjects of large entrepreneurship - in amount of seven hundred fifty monthly calculation indices.

Article 274. Violation of measures of financial control

1. Intended non-representation or representation of incomplete, inaccurate declarations and details on incomes and property being the item of taxation by a person holding a state position, by a person dismissed from the state service based on negative appeals, and equally by a husband (wife) of mentioned persons within the term established by the legislation of the Republic of Kazakhstan, shall -

entail a fine in amount of fifty monthly calculation indices.

2. The action provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine in amount of two hundred monthly calculation indices.

Footnote. Article 274 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 275. Concealment of items of taxation

1. Concealment of items of taxation by a tax payer, shall -

entail a fine on individuals, subjects of small entrepreneurship or non-profit organizations, on subjects of medium entrepreneurship, on subjects of large entrepreneurship in amount of one hundred percent of a tax amount and other compulsory payments subjected to payment on concealed item of taxation.

2. Actions (omission) provided by a part one of this Article committed repeatedly

second time within a year after imposition of administrative sanction, shall - entail a fine on individuals, subjects of small entrepreneurship or non-profit organizations, on subjects of medium entrepreneurship, on subjects of large entrepreneurship in amount of two hundred percent of a tax amount and other compulsory payments subjected to payment on concealed item of taxation.

Note of RCLII!

Note is in the wording of the Law of the Republic of Kazakhstan, dated 13.11.2015 No 400-V (shall be enforced from 01.01.2017).

Note. For the purpose of a part one of this Article, the concealed items of taxation shall be also regarded as non-acceptance of goods for registration by a tax payer, imported in a territory of the Republic of Kazakhstan from a territory of the Customs Union member states.

Article 276. Absence of accounting records and violation of maintaining of tax account

1. Absence of accounting records and (or) non-compliance with requirements on drawing up and keeping of accounting records established by the legislation of the Republic of Kazakhstan, shall -entail a notification.

2. The actions provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall - entail a fine on subjects of small entrepreneurship or non-profit organizations in amount of twenty five, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of seventy five monthly calculation indices.

3. Non-reflection of operations in accounting documentation on accounting and sale of goods (works, services), shall -

entail a fine on subjects of small entrepreneurship in amount of three, on subjects of medium entrepreneurship - in amount of five, on subjects of large entrepreneurship - in amount of ten percent of cost of unaccounted goods (works, services).

Note. The absence of accounting documentation of a tax payer shall be regarded as absence of accounting documents and (or) tax forms, tax accounting policy, other documents being the ground for determination of items of taxation and (or) objects linked with taxation, as well as for calculation of tax liability.

Article 277. Avoidance from payment of accrued (calculated) tax amounts and other compulsory payments into the budget

Avoidance from payment of accrued (calculated) tax amounts and other compulsory payments into the budget committed by making settlement payments by a tax payer with third parties in existence of debts in the period of validation of a regulation of the state revenues body on suspension of debit operations on cash register, unless this action contain signs of a criminally punishable act, shall -

entail a fine on individuals in amount of fifteen, on subjects of small entrepreneurship or non-profit organizations - in amount of fifteen monthly calculation indices, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of fifty percent of a sum of made calculations.

Article 278. Undervaluation of tax amounts and other compulsory payments into the budget

1. Undervaluation of tax amounts and other compulsory payments in a declaration, calculation, application on entry of goods and payment of indirect taxes, if this action does not contain signs of a criminally punishable act, shall -

entail a fine on individuals in amount of ten monthly calculation indices, on private notary officers, judicial enforcement agent, advocates, on subjects of small

entrepreneurship or non-profit organizations – in amount of fifteen, on subjects of medium entrepreneurship – in amount of thirty, on subjects of large entrepreneurship – in amount of fifty percent of accrued tax amount and other compulsory payments into the budget.

2. Undervaluation of current payment amounts by a tax payer in a calculation, if this action does not contain signs of a criminally punishable act, shall –

entail a fine on subjects of small entrepreneurship or non-profit organizations, on subjects of medium entrepreneurship in amount of thirty, on subjects of large entrepreneurship – in amount of fifty percent of undervalued current payment amounts.

3. Excess of amount of factually calculated corporate income tax for a tax period over a sum of calculated advance payments within the tax period in amount of more than twenty percent, if this action does not contain signs of a criminally punishable act, shall –

entail a fine in amount of forty percent of a sum of exceeding the factual tax.

4. **Is excluded by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).**

Note.

1. For the purpose of a part one of this Article, upon determination of a sum of administrative sanction on accrued amount of value added tax, the sum of overpay on value added tax on a separate account of a tax payer shall be considered on a date of established term for payment of the value added tax for tax period.

In case of tax inspection of more than one tax period, the sum of overpay on a separate account on a date of established term for payment for each following tax period shall be determined in consideration of accrued and (or) undervalued amount of the value added tax for the previous tax periods included into this tax inspection.

2. For the purpose of a part one of this Article in case, if the person is subject to administrative liability for undervaluation of indirect tax amounts in the application on entry of goods and payment of indirect taxes, such person shall not be subject to administrative liability separately for undervaluation of the mentioned indirect tax amounts in a declaration on indirect taxes on imported goods.

3. For the purpose of a part three of this Article, the person shall be also subject to administrative liability in case of non-representation of advance payments within the tax period on corporate income tax subjected to representation in accordance with the tax legislation of the Republic of Kazakhstan. By this, the accrued amount of advance payments shall be equated to zero.

4. For the purpose of a part three of this Article, upon determination of excess, the excess that is created due to adjustment of the tax on extraction of mineral resources in accordance with paragraph 3 of Article 335 and (or) subparagraph 1) of paragraph 3 of Article 338 of the Tax Code of the Republic of Kazakhstan.

Footnote. Article 278 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 279. Non-fulfillment of the obligation by a tax agent on deduction and (or) transfer of taxes

1. Non-deduction or partial deduction of tax amounts by a tax agent subjected to deduction and (or) transfer into the budget, within the term established by the tax legislation of the Republic of Kazakhstan, shall –

entail a fine on private notary officers, judicial enforcement agent, advocates, on subjects of small entrepreneurship or non-profit organizations in amount of twenty, on subjects of medium entrepreneurship – in amount of thirty, on subjects of large entrepreneurship – in amount of fifty percent of non-deducted tax amount and other compulsory payments.

2. Non-transfer or incomplete transfer of deducted tax amounts by a tax agent subjected to transfer into the budget, within the term established by the tax legislation of the Republic of Kazakhstan, shall -

entail a fine on private notary officers, judicial enforcement agent, advocates, on subjects of small entrepreneurship or non-profit organizations in amount of five, on subjects of medium entrepreneurship - in amount of ten, on subjects of large entrepreneurship - in amount of twenty monthly calculation indices.

Note. The person shall not be subject to bringing to administrative liability provided by this Article on deducted (subjected to deduction) tax amounts detected by a tax agent on an individual basis and mentioned in additional tax reporting, upon condition of their transfer into the budget no later than three business days from the date of representation of additional tax reporting to the state revenues body.

Article 280. Statement of dummy invoice

Statement of dummy invoice by a tax payer, shall -

entail a fine on subjects of small entrepreneurship in amount of thirty five monthly calculation indices, on subjects of medium entrepreneurship - in amount of one hundred twenty, on subjects of large entrepreneurship - in amount of two hundred percent of amount of value added tax included into the invoice.

Note. Dummy invoice shall be regarded as the invoice made by a payer that is not registered on value added tax, and equally by a person that in fact did not perform works, render services, dispatch goods and including the amount on value added tax.

Article 281. Breach of the legislation of the Republic of Kazakhstan in the field of the state regulation of production and turnover of separate types of oil products and sub-excise goods, with the exception of biofuel, ethyl alcohol and alcohol products

1. Violation of the rules for execution of accompanying notes, declaration of separate types of oil products and sub-excise goods, with the exception of biofuel, ethyl alcohol and alcohol products, and equally non-presentation or untimely representation of accompanying notes, as well as declarations on production and turnover of separate types of oil products and sub-excise goods, with the exception of biofuel, ethyl alcohol and alcohol products, shall -

entail a fine on individuals in amount of twenty, on subjects of small entrepreneurship or non-profit organizations in amount of forty five, on subjects of medium entrepreneurship - in amount of seventy, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

2. Acts provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on individuals in amount of fifty, on subjects of small entrepreneurship - in amount of seventy five, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

3. Breach of the legislation of the Republic of Kazakhstan in the field of the state regulation of production and turnover of tobacco products committed in the form of:

1) refusal in representation of details to the authorized body or representation of inaccurate information in the scope of production and turnover of tobacco products, and equally non-representation of information within thirty calendar days in written form on introduced amendments and supplements in a production passport;

2) production of tobacco products not by address stated in a license, on equipment that do not conform to requirements established by the legislation of the Republic of

Kazakhstan;

3) non-carrying out of activity on production of tobacco products within the year from the date of issuance of a license, shall -

entail a fine on subjects of small entrepreneurship in amount of one hundred, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of seven hundred monthly calculation indices with suspension of the license validity term for the relevant type of activity.

4. Acts provided by a part three of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on subjects of small entrepreneurship in amount of one hundred fifty, on subjects of medium entrepreneurship - in amount of three hundred, on subjects of large entrepreneurship - in amount of nine hundred monthly calculation indices with deprivation of the license for the relevant type of activity.

5. Violation of conditions of production and (or) turnover of separate types of oil products and sub-excite goods, with the exception of biofuel, ethyl alcohol and alcohol products committed in the form of:

1) turnover of ethylated petrol and (or) slop oil products, as well as their storage without the further processing by individuals and (or) legal entities;

2) turnover of separate types of oil products without accompanying notes;

3) sale of oil products by the persons, with the exception of oil producers and oil suppliers, not from the oil product depots, gas filling stations;

4) breaking of seals on control metering instruments;

5) turnover (except for export) of tobacco products with the prices lower than minimal prices established by the Government of the Republic of Kazakhstan;

6) sale of oil products from gas filling stations of movable type on agricultural lands at the places of concentration of agricultural vehicles at field works;

7) turnover of oil products including metallic additives (iron, manganese, lead and others, except for antistatic additives for diesel fuel) by individuals and (or) legal entities;

Note of RCLII!

Subparagraph 8) shall be enforced from 01.01.2016 in accordance with the Code of the Republic of Kazakhstan dated 05.07.2014 No. 235-V.

8) sale and (or) dispatch of separate types of oil products by producers of oil products, oil suppliers, wholesale oil suppliers or retail sellers of oil products without control metering instruments (CMI) or without CMI;

9) lend lease of a reserve by owners of oil depots for sale and (or) storage of oil products for the purpose of following selling to two and more individuals and (or) legal entities at the same time;

10) sale of oil products by wholesale oil products suppliers acquiring the oil products from oil producers and oil suppliers not to retail sellers of oil products or not to final consumers, shall -

entail a fine on individuals in amount of one hundred fifty, on subjects of small entrepreneurship - in amount of two hundred twenty five, on subjects of medium entrepreneurship - in amount of three hundred fifty, on subjects of large entrepreneurship - in amount of eight hundred monthly calculation indices, with confiscation of oil products being direct subjects of commission of administrative infraction, and (or) incomes received due to commission of the infraction.

6. The actions provided by a part five of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on individuals in amount of two hundred, on subjects of small entrepreneurship - in amount of three hundred, on subjects of medium entrepreneurship -

in amount of four hundred, on subjects of large entrepreneurship – in amount of one thousand monthly calculation indices, with confiscation of the oil products being direct subjects of commission of administrative infraction, and (or) incomes received due to commission of the infraction.

Article 282. Breach of the legislation of the Republic of Kazakhstan on the state regulation of production and turnover of ethyl alcohol and alcohol products

1. Violations of the rules for representation of declarations on production and turnover of ethyl alcohol and alcohol products, rules for execution and use of accompanying notes on ethyl alcohol and (or) alcohol products, and equally non-representation of declarations on production and turnover of ethyl alcohol and alcohol products, as well as accompanying notes on ethyl alcohol and alcohol products, shall – entail a fine on individuals in amount of twenty, on subjects of small entrepreneurship – in amount of thirty five, on subjects of medium entrepreneurship – in amount of seventy, on subjects of large entrepreneurship – in amount of one thousand monthly calculation indices.

2. Acts provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall – entail a fine on individuals in amount of fifty, on subjects of small entrepreneurship – in amount of seventy, on subjects of medium entrepreneurship – in amount of one hundred, on subjects of large entrepreneurship – in amount of two hundred monthly calculation indices.

3. Violation of the conditions of turnover and movement of ethyl alcohol and alcohol products committed in the form of:

1) storage and sale of alcohol products outside the places established by the Laws of the Republic of Kazakhstan;

2) turnover of alcohol products in a composite plastic container, as well as in a cardboard package with polyethylene coating and foiled plastic bag placed in a cardboard box, and equally in dirty, misshaped, with obvious signs of breakage, with affected closure of bottles, as well as having common turbidity, foreign inclusions, settlings (except for vintage wines);

3) turnover of alcoholic products in tin containers (except for beer and low-proof distilled products with a strength less than twelve percent) in bottles without labels and in plastic capacities;

4) retail sale of vodka and special vodka, strong distilled products lower than minimal retail price established by the Government of the Republic of Kazakhstan;

5) storage and wholesale trade of alcohol products by two and more licensees in one storage capacity;

Note of RCLII!

Subparagraph 6) shall be enforced from 01.01.2016 in accordance with the Code of the Republic of Kazakhstan dated 05.07.2014 No. 235-V.

6) storage and sale without existence of the tools determining the security features of accounting- control marks and (or) reading information from accounting- control marks of alcohol products subjected to marking by accounting-control marks;

7) turnover and movement of ethyl alcohol and (or) alcohol products without existence of accompanying notes, shall –

entail a fine on individuals in amount of fifty, on subjects of small entrepreneurship – in amount of seventy five, on subjects of medium entrepreneurship – in amount of one hundred fifty, on subjects of large entrepreneurship – in amount of two hundred, on legal entities that are the subjects of large entrepreneurship – in amount of six hundred monthly calculation indices with confiscation of sub-excise goods that

are the direct subject of infraction.

4. The actions provided by a part three of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on individuals in amount of one hundred, on subjects of small entrepreneurship - in amount of two hundred, on subjects of medium entrepreneurship - in amount of two hundred fifty, on subjects of large entrepreneurship - in amount of eight hundred monthly calculation indices, with the confiscation of sub-excite goods, being the direct subject of infraction.

5. Violation of conditions of production of ethyl alcohol and (or) alcohol products committed in the form of:

1) non-representation of information by a producer on introduced amendments or supplements to production passport up to thirty calendar days from the date of introduction of amendments or supplements to production passport;

Note of RCLII!

Subparagraph 2) is provided to be in the wording of the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2016).

2) production of ethyl alcohol and (or) alcohol products (except for those saturated with dioxide carbon) without alcohol metering instruments and (or) control metering instruments or with alcohol metering instruments and (or) control metering instruments not carrying out automated information transfer on volumes of production to the authorized body;

Note of RCLII!

Subparagraph 3) is provided to be in the wording of the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2016).

3) production of ethyl alcohol and (or) alcohol products (except for saturated with dioxide carbon) with defective alcohol metering instruments and (or) control metering instruments, and equally with deviations in accounting above permitted standards;

4) production of ethyl alcohol and alcohol products by two and more licensees at one and the same stationary premises and equipment, shall -

entail a fine on subjects of medium entrepreneurship in amount of two hundred, on subjects of large entrepreneurship - in amount of seven hundred monthly calculation indices, with suspension of the license validity term for the relevant type of activity.

6. The act provided by a part five of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on subjects of medium entrepreneurship in amount of three hundred, on subjects of large entrepreneurship - in amount of nine hundred monthly calculation indices, with deprivation of the license for the relevant type of activity.

7. Violation of the conditions of production and turnover of ethyl alcohol and (or) alcohol products committed in the form of:

1) carrying out of activity in the period of suspension of the license validity term on such activity;

2) production of alcohol products from ethyl alcohol produced not from food raw materials, shall -

entail a fine on subjects of small entrepreneurship in amount of one hundred, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of seven hundred monthly calculation indices, with the deprivation of the license for the relevant type of activity.

8. Non-payment of annual license fee within the terms and amounts established by the Code of the Republic of Kazakhstan "On taxes and other compulsory payments into the budget" (Tax Code), shall -

entail a fine on subjects of small entrepreneurship in amount of one hundred, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of seven hundred monthly calculation indices, with suspension of the license validity term for the relevant type of activity.

9. Non-elimination of violations provided by a part eight of this Article, within the term of suspension of the license validity term, shall -

entail a fine on subjects of small entrepreneurship in amount of one hundred fifty, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of seven hundred monthly calculation indices, with deprivation of the license for the relevant type of activity.

10. Non-observance of a minimal percent of using production capacity and minimal production volumes upon production of ethyl alcohol (except for cognac spirit), vodka and special vodka, shall -

entail a fine on subjects of medium entrepreneurship - in amount of five hundred, on subjects of large entrepreneurship - in amount of one thousand monthly calculation indices, with suspension of the license validity term for the relevant type of activity.

11. The act provided by a part ten of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on subjects of medium entrepreneurship in amount of one thousand, on subjects of large entrepreneurship - in amount of two thousand monthly calculation indices, with deprivation of the license for the relevant type of activity.

12. Storage and sale of alcohol products in the buildings and in the territories of public health, education, health and fitness organizations, sports and sporting technical structures, gas filling stations, trade markets, cultural leisure organizations, shall - entail suspension of the license validity term.

13. The actions provided by a part twelve of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail deprivation of the license.

Footnote. Article 282 is in the wording of the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 283. Violation of the rules for marking (remarking) of alcohol products, with the exception of wine materials and beer by accounting control marks and tobacco products by excise marks

1. Violation of the rules for marking (remarking) of alcohol products by a producer or importer, with the exception of wine materials and beer by accounting control marks and tobacco products by excise marks, shall -

entail a fine on subjects of medium entrepreneurship in amount of two hundred, on subjects of large entrepreneurship - in amount of five hundred monthly calculation indices, with confiscation of sub-excise goods that are the direct subject of infraction, as well as with deprivation of the license for the relevant type of activity.

2. Turnover of sub-excise goods subjected to marking by excise and (or) accounting control marks committed in the form of storage, sale and (or) transportation of the sub-excise goods without excise and (or) accounting control marks, and equally with marks of non-established standard and (or) that may not be identified, shall -

entail a fine on individuals in amount of fifty, on subjects of small entrepreneurship - in amount of one hundred fifty, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of five hundred monthly calculation indices, with confiscation of sub-excise goods that are the direct subject of infraction, as well as with deprivation of the

license for the relevant type of activity.

Footnote. Article 283 is in the wording of the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 284. Violation of the procedure for using cash register machines

1. Non-use of cash register machine upon making cash settlements in a territory of the Republic of Kazakhstan performed during trading operations, performance of works, rendering of services by cash money, as well as use of defective or unregistered cash register machine in the state revenues body at place of use, shall - entail a notification.

2. Actions (omission) provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall - entail a fine on private notary officers, judicial enforcement agent, subjects of small entrepreneurship in amount of fifteen, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

3. Non-issuance of a receipt of cash register machine or sales check or issuance of a receipt of cash register machine or sales check in amount of more or less than the sum paid for goods or service, shall - entail a notification.

4. The act provided by a part three of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall - entail a fine on private notary officers, judicial enforcement agent, subjects of small entrepreneurship in amount of twenty, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of forty monthly calculation indices.

5. Violation of the terms for filing a tax application for introduction of amendments into the registration data of cash register machine, substitution (restoration) of record book of cash money or sales check book, as well as upon technical defect of the cash register machine, elimination of which is impossible without violation of the integrity of a seal of the state revenues body, shall - entail a notification.

6. The act provided by a part five of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall - entail a fine on private notary officers, judicial enforcement agent, subjects of small entrepreneurship in amount of thirty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

7. Non-indication of one or several following requisites in a control check of cash register machine:

- 1) name of a tax payer;
- 2) identification number;
- 3) factory number of a cash register machine;
- 4) registration number of cash register machine in the state revenues body;
- 5) index number of a check;
- 6) date and time of purchasing goods, performance of works, rendering of services;
- 7) price of goods, work, service and (or) sum of purchase;
- 8) fiscal sign or non-indication of one or several requisites established by

subparagraphs 1) - 7) of this part in a control check of computer systems (with the exception of the computer systems used by banks and organizations carrying out separate types of banking operations), shall - entail a notification.

8. The act provided by a part seven of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on private notary officers, judicial enforcement agent, subjects of small entrepreneurship in amount of twenty, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of forty monthly calculation indices.

9. Non-filling of a record book of cash money during the operation of cash register machine or non-conformance of indications of the shift reports to the data of the record book of cash money on the relevant date, or failure to record in the record book of cash money upon carrying out of operations in the cash register machine on cancellation of wrongly introduced sum or return of cash money for the sold goods, performed works, rendered services, shall -

entail a notification.

10. The act provided by a part nine of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on private notary officers, judicial enforcement agent, subjects of small entrepreneurship in amount of twenty, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of forty monthly calculation indices.

11. Non-conformance of the indications of a report on current state of a cashier to the sum of cash money in the cashier at the moment of reading of the fiscal report considering the sums of acceptance and disbursal of cash money not linked with sales of goods, performance of works, rendering of services indicated in a record book of cash money detected in the course of tax inspection, shall -

entail a notification.

12. The act provided by a part eleven of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on private notary officers, judicial enforcement agent, subjects of small entrepreneurship in amount of twenty, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of forty monthly calculation indices.

13. Violations of the terms for retention of the shift report, record book of cash money, sales checks, registration card of cash register machine, annulment or return check, as well as control check on which the operation of annulment or return is conducted, established by the tax legislation of the Republic of Kazakhstan, shall -

entail a notification.

14. The act provided by a part thirteen of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on private notary officers, judicial enforcement agent, subjects of small entrepreneurship in amount of twenty, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of forty monthly calculation indices.

15. Conduct of operations in cash register machine on cancellation of wrongly entered sum or return of cash money for sold goods, performed works, rendered services without existence of original of a control check for the sold goods, performed works, rendered services, shall -

entail a notification.

16. The act provided by a part fifteen of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on private notary officers, judicial enforcement agent, subjects of small entrepreneurship in amount of thirty, on subjects of medium entrepreneurship - in

amount of forty, on subjects of large entrepreneurship – in amount of fifty monthly calculation indices.

17. Violation of the term for presenting cash register machine to the state revenues body for installation of seals after elimination of technical defect of the cash register machine, the elimination of which is impossible without violation of integrity of the seal of the state revenues body, shall – entail a notification.

18. The act provided by a part seventeen of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall – entail a fine on private notary officers, judicial enforcement agent, subjects of small entrepreneurship in amount of thirty, on subjects of medium entrepreneurship – in amount of forty, on subjects of large entrepreneurship – in amount of fifty monthly calculation indices.

Article 285. Non-fulfillment of the obligations by banks and organizations carrying out separate types of banking operations, established by the tax legislation of the Republic of Kazakhstan

1. Non-fulfillment of the obligations by banks and organizations carrying out separate types of banking operations, established by the tax legislation of the Republic of Kazakhstan committed in the form of:

1) non-notification of the state revenues bodies on opening of banking accounts to a tax payer – legal entity, including non-resident, its structural subdivisions, individual being registered as an individual entrepreneur, private notary officer, private officer of justice, advocate, foreign person and stateless person by transferring through informational communication network ensuring guaranteed delivery of messages, no later than one business day following the date of their opening, or upon forwarding a message in hard copy – within three business days;

2) conduct of an operation on banking accounts of clients without identification number in payment documents (with the exception of a bill and payment documents, on the basis of which a bank carries out the acceptance and disbursal of cash money);

3) non-execution of payment commission of a tax payer in a priority manner on payment of taxes and other compulsory payments into the budget, collection orders of the state revenues bodies on recovery of taxes, other compulsory payments, later fee and fines – no later than one transaction day, following the day of receipt of an instruction of the tax payer or the state revenues body;

4) non-suspension of debit operations by order of the state revenues bodies within the sum of debts for tax stated in such order, on banking accounts (with the exception of correspondent) of an individual being registered as an individual entrepreneur, private notary officer, private officer of justice, advocate, legal entity, structural subdivision of a legal entity, structural subdivision of a legal entity-non-resident carrying out the activity in the Republic of Kazakhstan through the permanent institution in the manner established by the Laws of the Republic of Kazakhstan;

5) non-representation of a report on monetary movement to the state revenues body within the term established by the tax legislation of the Republic of Kazakhstan, placed on a conditional banking deposit within accounting quarter, in existence of such monetary movement in the form established by the authorized body;

6) opening of a new banking account for own client in existence of the opened banking account in this bank of the latter, in respect of which the collection orders or regulations on suspension of debit operations on banking accounts of a tax payer are issued;

7) opening of a banking account for the idle tax payer, shall –

entail a fine in amount of five percent of a sum of committed debit operations on banking accounts of tax payers for the period of non-fulfilling the obligations by the bank established by the tax legislation of the Republic of Kazakhstan.

2. Non-transfer or untimely transfer of the tax amounts into the budget by banks and organizations carrying separate types of banking operations placed under the contracts on conditional bank deposit, shall -

entail a fine in amount of fifty percent of a sum of non-transferred or untimely transferred tax and other compulsory payment into the budget placed on a conditional bank deposit.

3. Non-fulfillment of obligations by banks and organizations carrying out separate types of banking operations, established by the tax legislation committed in the form of:

1) non-notifying the state revenues bodies on closing banking accounts of a tax payer - legal entity, including non-resident, its structural subdivisions, individual registered as an individual entrepreneur, private notary office, private officer of justice, advocate, foreign person and stateless person by transferring messages through informational communication network that ensures guaranteed delivery, but no later than one business day next to the date of their opening, or upon sending notification in a hard copy - within three business days;

2) acceptance of payment documents in payment for taxes and other compulsory payments into the budget, social expenditures, transfer of compulsory pension contributions and compulsory professional pension contributions with incorrectly specified identification number;

3) acceptance of payment documents in payment for taxes on a transport vehicle with incorrectly specified identification number of the transport vehicle;

4) non-notifying the authorized body on suspension of accrual of remuneration to an individual registered as an individual entrepreneur, or legal entity upon termination of recognizing incomes in the form of remuneration on provided credit (loan) - no later than 31 March of the year next to the accounting taxable period;

5) non-transfers (non-crediting), untimely transfer (crediting) of tax amounts and other compulsory payments into the budget, compulsory pension contributions and compulsory professional pension contributions, social expenditures or making mistakes upon fillings the requisites of a payment document due to the fault of a bank or organization carrying out the separate types of banking operations, upon transfer of the tax amount and other compulsory payments into the budget, late fees, fines to the bank or other organization carrying out cash execution of budget system;

6) non-admission of a civil servant of the state revenues bodies for inspection of availability of money and committed operations on banking accounts of the inspected individual registered as an individual entrepreneur, private notary officer, private officer of justice, advocate or legal entity;

7) non-notifying the state revenues body on occurrence of the income of a tax payer- loan debtor from writing off of obligations within thirty calendar days from the date of writing off of the obligations on provided credits (loans) from the loan debtor being an individual registered as an individual entrepreneur, or legal entity;

8) non-representation of details on existence and numbers of banking accounts, on balance and monetary movement on these accounts within ten business days from the date of acceptance of a request of the state revenues body, shall -

entail a fine in amount of thirty monthly calculation indices.

Footnote. Article 285 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 286. Representation of knowingly false details on banking operations

Representation of knowingly false details by banks and organizations carrying out separate types of banking operations on the operations on banking accounts of legal entities or individuals, and equally issuance of the warrantees, guarantees and other obligations, knowingly not ensured by a factual financial condition of this bank, if these actions did not entail infliction of a heavy damage to an individual or legal entity or the state, shall -

entail a fine in amount of fifty monthly calculation indices.

Note. Heavy damage inflicted to an individual shall be regarded as the sum exceeding two thousand, to legal entity - twenty thousand monthly calculation indices, as of the date of commission of the infraction.

Article 287. Non-fulfillment of obligations established by the tax legislation of the Republic of Kazakhstan by tax payers upon export and import of goods, performance of works, rendering of services in the Customs Union, as well as failure to perform the requirements by the persons established by the legislation of the Republic of Kazakhstan

1. Non-payment, incomplete payment or untimely payment of indirect taxes within the term established by the tax legislation of the Republic of Kazakhstan, shall -

entail a fine on individuals in amount of twenty percent of a sum of unfulfilled tax obligation, but no less than ten monthly calculation indices, on private notary officers, advocates, on subjects of small entrepreneurship or non-profit organizations - in amount of thirty percent of a sum of unfulfilled tax obligation, but no less than twenty monthly calculation indices, on subjects of medium entrepreneurship - in amount of forty percent of a sum of unfulfilled tax obligation, but no less than thirty monthly calculation indices, on subjects of large entrepreneurship - in amount of fifty percent of a sum of unfulfilled tax obligation, but no less than two hundred fifty monthly calculation indices.

2. Non-representation of the obligations by a tax payer on import (export) of products after processing to the state revenues body and their non-fulfillment, provided by the tax legislation of the Republic of Kazakhstan, shall -

entail a fine on individuals in amount of fifty, on subjects of small entrepreneurship or non-profit organizations - in amount of one hundred, on subjects of medium entrepreneurship - in amount of one hundred fifty, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

3. Non-notifying or untimely notification of the state revenues bodies in the following cases:

1) upon temporary entry of goods in a territory of the Republic of Kazakhstan from the member-states of the Customs Union that in the following will be exported from the territory of the Republic of Kazakhstan without change of properties and characteristics of entered goods;

2) upon temporary export of goods from a territory of the Republic of Kazakhstan to the territory of the member states of the Customs Union that in the following will be entered into the territory of the Republic of Kazakhstan without change of properties and characteristics of entered goods, shall -

entail a fine on individuals in amount of fifty, on subjects of small entrepreneurship or non-profit organizations -in amount of one hundred, on subjects of medium entrepreneurship - in amount of one hundred fifty, on subjects of large entrepreneurship - in amount of two hundred fifty monthly calculation indices.

4. Violation of the terms established by the tax legislation of the Republic of

Kazakhstan for processing of unmanufactured raw products exported from a territory of the Republic of Kazakhstan into the territory of the member state of the Customs Union, as well as entered into the territory of the Republic of Kazakhstan from the territory of the member state of customs union, shall -

entail a fine on subjects of small entrepreneurship - in amount of fifteen, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of fifty percent of a sum of assessed taxes.

5. Non-notifying or untimely notification by an organizer of the exhibition-fair trade, shall -

entail a fine on subjects of small entrepreneurship in amount of one hundred twenty, on subjects of medium entrepreneurship - in amount of two hundred fifty, on subjects of large entrepreneurship - in amount of five hundred monthly calculation indices.

6. Violation of the procedure for organizing exhibition fair trade by an organizer, shall -

entail a fine on subjects of small entrepreneurship in amount of one hundred twenty five, on subjects of medium entrepreneurship - in amount of two hundred fifty, on subjects of large entrepreneurship - in amount of five hundred monthly calculation indices.

7. Non-representation of notification to the state revenues bodies according to location (place of residence) on a date of receiving sub-excise goods entered from a territory of the member state of the Customs Union by persons being liable to represent such notification in accordance with the legislation of the Republic of Kazakhstan, shall -

entail a fine on individuals in amount of one hundred, on subjects of small entrepreneurship - in amount of two hundred, on subjects of medium entrepreneurship - in amount of three hundred, on subjects of large entrepreneurship - in amount of five hundred monthly calculation indices.

Note. For the purpose of a part one of this Article in case if the person is subjected to bringing to administrative liability for non-registration of goods imported into the territory of the Republic of Kazakhstan from the territory of the member states of the Customs Union provided by Article 275 of this Code, such person shall not be subject to bringing to administrative liability provided by a part one of this Article.

Article 288. Failure to perform the legal requirements of the state revenues bodies and their civil servants

Footnote. Title of Article 288 is in the wording of the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

1. Failure to perform the legal requirements of the state revenues bodies and their civil servants by a tax payer, shall -

entail a fine in amount of eight monthly calculation indices.

2. Actions (omission) provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine in amount of fifteen monthly calculation indices.

3. Illegal impeding to access of a civil servant of the state revenues bodies conducting tax inspection to the territory or to the premise used by a tax payer (except for resident premises) for entrepreneurial activity, shall -

entail a fine in amount of forty five monthly calculation indices.

4. Actions (omission) provided by a part three of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine in amount of sixty monthly calculation indices.

Footnote. Article 288 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Chapter 17. ADMINISTRATIVE INFRACTIONS IN THE FIELD OF ENERGY SAVING AND INCREASE OF ENERGY EFFICIENCY

Article 289. Non-observance of regulatory values of a capacity rate in electric networks and increase of energy consumption standards

1. Non-observance of regulatory values of a capacity rate in electric networks shall -

entail a notification for subjects of small entrepreneurship, fine on subjects of medium entrepreneurship in amount of ten, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

2. Excess of energy consumption standards shall -

entail a notification on subjects of small entrepreneurship, fine on subjects of medium entrepreneurship in amount of five, on subjects of large entrepreneurship - in amount of fifteen percent of a cost of energy resources used over the approved standards for the period in which the infraction is occurred, but no more than for one year.

3. The act provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on subjects of small entrepreneurship in amount of ten, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of four hundred monthly calculation indices.

4. The act provided by a part two of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on subjects of small entrepreneurship in amount of five, on subjects of medium entrepreneurship - in amount of ten, on subjects of large entrepreneurship - in amount of thirty percent of a cost of energy resources used over the approved standards for the period in which the infraction is occurred, but no more than for one year.

Note. Cost of the energy resource shall be determined on the basis of market price as of the date of detection of the infraction.

Article 290. Non-fulfillment of the obligation on non-admission of direct loss of energy, water upon carrying out of their production and transfer

1. Non-fulfillment of the obligation on non-admission of direct loss of energy, water upon carrying out of their production and transfer linked with defect of equipment, reinforcement, operation of pipelines without their heat insulation or non-observance of work regime of energy consumption equipment, shall -

entail a fine on subjects of small entrepreneurship in amount of ten, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

2. The act provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on subjects of small entrepreneurship in amount of twenty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of four hundred monthly calculation indices.

Article 291. Acceptance of new objects for operation, consuming energy resources that are not equipped by the relevant metering devices of energy resources and automated systems of heat consumption regulation

1. Acceptance of new objects consuming energy resources that are not equipped by the relevant metering devices of energy resources and automated systems of heat consumption regulation, shall -

entail a fine on civil servants in amount of twenty monthly calculation indices.

2. The act provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on civil servants in amount of fifty monthly calculation indices.

Note.

1. The civil servants shall be regarded as the persons that signed the act on commissioning the object.

2. The civil servants shall not be subjected to bringing to administrative liability for committed infraction provided by parts one and two of this Article, in cases of commissioning of new objects that are not equipped by automated systems of heat consumption regulation and hourly average consumption of heat energy (including consumption of heating energy, warming, ventilation, conditioning and hot water supply) of which is less than 50 kW.

Article 292. Violation of the obligation by subjects of the State energy register on providing information being introduced into the State energy register, the requirement on compulsory annual reduction of the consumption volume of energy resources and water per unit of production, floor place of the buildings, structures and constructions to the sizes determined according to energy audit

Footnote. Title of Article 292 is in the wording of the Law of the Republic of Kazakhstan dated 14.01.2015 No. 279-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

1. Violation of the obligation by subjects of the State energy register on providing information introduced into the State energy register, the requirement on compulsory annual reduction of the consumption size of energy resources and water per unit of production, floor space of the buildings, structures and constructions to the sizes determined according to energy audit, within five years after conduct of the energy audit, shall -

entail a fine on subjects of small entrepreneurship in amount of ten, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

2. The act provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on subjects of small entrepreneurship in amount of twenty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of four hundred monthly calculation indices.

Footnote. Article 292 as amended by the Law of the Republic of Kazakhstan dated 14.01.2015 No. 279-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Article 293. Avoidance from conduct of compulsory energy audit by subjects of the State energy register or impeding of its conduct

1. Avoidance from conduct of compulsory energy audit by subjects of the State energy register or impeding of its conduct, shall -

entail a fine on subjects of small entrepreneurship in amount of five, on subjects of medium entrepreneurship - in amount of ten, on subjects of large entrepreneurship -

in amount of two hundred monthly calculation indices.

2. The act provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on subjects of small entrepreneurship in amount of ten, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of four hundred monthly calculation indices.

Article 294. Violation of restrictions on sale and use of products in the field of energy saving and increase of energy efficiency

Footnote. Title of Article 294 is in the wording of the Law of the Republic of Kazakhstan dated 14.01.2015 No. 279-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

1. Sale and use of incandescent electric lamps with a capacity of 25 W and more that may be used in alternating current circuit for the purpose of lighting, shall - entail a fine on individuals in amount of ten, on subjects of small entrepreneurship - in amount of twenty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices, with confiscation of incandescent electric lamps with a capacity of 25 W and more that may be used for the purpose of an alternate current for the purpose of lighting.

2. Actions provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on individuals in amount of twenty, on subjects of small entrepreneurship - in amount of forty, on subjects of medium entrepreneurship - in amount of eighty, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices, with confiscation of incandescent electric lamps with a capacity of 25 W and more that may be used in alternating current circuit for the purpose of lighting.

3. Sale and (or) use of energy consuming devices that do not contain information on a class and characteristics of energy efficiency in a technical documents and on labels in accordance with the technical regulation of the Customs Union, shall -

entail a fine on subjects of small entrepreneurship in amount of three, on subjects of medium entrepreneurship - in amount of six, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

4. Actions provided by a part three of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on subjects of small entrepreneurship in amount of six, on subjects of medium entrepreneurship - in amount of twelve, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

Footnote. Article 294 as amended by the Law of the Republic of Kazakhstan dated 14.01.2015 No. 279-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Article 295. Non-fulfillment of the obligation on creation, introduction and organization of the work of energy management system by subjects of the State energy register

Footnote. Article 295 is excluded by the Law of the Republic of Kazakhstan dated 14.01.2015 No. 279-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Article 296. Non-compliance with conduct of energy audit, procedure for activity of training centres established by

the legislation of the Republic of Kazakhstan on energy saving and increase of energy sufficiency

Footnote. Title of Article 296 is in the wording of the Law of the Republic of Kazakhstan dated 14.01.2015 No. 279-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

1. Non-compliance with the procedure for conduct of energy audit, procedure for activity of training centres established by the legislation of the Republic of Kazakhstan on energy saving and increase of energy efficiency, shall -

entail a fine on subjects of small entrepreneurship in amount of ten, on subjects of medium entrepreneurship - in amount of fifteen, on subjects of large entrepreneurship - in amount of eighty monthly calculation indices.

2. The act provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on subjects of small entrepreneurship in amount of fifteen, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices, with suspension of the validity term of accreditation certificate.

Footnote. Article 296 as amended by the Law of the Republic of Kazakhstan dated 14.01.2015 No. 279-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Chapter 18. ADMINISTRATIVE INFRACTIONS IN THE FIELD OF INDUSTRY, USE OF HEATING, ELECTRIC AND NUCLEAR ENERGY

Article 297. Violations of safety requirements upon handling with explosive materials, radioactive and other environmentally hazardous substances

1. Violations of safety requirements during production, storage, disposal, destruction, use, utilization, transportation or another handling with explosive materials, pyrotechnical substances, radioactive, bacteriological, chemical and other environmentally hazardous substances and wastes in the branches of production and on the objects being under the control of a supervisory bodies, with the exception of cases provided by Article 416 of this Code, if these actions do not contain the signs of a criminally punishable act, shall -

entail a fine on individuals in amount of ten, on subjects of small entrepreneurship or non-profit organizations - in amount of thirty, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

2. Violation of established rules of production, storage, disposal, use, utilization, transportation or another handling with nuclear materials, radioactive substances, special non-nuclear materials and products of double-purpose having a relation to nuclear activity, with the exception of the cases provided by Article 416 of this Code, shall -

entail a fine on individuals in amount of twenty, on subjects of small entrepreneurship - in amount of sixty, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

Article 298. Violation of rules on safety performance of works

1. Violation of established requirements on safety performance of works in the branches of industry, mining and construction operations or on the objects being under the control of the authorized body in the scope of civil defense and other state bodies of control and supervision, unless this entails infliction of serious or average harm to human health by negligence, shall -

entail a fine on individuals in amount of ten, on subjects of small entrepreneurship or non-profit organizations – in amount of thirty, on subjects of medium entrepreneurship – in amount of fifty, on subjects of large entrepreneurship – in amount of one hundred monthly calculation indices.

2. Violation of requirements of industrial safety during development of the projects of construction, reconstruction, modernization, liquidation of hazardous production objects, shall –

entail a fine on individuals in amount of twenty, on subjects of small entrepreneurship – in amount of forty five, on subjects of medium entrepreneurship – in amount of seventy, on subjects of large entrepreneurship – in amount of one hundred fifty monthly calculation indices.

3. Concealing of a fact of accident, incident on a hazardous production object, shall –

entail a fine on subjects of small entrepreneurship or non-profit organizations in amount of one hundred, on subjects of medium entrepreneurship – in amount of one hundred, on subjects of large entrepreneurship – in amount of two hundred monthly calculation indices.

4. Action (omission) provided by a part three of this Article committed repeatedly second time within a year after imposition of administrative infraction, shall –

entail a fine on subjects of small entrepreneurship or non-profit organizations in amount of two hundred, on subjects of medium entrepreneurship – in amount of three hundred, on subjects of large entrepreneurship – in amount of four hundred monthly calculation indices.

Article 299. Breach of the legislation of the Republic of Kazakhstan upon conduct of attested types of works in the fields of industrial safety and safety of dams

1. Breach of the legislation of the Republic of Kazakhstan during conduct of attested types of works in the fields of industrial safety and safety of dams committed in the form of:

1) issuance of expert reports, including those in the field of explosive works containing incomplete and (or) inaccurate information on conformance (non-conformance) of the subject of examination based on the results of the conducted examinations in the field of industrial safety;

2) formulation of industrial safety declarations of hazardous production objects that do not conform to the requirements of industrial safety;

3) non-conformance of training, retraining of the specialists, workers of hazardous production objects to the requirements of the legislation of the Republic of Kazakhstan on civil defence;

4) conduct of technical maintenance of gas consuming systems that does not ensure their operative condition;

5) issuance of expert reports, formulation of industrial safety declarations containing incomplete and (or) inaccurate information on their conformance (non-conformance) to requirements established by the water legislation of the Republic of Kazakhstan, shall –

entail a fine on subjects of small entrepreneurship in amount of ten, on subjects of medium entrepreneurship – in amount of twenty, on subjects of large entrepreneurship – in amount of one hundred monthly calculation indices, with suspension of the validity term of attestation or without such.

2. The action provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative infraction, and equally non-elimination of the violations provided by a part one of this Article, shall –

entail a fine on subjects of small entrepreneurship in amount of twenty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices, with deprivation of the attestation.

Article 300. Violation of approved rules of technical operation of electric power stations and networks, safety regulations during operation of thermal and mechanical equipment of electric power stations and heating networks, technical operation of electrical installations of the consumers, as well as violation of established energy consumption regimes

Violation of the approved rules of technical operation of electric power stations and networks, safety regulations during operation of thermal and mechanical equipment of electric power stations and heating networks, technical operation of electrical installations of the consumers that led to the condition threatening with an accident, environmental pollution, fire or dangerous for a life of a service personnel, as well as violation of established energy consumption regimes that entailed restrictions and (or) cutoff of other energy consumers, shall -

entail a fine on individuals in amount of fifteen, on subjects of small entrepreneurship - in amount of fifty five, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

Article 301. Violation of a term for receipt of the readiness certificate

1. Violation of a term for receipt of readiness certificate for conduct of works in autumn and winter conditions by energy producing and energy transmission organizations, shall -

entail a fine on subjects of small entrepreneurship in amount of fifty, on subjects of medium entrepreneurship - in amount of one hundred fifty, on subjects of large entrepreneurship - in amount of three hundred monthly calculation indices.

2. The act provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative infraction, shall -

entail a fine on subjects of small entrepreneurship in amount of one hundred, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of five hundred monthly calculation indices.

Article 302. Damage of electric networks

1. Damage of electric networks with a voltage up to 1000 (overhead transmission lines, underground and underwater cable lines, transformation and converting substations, distributing gears and switching centres), shall -

entail a fine on individuals in amount of eight, on subjects of small entrepreneurship or non-profit organizations - in amount of fifteen, on subjects of medium entrepreneurship - in amount of twenty five, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

2. Damage of electric networks with a voltage over 1000 (overhead transmission lines, underground and underwater cable lines, transformation and converting substations, distributing gears and switching centres), shall -

entail a fine on individuals in amount of fifteen, on subjects of small entrepreneurship or non-profit organizations - in amount of thirty, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of seventy monthly calculation indices.

3. The action provided by a part one of this Article that caused suspension in supplying electric energy of consumers and that inflicted damage, and equally committed

repeatedly second time within a year, shall -

entail a fine on individuals in amount of fifteen, on subjects of small entrepreneurship or non-profit organizations - in amount of thirty, on subjects of medium entrepreneurship - in amount of seventy five, on subjects of large entrepreneurship - in amount of one hundred fifty monthly calculation indices.

4. The action provided by a part two of this Article that caused suspension in supplying electric energy of consumers and that inflicted damage, and equally committed repeatedly second time within a year, shall -

entail a fine on individuals in amount of thirty, on subjects of small entrepreneurship or non-profit organizations - in amount of ninety, on subjects of medium entrepreneurship - in amount of one hundred fifty, on subjects of large entrepreneurship - in amount of two hundred fifty monthly calculation indices.

Article 303. Breach of the legislation of the Republic of Kazakhstan in the field of supporting use of renewable energy sources

1. Non-fulfillment and (or) improper fulfillment of the obligation established by the legislative act of the Republic of Kazakhstan on supporting use of renewable energy sources to purchase electric, heating energy produced by energy producing organizations using renewable energy sources, shall -

entail a fine on subjects of small entrepreneurship in amount of one hundred, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of one thousand five hundred monthly calculation indices.

2. Breach of the legislation of the Republic of Kazakhstan in the field of supporting use of renewable energy sources committed in the form of violation of the procedure and terms for determination of the nearest point of connection to electric or heating networks and connection of the objects on use of renewable energy sources, shall -

entail a fine on subjects of small entrepreneurship in amount of one hundred, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of one thousand five hundred monthly calculation indices.

3. Acts provided by parts one and two of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on subjects of small entrepreneurship in amount of one hundred, on subjects of medium entrepreneurship - in amount of three hundred, on subjects of large entrepreneurship - in amount of two thousand monthly calculation indices.

Article 304. Damage of heating networks

Damage of heating networks (pipelines and their constructions, channels, heating cameras, pumping stations), if this act did not entail harm to human health and environment, shall -

entail a fine on individuals in amount of ten, on subjects of small entrepreneurship - in amount of fifteen, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

Article 305. Performance of works in protective zones of electric and heating network lines, objects of gas supply systems

Performance of construction, assembling, ground, cargo-handling operations, prospecting works linked with arrangement of well sites and surface holes, construction of sites, automobile transport parkings, allocation of markets, storage of materials, construction of barriers and fences, discharge and drain of caustic corrosive substances and fuel and lubrication materials in protective zones of electric and heating network

lines, objects of gas supply systems without coordination with the organization, the jurisdiction of which includes electric or heating networks or objects of the gas supply systems, shall -

entail a fine on individuals in amount of ten, on subjects of small entrepreneurship - in amount of fifteen, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

Article 306. Violation of requirements on use of gas, safety operation of the objects of gas supply systems

1. Violation of requirements on safety operation of has consuming systems and gas equipment of domestic and household consumers established by the legislation of the Republic of Kazakhstan on gas and gas supply, shall -

entail a fine on individuals in amount of seven, on subjects of small entrepreneurship - in amount of ten, on subjects of medium entrepreneurship - in amount of fifteen, on subjects of large entrepreneurship - in amount of twenty monthly calculation indices.

2. The action provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative infraction, shall -

entail a fine on individuals in amount of ten, on subjects of small entrepreneurship - in amount of fifteen, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of thirty monthly calculation indices.

3. Unwarranted resumption of supplying commercial or liquefied petroleum gas to the gas consuming system, shall -

entail a fine on individuals in amount of ten, on subjects of small entrepreneurship - in amount of twenty, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

4. Violation of requirements on safety operation of the objects of gas supply systems, with the exception of has consuming systems and gas equipment of domestic and household consumers established by the legislation of the Republic of Kazakhstan, shall -

entail a fine on subjects of small entrepreneurship in amount of twenty five, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

5. Action provided by a part four of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on subjects of small entrepreneurship in amount of fifty, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of four hundred monthly calculation indices.

Article 307. Failure to take measures for ensuring of the preparation of a reserve fuel facility

Failure to take measures for ensuring of the preparation to work provided for industrial and (or) household consumers of a reserve fuel facility or failure to prepare gas consuming systems of industrial and (or) household consumers to work on established reserve fuel types, shall -

entail a notification or fine in amount of twenty monthly calculation indices.

Article 308. Damage of oil and gas pipelines and their equipment

1. Damage of oil and gas pipelines and their equipment or illegal installation, movement, connection to the network of appliances, as well as other violations of the

rules of their operation that might be a cause of the accident, if these actions do not contain the signs of a criminally punishable act, shall -

entail a fine on individuals in amount of fifteen, on subjects of small entrepreneurship - in amount of twenty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

2. Acts provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative infraction, shall -

entail a fine on individuals in amount of twenty five, on subjects of small entrepreneurship - in amount of thirty five, on subjects of medium entrepreneurship - in amount of forty five, on subjects of large entrepreneurship - in amount of fifty five monthly calculation indices.

Article 309. Damage of territories upon performance of construction and repair works

Excavation of yards and squares without the relevant permission, blocking by construction materials, failure to take measures for cleaning the places of excavations, as well as construction sites after completing the construction and repair, shall -

entail a notification or fine on individuals in amount of ten, on subjects of small entrepreneurship - in amount of fifteen, on subjects of medium entrepreneurship - in amount of twenty five, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

Chapter 19. ADMINISTRATIVE INFRACTIONS IN THE FIELD OF SPACE ACTIVITY

Article 310. Breach of the legislation of the Republic of Kazakhstan in the field of space activity

1. Breach of the legislation of the Republic of Kazakhstan in the field of space activity, committed in the form of:

1) realization of a project in the field of space activity, for which there is no favourable conclusion of industry examination in the field of the space activity;

2) launch of a space object from the territory of the Republic of Kazakhstan, as well as beyond its boundaries in case of its carrying out by a participant of the space activity from Kazakhstan without the favourable decision of the Government of the Republic of Kazakhstan on launch of the space object;

3) avoidance from the state registration of the space object;

4) creation of a direct threatening to human life and health;

5) use of the space technology and (or) stellar bodies for negative impact on the environment;

6) violation of international rules and standards on the space pollution, shall - entail a fine on individuals in amount of fifty, on civil servants - in amount of one hundred, on subjects of small entrepreneurship - in amount of one hundred seventy five, on subjects of medium entrepreneurship - in amount of three hundred five, on subjects of large entrepreneurship - in amount of five hundred monthly calculation indices, with suspension of the license validity term for the right to carry out the activity in the scope of using space for six months or without such.

2. Action (omission) provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative infraction, shall -

entail deprivation of the license.

Article 311. Violation of the rules for creation and operation (application) of space systems in a territory of the Republic of Kazakhstan, and equally in the space

1. Violation of the rules for creation and operation (application) of space systems in a territory of the Republic of Kazakhstan, as well as in the space, expressed in operation of the space system, the results of which led to excess of the maximum allowed values of exposure of hazardous and harmful factors of industrial activity on operating personnel, population, space system, relating objects, environment and near-Earth space, shall -

entail a fine on individuals in amount of thirty, on subjects of small entrepreneurship - in amount of forty, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices, with suspension of the license validity term for the right to carry out the activity in the scope of using space for six months or without such.

2. Non-elimination of the violations that entailed bringing to administrative infraction provided by a part one of this Article, upon expiry of the term for suspension of the license validity term for the right to carry out the activity in the scope of using space, shall -

entail deprivation of the license.

Chapter 20. ADMINISTRATIVE INFRACTIONS IN THE SCOPES OF ARCHITECTURAL, TOWN PLANNING, BUILDING ACTIVITY AND HOUSING RELATIONS

Footnote. Title of Chapter 20 is in the wording of the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Article 312. Performance of pre-project, survey, project, construction and assembling works, production and application of construction materials, details and structures with violation of requirements of the legislation and state regulations in the scope of architectural and construction activity

1. Performance of pre-project, survey, project, construction and assembling works, production and application of construction materials, details and structures with violation of requirements of the legislation and state regulations in the scope of architectural and construction activity, shall -

entail a fine on civil servants in amount of sixty, on subjects of small entrepreneurship - in amount of two hundred, on subjects of medium entrepreneurship - in amount of four hundred, on subjects of large entrepreneurship - in amount of seven hundred monthly calculation indices.

2. The actions provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative infraction, shall -

entail a fine on civil servants in amount of one hundred twenty, on subjects of small entrepreneurship - in amount of four hundred, on subjects of medium entrepreneurship - in amount of eight hundred, on subjects of large entrepreneurship - in amount of one thousand four hundred monthly calculation indices with deprivation of the license for the relevant type of activity.

Article 313. Violation of requirements of the approved construction standards and project documents upon performance of construction and assembling and repair and restoration works

1. Violation of requirements of the approved construction standards and project documents upon performance of construction and assembling and repair and restoration works that entailed degradation of operating characteristics, reduction of strength, sustainability of buildings, structures, their parts or separate construction elements,

shall -

entail a fine on civil servants in amount of forty, on subjects of small entrepreneurship - in amount of two hundred, on subjects of medium entrepreneurship - in amount of four hundred, on subjects of large entrepreneurship - in amount of seven hundred monthly calculation indices, with suspension of the licence validity term.

2. Commission of actions mentioned in a part one of this Article that entailed loss of strength, sustainability of buildings, structures, their parts or separate construction elements, shall -

entail a fine on civil servants in amount of eighty, on subjects of small entrepreneurship - in amount of four hundred, on subjects of medium entrepreneurship - in amount of eight hundred, on subjects of large entrepreneurship - in amount of one thousand four hundred monthly calculation indices, with deprivation of the licence for the relevant type of activity.

Performance of construction, construction and assembling, repair and restoration works upon erection and reconstruction of the objects without the project documentation approved in established manner

1. Performance of construction, construction and assembling, repair and restoration works upon erection and reconstruction of the objects without the project documentation approved in established manner, shall -

entail a fine on civil servants in amount of forty, on subjects of small entrepreneurship - in amount of two hundred, on subjects of medium entrepreneurship - in amount of four hundred, on subjects of large entrepreneurship - in amount of seven hundred monthly calculation indices with suspension of performed works.

2. Action provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative infraction, shall -

entail a fine on civil servants in amount of eighty, on subjects of small entrepreneurship - in amount of four hundred, on subjects of medium entrepreneurship - in amount of eight hundred, on subjects of large entrepreneurship - in amount of one thousand two hundred monthly calculation indices, with deprivation of the license and suspension of performed works.

Article 315. Violation of the rules of preparing executive technical documentation provided by regulatory documents upon performance of construction and assembling, repair and restoration works on erection and reconstruction of objects, production of construction materials, products and structures

Violation of the rules of preparing executive technical documentation provided by regulatory documents upon performance of construction and assembling, repair and restoration works on erection and reconstruction of objects, production of construction materials, products and structures, shall -

entail a notification or fine on civil servants in amount of ten, on subjects of small entrepreneurship - in amount of twenty five, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

Article 316. Construction (reconstruction, restoration, extension, technical re-equipping, modernization, capital repair) of objects and their complexes without project (design and estimate) documentation or according to project (design and estimate) documentation that did not undergo examination in established manner

1. Construction (reconstruction, restoration, extension, technical re-equipping, modernization, capital repair) of objects and their complexes without project (design and estimate) documentation or according to project (design and estimate) documentation that did not undergo examination in established manner, on which its undergoing is required, shall -

entail a fine on individuals in amount of one hundred twenty, on civil servants - in amount of one hundred sixty, on subjects of small entrepreneurship or non-profit organizations - in amount of two hundred, on subjects of medium entrepreneurship - in amount of three hundred eighty, on subjects of large entrepreneurship - in amount of five hundred eighty monthly calculation indices.

2. Action provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative sanction, and equally non-elimination of a violation provided by a part one of this Article that entailed bringing to administrative liability, shall -

entail a fine on individuals in amount of one hundred sixty, on civil servants - in amount of two hundred, on subjects of small entrepreneurship or non-profit organizations - in amount of three hundred, on subjects of medium entrepreneurship - in amount of six hundred, on subjects of large entrepreneurship - in amount of one thousand monthly calculation indices.

Article 317. Breach of the legislation of the Republic of Kazakhstan upon performance of expert works and engineering services

1. Admission of non-conformance of performed (performing) construction and assembling works to approved project decisions by persons carrying out designer supervision, shall -

entail a fine on individuals in amount of two hundred monthly calculation indices with suspension of the validity term of expert certificate for the right to conduct designer supervision for the term up to six months.

2. Issuance of a favourable conclusion of the examination (expert estimation) for the project (design and estimate) documentation by the persons carrying out the projects examination, that does not conform to requirements of the legislation of the Republic of Kazakhstan and that does not ensure sustainability, reliability and strength of the built objects or the objects under construction, shall -

entail a fine on individuals in amount of two hundred monthly calculation indices with suspension of the validity term of expert certificate for the right to carry out examination of the projects for the term up to six months.

3. Admission of violations by the persons carrying out technical supervision at the stage of realization of the project including the quality, terms, acceptance of performed works and putting of the object into operation, shall -

entail a fine on individuals in amount of two hundred monthly calculation indices with suspension of the validity term of expert certificate for the right to carry out technical supervision for the term up to six months.

4. Actions (omission) provided by parts one, two and three of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on individuals in amount of four hundred monthly calculation indices with deprivation of the expert certificate for the relevant type of servicing and specialization and with prohibition of the activity for the right to carry out expert works and engineering services for the term up to three years.

Footnote. Article 317 is in the wording of the Law of the Republic of Kazakhstan dated 29.12.2014 No. 269-V (shall be enforced from 01.01.2015).

Article 318. Violation of established order of acceptance and putting of objects and complexes into operation

Violation of established order of acceptance and putting of objects and complexes into operation with violations of requirements of the state standards in the scope of architectural and construction activity, shall -

entail a fine on individuals, civil servants in amount of fifty, on subjects of small entrepreneurship or non-profit organizations - in amount of one hundred twenty, on subjects of medium entrepreneurship - in amount of two hundred twenty, on subjects of large entrepreneurship - in amount of six hundred fifty monthly calculation indices.

Footnote. Article 318 is in the wording of the Law of the Republic of Kazakhstan dated 29.12.2014 No. 269-V (shall be enforced from 01.01.2015).

Article 319. Illegal construction

Illegal construction of industrial, residential, economic, hydrotechnical (hydroeconomic) or domestic objects without the relevant right to land, shall -

entail a fine on individuals in amount of fifteen, on civil servants, subjects of small entrepreneurship or non-profit organizations - in amount of thirty, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices with compulsory demolition of the built structure or structure under construction on a legal basis or without such.

Article 320. Violation of requirements of the legislative act of the Republic of Kazakhstan on participatory interest in housing construction and in the scope of housing relations

Footnote. Title of Article 320 is in the wording of the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

1. Violation of requirements of the legislative act of the Republic of Kazakhstan on participatory interest in housing construction by a tenant builder, project company to the information content on the tenant builder, project company and on construction object, as well as procedure for its distribution or distribution of inaccurate, incomplete or misleading information by the tenant builder, project company, shall -
entail a fine on legal entities in amount of three monthly calculation indices.

2. Non-representation of details and reporting provided by the Laws of the Republic of Kazakhstan by a tenant builder, project company to the local executive body of oblast, city of republican significance, the capital or representation of inaccurate details and reporting by them, shall -

entail a fine on legal entities in amount of three hundred monthly calculation indices.

3. Actions (omission) provided by parts one and two of this Article committed repeatedly second time by a tenant builder repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on legal entities in amount of four hundred monthly calculation indices.

4. Actions (omission) provided by parts one and two of this Article committed repeatedly second time by a project company repeatedly second time within a year after imposition of administrative sanction, and equally non-elimination of the violations provided by parts one and two of this Article that entailed bringing to administrative liability shall -

entail suspension of the licence validity term for activity on organizing construction of residential buildings on account of attracting money of the interest holders for the term up to three months.

5. Violation of the terms for opening of current and (or) saving accounts on the

condominium object by the managing body of condominium object in the second-tier banks in the cases provided by the housing legislation, shall -
entail a notification.

6. Violation of the terms for representing a quarterly report on management of the condominium object by the managing body of condominium object, shall -
entail a notification.

7. Action (omission) provided by parts five and six of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on individuals in amount of ten, on legal entities - in amount of twenty monthly calculation indices.

Footnote. Article 320 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Article 321. Execution of construction without accompanying of technical and designer supervision

Execution of construction without accompanying of technical and designer supervision, shall -

entail a fine on individuals in amount of forty, on civil servants in amount of one hundred sixty, on subjects of small entrepreneurship or non-profit organizations - in amount of two hundred, on subjects of medium entrepreneurship - in amount of three hundred, on subjects of large entrepreneurship - in amount of five hundred fifty monthly calculation indices.

Article 322. Illegal re-equipment and replanning of premises

1. Illegal re-equipment and replanning of the residential and non-residential premises in existing buildings without the architectural and construction project and the relevant decision of structural subdivisions of local executive bodies carrying out the functions in the scope of architecture and town-planning, shall -

entail a fine on individuals in amount of fifteen, on civil servants, subjects of small entrepreneurship or non-profit organizations - in amount of forty five, on subjects of medium entrepreneurship - in amount of seventy five, on subjects of large entrepreneurship - in amount of one hundred fifty monthly calculation indices.

2. The same actions that entailed or might entail full loss of strength and sustainability (destruction) of the building, shall -

entail a fine on individuals in amount of forty, on civil servants, subjects of small entrepreneurship or non-profit organizations - in amount of ninety, on subjects of medium entrepreneurship - in amount of one hundred fifty, on subjects of large entrepreneurship - in amount of three hundred monthly calculation indices.

Note.

1. The administrative infraction in the field of construction shall be regarded as non-compliance with compulsory requirements, construction standards and rules, with the exception of technical regulations, projects, other regulatory acts upon town-planning development of territories, designing, construction, reconstruction, restoration, modernization, capital repair and capital improvement of the objects and complexes entailing reduction and loss of strength, sustainability, reliability of buildings, structures, constructions, their parts or separate structural elements, degradation of operating characteristics of the objects under construction, negative impact on environment, as well as the actions violating the established legal organizational order of construction of the objects and their acceptance for operation.

2. The strength shall be regarded as capability of a material, structure, product, their interface nodes, foundation soil of a building and construction to resist the

calculated values of loads and forces without being destroyed.

3. Sustainability shall be regarded as capability of a building, construction to preserve a status of stable balance under the influence of calculated forces and loads.

4. The reliability shall be regarded as capability of a building, construction, its engineering systems, load carrying and cladding structures to perform the functions determined by the values of regulated properties.

5. The project works shall be regarded as the works on pre-project (justification of investments in construction, feasibility study) and project (project, working project and other types of projects) documentation for construction, extension, reconstruction, technical re-equipping, capital repair and other types of works of buildings and structures.

Article 323. Operation of objects and complexes that are not put into operation in established manner

Operation (residence, rendering of services, production of products for the purpose of acquisition of incomes) of the objects, complexes or their separate parts being completed in construction but that are not put into operation in established manner, shall -

entail a fine on individuals in amount of ten, on civil servants, subjects of small entrepreneurship or non-profit organizations - in amount of thirty, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

Chapter 21. ADMINISTRATIVE INFRACTION IN THE FIELD OF ENVIRONMENTAL PROTECTION, USE OF NATURAL RESOURCES

Article 324. Violation of sanitary epidemiological and environmental requirements on environmental protection

1. Violation of the standards of sanitary and epidemiological, and environmental requirements, as well as hygienic standards on protection of environment, with the exception of the cases provided by Article 416 of this Code, shall -

entail a notification or fine on individuals in amount of ten, on civil servants, subjects of small entrepreneurship - in amount of fifteen, on subjects of medium entrepreneurship - in amount of twenty monthly calculation indices, on subjects of large entrepreneurship - in amount of a size of the damage inflicted to environment.

2. Giving of instructions or permissions by civil servants for overstating or understating established standards of sanitary epidemiological and environmental requirements on environmental protection, shall -

entail a fine in amount of twenty five monthly calculation indices.

Article 325. Violation of requirements of conducting industrial environmental control

Violation of requirements of industrial environmental control, shall -

entail a fine on individuals in amount of twenty five, on civil servants, subjects of small entrepreneurship - in amount of sixty, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

Article 326. Non-fulfillment of conditions of environmental management stated in environmental permit

1. Non-fulfillment of conditions of environmental management stated in environmental permit, shall -

entail a fine on civil servants in amount of fifteen, on subjects of small entrepreneurship - in amount of thirty, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of two hundred

monthly calculation indices.

2. Actions provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on civil servants in amount of thirty, on subjects of small entrepreneurship - in amount of sixty, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of five hundred monthly calculation indices.

3. Actions provided by a part one of this Article linked with infliction of especially heavy damage to environment, with creation of a threatening to the safety of life and health of population, shall -

entail a fine on civil servants in amount of thirty, on subjects of small entrepreneurship - in amount of sixty, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of five hundred monthly calculation indices, with suspension of the validity term of the environmental permit or without such.

4. Non-elimination of the violations by individuals and legal entities on which the validity term of the environmental permit is suspended, shall -

entail deprivation of the environmental permit.

Note. In case if the environmental permit is issued to a user of natural resources for several industrial objects, the validity term of environmental permit shall be deprived in respect of the object on which the user of natural resources admitted non-fulfillment of conditions of natural management.

Article 327. Non-notification on industrial release and emission of polluting substances above permitted standards, disposal of wastes

Non-notification or notification of distorted information to the bodies carrying out control and supervision of environmental protection and execution of the environmental and sanitary epidemiological legislation on industrial release and emission of polluting substances above permitted standards, disposal of wastes and other hazardous emergency impacts on environment, shall -

entail a fine in amount of twenty five monthly calculation indices.

Article 328. Excess of the standards for environmental emission established in environmental permit, or absence of environmental permit

Excess of the standards for environmental emission established in a project documentation and (or) in environmental permit, or absence of environmental permit, if these actions do not contain the signs of a criminally punishable act, shall -

entail a fine on individuals in amount of ten, on subjects of small entrepreneurship - in amount of thirty, on subjects of medium entrepreneurship - in amount of fifty monthly calculation indices, on subjects of large entrepreneurship - in amount of one thousand percent of the rates of charge for environmental emission for exceeded volume of emissions.

Article 329. Excess of established volume of the quota for greenhouse gas emissions

Excess of established volume of the quota for greenhouse gas emissions, shall - entail a fine on legal entities in amount of five monthly calculation indices for each unit of the quota in excess of the established volume not compensated by units of the quotas acquired from other users of natural resources, and (or) by carbonic units received in a result of realization of the projects in accordance with the legislation of the Republic of Kazakhstan.

Article 330. Representation of inaccurate information on inventory of greenhouse gases, verification and validation (determination) by independent accredited organizations

Representation of inaccurate information on inventory of greenhouse gases, verification and validation (determination) by independent accredited organizations, shall -

entail a fine on subjects of small entrepreneurship in amount of one hundred fifty, on subjects of medium entrepreneurship - in amount of three hundred, on subjects of large entrepreneurship - in amount of five hundred monthly calculation indices, with suspension of the validity term of the accreditation certificate.

Article 331. Violation of the operating rules, as well as non-use of equipment for clearance of atmospheric emissions and discharge of sewage waters

Violation of the operating rules, as well as non-use of equipment for clearance of atmospheric emissions and discharge of sewage waters, shall -

entail a fine on individuals in amount of ten, on subjects of small entrepreneurship or non-profit organizations - in amount of forty, on subjects of medium entrepreneurship - in amount of seventy, on subjects of large entrepreneurship - in amount of two hundred fifty monthly calculation indices.

Article 332. Failure to perform the requirements of the legislation on compulsory conduct of the state environmental examination

Failure to perform the requirements of the legislation on compulsory conduct of the state environmental examination or the requirements contained in a conclusion of the state environmental examination, and equally financing of projects and programs that did not undergo environmental examination, shall -

entail a fine on individuals in amount of ten, on subjects of small entrepreneurship - in amount of thirty, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of five hundred monthly calculation indices.

Article 333. Release for operation of transport and other movable vehicles with excess of the normative levels of the content of polluting substances in emissions

1. Release for operation of automobiles, planes, vessels and other movable vehicles and units the content of polluting substances in emissions of which, as well as noise pollution level made by them during working are in excess of established standards, shall -

entail a fine on civil servants, subjects of small entrepreneurship or non-profit organizations in amount of twenty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

2. Action provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative infraction, shall -

entail a fine on civil servants, subjects of small entrepreneurship or non-profit organizations in amount of forty, on subjects of medium entrepreneurship - in amount of eighty, on subjects of large entrepreneurship - in amount of five hundred monthly calculation indices, with suspension or prohibition of the activity of without such.

Article 334. Operation of engine and other movable vehicles with excess of the normative levels of the content of polluting substances in emissions

1. Operation of engine and other movable vehicles and units by individuals the content of polluting substances in emissions of which, as well as noise pollution level made by them during working are in excess of established standards, shall -
entail a notification or fine on individuals in amount of two monthly calculation indices.

2. Actions provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative infraction, shall -
entail a fine on individuals in amount of five monthly calculation indices.

Article 335. Breach of the legislation on protection of atmospheric air

1. Acceptance of new and reconstructed enterprises, structures and other objects for operation that do not conform to the requirements on protection of atmospheric air, shall -

entail a fine in amount of thirty monthly calculation indices.

2. Operation of new and reconstructed enterprises, structures and other objects that do not conform to requirements on protection of atmospheric air, shall -

entail a fine on subjects of small entrepreneurship or non-profit organizations in amount of thirty, on subjects of medium entrepreneurship - in amount of sixty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

Article 336. Non-compliance with requirements on protection of atmospheric air and fire security upon warehousing and burning of industrial and household wastes

Violation of the rules for warehousing of industrial and household wastes, non-compliance with requirements on protection of atmospheric air and fire security upon burning of the mentioned wastes, shall -

entail a notification or fine on individuals in amount of three, on civil servants - in amount of twenty, on subjects of small entrepreneurship or non-profit organizations - in amount of forty, on subjects of medium entrepreneurship - in amount of seventy, on subjects of large entrepreneurship - in amount of one hundred twenty monthly calculation indices.

Article 337. Land degradation

1. Destruction or illegal depleting of rich soil layers for the purpose of selling or its transferring to other persons, with the exception of cases when such depleting is required for prevention of irretrievable loss of the rich soil layer, shall -

entail a fine on individuals in amount of ten, on subjects of small entrepreneurship or non-profit organizations - in amount of thirty, on subjects of medium entrepreneurship - in amount of fifty monthly calculation indices, on subjects of large entrepreneurship - in amount of a size of damage inflicted to environment.

2. Intoxication, pollution or another degradation of lands by hazardous products of economic or another activity due to violation of the rules for handling with toxic chemicals, manures, plant growth stimulants and other hazardous chemical, biological and radioactive substances upon their storage, use or transportation, and equally contamination by bacterial and parasitic, or similar hazardous organisms, but that did not entail infliction of the harm to human health or environment, shall -

entail a fine on individuals in amount of fifteen, on subjects of small entrepreneurship or non-profit organizations - in amount of twenty five, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

Article 338. Irrational use or non-use of agricultural lands

Irrational use or non-use of agricultural lands, shall -
entail a notification or fine on individuals in amount of ten, on subjects of small entrepreneurship or non-profit organizations - in amount of forty, on subjects of medium entrepreneurship - in amount of seventy, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

Article 339. Non-fulfillment of obligations by owners of land fields and land users on use of the land fields

1. Non-fulfillment of obligations by owners of land fields and land users on use of the land fields expressed in:

1) use of the lands not in designated purposes;

2) non-carrying out of the measures on land protection provided by the legislative act in the field of land relations, shall -

entail a notification or fine on individuals in amount of five, on subjects of small entrepreneurship - in amount of ten, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

2. Action (omission) provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative infraction, shall -

entail a fine on individuals in amount of ten, on subjects of small entrepreneurship - in amount of twenty, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of sixty monthly calculation indices.

Article 340. Non-fulfillment of obligations on bringing the temporary occupied lands to condition being suitable for the further use in designated purposes

Non-fulfillment of obligations on bringing the temporary occupied lands to condition being suitable for the further use in designated purposes, shall -

entail a notification or fine on individuals in amount of five, on subjects of small entrepreneurship or non-profit organizations - in amount of ten, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of one hundred ten monthly calculation indices.

Article 341. Concealment of information on existence of the land fields for housing construction, the special land fund

Concealment of information on existence of the land fields for constructing individual residential houses, the special land fund, its distortion, unreasonable refusal in allocation of land fields, shall -

entail a fine on civil servants of local executive bodies in amount of ten monthly calculation indices.

Article 342. Distortion of details of the state registration, accounting and appraisal of lands

Intended distortion of the details of the state registration, accounting and appraisal of lands, shall -

entail a fine on civil servants in amount of twenty monthly calculation indices.

Article 343. Breach of the legislation of the Republic of Kazakhstan in the field of geodesy and cartography

1. Carrying out of geodesic and cartographic works in the absence of:

own or leased set of gaged tools, equipment and instruments enabling to perform geodetic and (or) cartographic works, or contract for services with the organization having the set of gaged tools, equipment, instruments with specification of the factory numbers;

a specialist on the staff having higher or post-secondary education in the scope of geodesy and (or) cartography, shall -

entail a fine on individuals in amount of twenty, on subjects of small entrepreneurship or non-profit organizations - in amount of sixty, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of two hundred ten monthly calculation indices.

2. Action provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on individuals in amount of fifty, on subjects of small entrepreneurship or non-profit organizations - in amount of one hundred, on subjects of medium entrepreneurship - in amount of one hundred fifty, on subjects of large entrepreneurship - in amount of three hundred monthly calculation indices.

Article 344. Violation of requirements to handling with wastes of production and consumption, discharge of sewage waters

Violation of requirements to handling with wastes of production and consumption, discharge of sewage waters, shall -

entail a notification or fine on individuals in amount of ten, on subjects of small entrepreneurship or non-profit organizations - in amount of twenty, on subjects of medium entrepreneurship - in amount of thirty monthly calculation indices, on subjects of large entrepreneurship - in amount of a size of damage inflicted to environment.

Article 345. Violations of rules on rational and complex subsoil use

Violation of rules on rational and complex subsoil use upon conduct of operations on subsoil use, shall -

entail a fine on subjects of small entrepreneurship in amount of thirty, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

Article 346. Non-observance with indices of project documents for conducting operations on subsoil use, with the exception of raw hydrocarbons

Non-observance with indices of project documents for conducting operations on subsoil use, with the exception of raw hydrocarbons, shall -

entail a fine on subjects of small entrepreneurship in amount of thirty, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

Article 347. Violation of environmental standards and rules upon using subsoil and processing of mineral raw materials

1. Violation of environmental standards and rules upon using subsoil and processing of mineral raw materials, if this action did not entail infliction of essential harm, shall -

entail a notification.

2. Actions provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative infraction, shall -

entail a fine on individuals in amount of fifteen, on subjects of small entrepreneurship - in amount of thirty, on subjects of medium entrepreneurship - in amount of fifty monthly calculation indices, on subjects of large entrepreneurship - in amount of a size of damage inflicted to environment.

Article 348. Performance of works on extraction of mineral reserves without conduct of the state examination

Performance of works on extraction of mineral reserves without conduct of the state examination, shall -

entail a fine in amount of twenty monthly calculation indices.

Article 349. Distortion of primary and state reporting on accounting of extraction and processing of mineral raw materials

Distortion of primary and state reporting on accounting of extraction and processing of mineral raw materials, shall -

entail a fine in amount of twenty monthly calculation indices.

Article 350. Non-ensuring of trustworthy accounting of main and imbedded mineral reserves being extracted and depleted together with them in subsoil and associated components, as well as products after processing of mineral raw materials and wastes of production upon development of the deposits

Non-ensuring of trustworthy accounting of main and imbedded mineral reserves being extracted and depleted together with them in subsoil and associated components, as well as products after processing of mineral raw materials and wastes of production upon development of the deposits, shall -

entail a fine in amount of twenty five monthly calculation indices.

Article 351. Violation of the rules of accounting, utilization and deactivation of wastes of production and consumption

Violation of the rules of accounting, utilization and deactivation of wastes of production and consumption, shall -

entail a fine on subjects of small entrepreneurship in amount of ten, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

Article 352. Violation of requirements on bringing of mine working and bore wells to the condition ensuring their reservation and safety of population

Loss of surveying documentation, violation of requirements on bringing of the liquidated or conserved mine workings and bore wells to the condition ensuring safety of population, as well as requirements on reservation of the mine workings and bore wells for the period of conservation, shall -

entail a fine on civil servants, subjects of small entrepreneurship in amount of twenty, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

Article 353. Violation of requirements on liquidation and conservation of the objects of subsoil use

Violation of requirements on liquidation and conservation of the objects of subsoil use, shall -

entail a fine on subjects of small entrepreneurship or non-profit organizations in amount of thirty, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of one hundred fifty monthly calculation indices.

Article 354. Refusal or avoidance from representation of information to the state control bodies of subsoil protection on use of mineral raw materials

Refusal or avoidance from representation of timely, full and trustworthy information to the state control bodies of subsoil protection on condition of using the subsoil, extracted and processed mineral raw materials, shall -

entail a fine on subjects of small entrepreneurship in amount of six, on subjects of medium entrepreneurship - in amount of ten, on subjects of large entrepreneurship - in amount of forty monthly calculation indices.

Article 355. Giving of instructions or permissions by civil servants entailing breach of the legislation of the Republic of Kazakhstan on subsoil and subsoil use

Giving of instructions or permissions by civil servants entailing breach of the legislation of the Republic of Kazakhstan on subsoil and subsoil use, shall - entail a fine in amount of twenty five monthly calculation indices.

Article 356. Violation of the rules for conducting petroleum operations and works on subsoil use

Footnote. Title of Article 356 is in the wording of the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

1. Violation of the rules for conduct of operations on subsoil use, as well as conditions of contracts of subsoil use, shall -

entail a fine on subjects of small entrepreneurship or non-profit organizations in amount of sixty five, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of one hundred fifty monthly calculation indices.

2. Failure to perform the environmental requirements and conditions of a contract of subsoil use on the issues of environmental protection, shall -

entail a fine on subjects of small entrepreneurship or non-profit organizations in amount of sixty five, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of one hundred fifty monthly calculation indices.

3. Violation of conditions for conduct of petroleum operations provided by the legislation of the Republic of Kazakhstan on subsoil and subsoil use, as well as violation of requirements of the projects of prospecting, appraisal works and project documents for performance of the works on extraction, shall -

entail a fine on subjects of small entrepreneurship in amount of one hundred fifty, on subjects of medium entrepreneurship - in amount of three hundred, on subjects of large entrepreneurship - in amount of one thousand monthly calculation indices.

4. Conduct of prospecting, appraisal works and works on extraction without the project of prospecting works, project of appraisal works and project document for performance of works on extraction approved in the established manner, shall -

entail a fine on subjects of small entrepreneurship in amount of two hundred fifty, on subjects of medium entrepreneurship - in amount of five hundred, on subjects of large entrepreneurship - in amount of two thousand monthly calculation indices.

5. Burning of accompanying and (or) natural gas without permission or without compliance with conditions of permission of the authorized body in the field of oil and gas, with the exception of the cases of threatening or occurrence of accident situations, threat to life of the staff or health of population and environment, shall -

entail a fine on subjects of small entrepreneurship in amount of two hundred fifty, on subjects of medium entrepreneurship - in amount of five hundred, on subjects of large entrepreneurship - in amount of two thousand monthly calculation indices.

6. performance of works by a subsoil user on extraction of raw hydrocarbons without utilization and (or) processing of accompanying and (or) natural gas, shall -

entail a fine on subjects of small entrepreneurship in amount of two hundred fifty, on subjects of medium entrepreneurship - in amount of five hundred, on subjects of large entrepreneurship - in amount of two thousand monthly calculation indices.

7. Deviation from the project documentation approved in the established manner upon construction of necessary field facilities and other infrastructure facilities required for extraction, preparation, storage and transportation of the hydrocarbons from the place of extraction and storage to the place of transshipment to the main pipelines and (or) by other type of transport, shall -

entail a fine on subjects of small entrepreneurship in amount of two hundred fifty, on subjects of medium entrepreneurship - in amount of five hundred, on subjects of large entrepreneurship - in amount of two thousand monthly calculation indices.

8. Operation of wells with violation of requirements established by the legislation, shall -

entail a fine on subjects of small entrepreneurship in amount of one hundred fifty, on subjects of medium entrepreneurship - in amount of three hundred, on subjects of large entrepreneurship - in amount of one thousand monthly calculation indices.

9. Conduct of petroleum operations at sea without permission, with the exception of cases provided by the Law of the Republic of Kazakhstan "On subsoil and subsoil use" or without compliance with the conditions of the authorized body in the field of oil and gas, shall -

entail a fine on subjects of small entrepreneurship in amount of two hundred fifty, on subjects of medium entrepreneurship - in amount of five hundred, on subjects of large entrepreneurship - in amount of two thousand monthly calculation indices.

10. Violation of the procedure for conduct of marine scientific researches, shall -

entail a fine on subjects of small entrepreneurship in amount of one hundred fifty, on subjects of medium entrepreneurship - in amount of three hundred, on subjects of large entrepreneurship - in amount of five hundred monthly calculation indices.

11. Absence of the approved plan of organizing prevention and liquidation of oil spills of the subsoil user carrying out petroleum operations at sea, individual or legal entity carrying out the activity at sea linked with the oil spill risk at the sea, shall -

entail a fine on individuals in amount of one hundred fifty, on subjects of small entrepreneurship - in amount of two hundred, on subjects of medium entrepreneurship - in amount of four hundred, on subjects of large entrepreneurship - in amount of two thousand monthly calculation indices.

12. Conduct of petroleum operations at sea without own materials and equipment required for liquidation of the consequences of oil spills at sea of the first and second levels, or concluded contract with the specialized organization, shall -

entail a fine on individuals in amount of one hundred fifty, on subjects of small entrepreneurship - in amount of two hundred, on subjects of medium entrepreneurship - in amount of four hundred, on subjects of large entrepreneurship - in amount of two thousand monthly calculation indices.

13. The act provided by a part eight of this Article committed repeatedly second time within a year after imposition of administrative infraction, shall -

entail a fine on subjects of small entrepreneurship in amount of two hundred fifty, on subjects of medium entrepreneurship - in amount of five hundred, on subjects of large entrepreneurship - in amount of two thousand monthly calculation indices.

14. Acts provided by parts four, five, six and nine of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail suspension or prohibition of the activity or separate types of activity.

Footnote. Article 336 as amended by the Law of the Republic of Kazakhstan dated

29.12.2014 No. 272-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Article 357. Registration of illegal transactions on environmental management

Registration of knowingly illegal transactions on environmental management, corruption of state accounting data and state cadastres of natural resources, and equally intended decrease of payment for use of the natural resources, environmental pollution, protection and reproduction of the natural resources, if these actions are committed from lucrative or other personal interest by a civil servant with the use of own official position, shall -

entail a fine in amount of five hundred monthly calculation indices or administrative arrest up to thirty days.

Article 358. Violation of rules for protection of water resources

1. Putting of enterprises, household and other objects into operation without the structures and devices preventing pollution and water clogging or their adverse effect, shall -

entail a fine on subjects of small entrepreneurship or non-profit organizations in amount of thirty, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

2. Non-conduct of hydrotechnical, technological, forest improvement, sanitary and other measures ensuring protection of waters from pollution, clogging and depletion, as well as improvement of the state of water administration, shall -

entail a fine on subjects of small entrepreneurship or non-profit organizations in amount of twenty five, on subjects of medium entrepreneurship - in amount of seventy, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

Article 359. Damage to water facilities, devices and fire-fighting water supply systems, violation of rules for their operation

1. Damage to water facilities and devices, metering instruments for accounting of consumption and discharge of water, as well as fire-fighting water supply systems, shall -

entail a fine on individuals in amount of ten, on civil servants - in amount of twenty five monthly calculation indices.

2. Violation of the rules for operation of water facilities and devices, shall - entail a fine on civil servants in amount of twenty monthly calculation indices.

Article 360. Illegal construction on water protection zones and belts of water objects

1. Illegal construction of buildings, structures and other objects on water protection zones and belts, as well as illegal change of a natural bed of river, shall -

entail a fine on individuals in amount of twenty, on subjects of small entrepreneurship or non-profit organizations - in amount of forty five, on subjects of medium entrepreneurship - in amount of seventy, on subjects of large entrepreneurship - in amount of two hundred fifty monthly calculation indices with compulsory demolition of illegally constructed building or the building being under construction.

2. Illegal drilling of wells on water and construction of ground water intakes, shall -

entail a fine on individuals in amount of ten, on subjects of small entrepreneurship or non-profit organizations - in amount of forty, on subjects of medium

entrepreneurship – in amount of fifty five, on subjects of large entrepreneurship – in amount of one hundred fifty monthly calculation indices.

Article 361. Violation of rules for maintenance of a primary accounting of waters and their use

Violation of rules for maintenance of a primary accounting of waters and their use, shall –

entail a fine on subjects of small entrepreneurship or non-profit organizations in amount of thirty, on subjects of medium entrepreneurship – in amount of fifty, on subjects of large entrepreneurship – in amount of one hundred monthly calculation indices.

Article 362. Distortion of accounting data and reporting of water resources

Distortion of accounting data and reporting of water cadastre, schedules of complex use and protection of water resources, as well as their non-representation within the terms established by the legislation of the Republic of Kazakhstan, shall –

entail a fine on civil servants, subjects of small entrepreneurship or non-profit organizations in amount of twenty, on subjects of medium entrepreneurship – in amount of thirty, on subjects of large entrepreneurship – in amount of one hundred monthly calculation indices.

Article 363. Impeding of regulation of water resources

Impeding of regulation of water resources in behalf of their complex use, ecology and water apportioning, shall –

entail a fine on individuals in amount of ten, on civil servants – in amount of twenty monthly calculation indices.

Article 364. Violation of rules of general water use

1. Violation of rules of general water use committed in the form of:

1) swimming, water intake for drinking and household needs, livestock watering, driving on small size vessels and other floating crafts in prohibited places;
2) restriction of the access of population to water objects of general use by individuals and legal entities by installation of fences, points of protection, prohibitory signs, shall –

entail a notification on individuals and legal entities.

2. Actions provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall –

entail a fine on individuals in amount of two, on subjects of small entrepreneurship or non-profit organizations – in amount of ten, on subjects of medium entrepreneurship – in amount of twenty five, on subjects of large entrepreneurship – in amount of sixty monthly calculation indices.

Article 365. Violation of established water servitudes

1. Violation of established water servitudes, shall –

entail a fine on individuals and legal entities.

2. Actions provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative infraction, shall –

entail a fine on individuals in amount of two, on subjects of small entrepreneurship or non-profit organizations – in amount of ten, on subjects of medium entrepreneurship – in amount of twenty five, on subjects of large entrepreneurship – in amount of sixty monthly calculation indices.

Article 366. Illegal grubbing, construction of buildings, wood processing, arrangement of warehouses on forest fund lands

Illegal grubbing, construction of buildings, wood processing, arrangement of warehouses on forest fund lands, shall –

entail a notification or fine on individuals in amount of five, on subjects of small entrepreneurship or non-profit organizations - in amount of ten, on subjects of medium entrepreneurship - in amount of fifteen, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

Article 367. Violation of requirements of fire security and sanitary rules in forests

1. Violation of requirements of fire security and sanitary rules in forests, shall -

entail a fine on individuals in amount of ten, on civil servants, subjects of small entrepreneurship - in amount of thirty, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of one hundred fifty monthly calculation indices.

2. The same act that entailed fire development, infliction of the harm of human health and environment, if this action did not heavy damage, shall -

entail a fine on individuals in amount of twenty five, on civil servants, subjects of small entrepreneurship - in amount of forty five, on subjects of medium entrepreneurship - in amount of seventy, on subjects of large entrepreneurship - in amount of two hundred fifty monthly calculation indices.

3. Actions provided by parts one and two of this Article committed repeatedly second time on especially protected natural areas, shall -

entail a fine on individuals in amount of one hundred, on civil servants, subjects of small entrepreneurship - in amount of two hundred fifty, on subjects of medium entrepreneurship - in amount of four hundred, on subjects of large entrepreneurship - in amount of one thousand five hundred monthly calculation indices.

Article 368. Violation of the established procedure for use of cutting area fund, procurement and transportation of wood, extraction of soft resin and timber saps, secondary forest materials

1. Violation of the established procedure for use of cutting area fund, procurement and transportation of wood, extraction of soft resin and timber saps, secondary forest materials, shall -

entail a fine on individuals in amount of ten, on subjects of small entrepreneurship - in amount of thirty, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

2. The same action committed on especially protected natural areas, shall -

entail a notification or fine on individuals in amount of ten, on subjects of small entrepreneurship - in amount of thirty, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

Article 369. Violation of terms for return of temporary occupied fields of the forest fund and especially protected natural areas

1. Violation of terms for return of temporary occupied fields of the state forest fund and non-fulfillment of obligations on bringing to the state being suitable for use according to designated purpose, shall -

entail a notification or fine on individuals in amount of three, on subjects of small entrepreneurship or non-profit organizations - in amount of fifteen, on subjects of medium entrepreneurship - in amount of twenty five, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

2. The same action committed on especially protected natural areas, shall -

entail a fine on individuals in amount of ten, on subjects of small entrepreneurship or non-profit organizations - in amount of thirty, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

Article 370. Damage of hayfields and grazing areas, as well as illegal haying and grazing of livestock, gathering of medical plants and technical raw materials on lands of the forest fund

1. Damage of hayfields and grazing areas on lands of the forest fund, shall - entail a notification or fine on individuals in amount of two monthly calculation indices.

2. Illegal haying and grazing of livestock in forests and on lands of the forest fund, shall - entail a notification or fine on individuals in amount of three monthly calculation indices.

3. Illegal gathering of medical plants and technical raw materials at the fields where it is prohibited or allowed only on forestry cards, shall - entail a notification or fine on individuals in amount of three monthly calculation indices.

4. Actions provided by parts one, two and three of this Article committed on especially protected natural areas, shall - entail a fine on individuals in amount of twenty monthly calculation indices.

Article 371. Violation of procedure and terms of forest invasions and other categories of lands of the forest fund designed for forest restoration and forest planting

Violation of procedure and terms of forest invasions and other categories of lands of the forest fund designed for forest restoration and forest planting, shall - entail a notification or fine on civil servants in amount of ten monthly calculation indices.

Article 372. Destruction or damage of forest fauna, as well as damage, clogging of forests by wastes, chemical substances and other infliction of damage to the forest fund lands

1. Destruction or damage of forest fauna, shall - entail a fine on individuals in amount of five, on subjects of small entrepreneurship or non-profit organizations - in amount of ten, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of two hundred fifty monthly calculation indices.

2. Damage of forest by waste waters, chemical substances, industrial and domestic emissions and wastes entailing its drying or disease, or clogging of forest, shall - entail a fine on individuals in amount of five, on subjects of small entrepreneurship or non-profit organizations - in amount of thirty five, on subjects of medium entrepreneurship - in amount of seventy, on subjects of large entrepreneurship - in amount of four hundred monthly calculation indices.

3. Destruction or damage of forest drainage ditches, drainage systems and roads on the forest fund lands, shall - entail a fine on individuals in amount of five monthly calculation indices.

4. Actions provided by parts one, two and three of this Article committed on especially protected natural areas, shall - entail a fine on individuals in amount of ten, on subjects of small entrepreneurship or non-profit organizations - in amount of fifty five, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of five hundred monthly calculation indices.

Article 373. Carrying out forest uses not in accordance with the purposes or requirements provided by permitting documents

1. Carrying out forest uses not in accordance with the purposes or requirements provided by permitting documents, shall -

entail a fine on individuals in amount of three, on subjects of small entrepreneurship - in amount of five, on subjects of medium entrepreneurship - in amount of ten, on subjects of large entrepreneurship - in amount of forty monthly calculation indices.

2. The same action committed on the especially protected natural areas, shall - entail a fine on individuals in amount of ten, on subjects of small entrepreneurship - in amount of twenty, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

Article 374. Construction and operation of objects that lead to adverse effect on condition and reproduction of forests

1. Construction and operation of objects that lead to adverse effect on condition and reproduction of forests, shall -

entail a fine on individuals in amount of five, on subjects of small entrepreneurship - in amount of ten, on subjects of medium entrepreneurship - in amount of fifteen, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

2. The same actions committed on especially protected natural areas, shall - entail a fine on individuals in amount of twenty, on subjects of small entrepreneurship - in amount of thirty five, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of four hundred monthly calculation indices.

Article 375. Violation of established procedure for withdrawal and assessment of wood cutting areas

Violation of established procedure for withdrawal and assessment of wood cutting areas, shall -

entail a notification or fine on civil servants in amount of ten monthly calculation indices.

Article 376. Admission of wood processing in amounts exceeding the rated wood cutting areas

Admission of wood processing in amounts exceeding the rated wood cutting areas, shall -

entail a fine on civil servants in amount of three hundred monthly calculation indices.

Article 377. Illegal transportation, storage and application of pesticides (toxic chemicals) and other preparations

1. Illegal transportation, storage and application of pesticides (toxic chemicals) and other preparations that entailed or might entail to environmental pollution or infliction of harm to animal world with the exception of cases provided by article 416 of this Code, shall -

entail a notification or fine on individuals in amount of five, on subjects of small entrepreneurship or non-profit organizations - in amount of twenty five, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

2. The same actions committed on especially protected natural areas, shall - entail a fine on individuals in amount of fifteen, on subjects of small

entrepreneurship or non-profit organizations - in amount of fifty, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

Article 378. Violation of rules for protection of the growth places of plants and live environment of animals, rules for creation, storage, accounting and use of zoological collections, and equally illegal resettlement, acclimatization, reacclimatization and crossing of animals

1. Violation of rules for protection of the growth places of plants and live environment of animals, conditions for multiplication, migration paths and concentration of animals, rules for creation, storage, accounting and use of zoological and botanical collections, and equally illegal resettlement, acclimatization, reacclimatization and crossing of animals, shall -

entail a notification or fine on individuals in amount of eight, on civil servants, subjects of small entrepreneurship - in amount of fourteen, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of sixty monthly calculation indices.

2. the same actions committed on especially protected natural areas, shall - entail a notification or fine on individuals in amount of fifteen, on civil servants, subjects of small entrepreneurship - in amount of thirty, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

Article 379. Violation of protective measures of the plants and animals upon placement, designing and construction of the inhabited localities, enterprises and other objects, upon carrying out of industrial processes and operation of the transport vehicles, application of protective measures of the plants, mineral manures of other preparations

Violation of protective measures of the plants and animals upon placement, designing and construction of the inhabited localities, enterprises and other objects, upon carrying out of industrial processes and operation of the transport vehicles, application of protective measures of the plants, mineral manures of other preparations, with the exception of cases provided by Article 416 of this Code, shall -

entail a notification or fine on individuals in amount of eight, on civil servants, subjects of small entrepreneurship or non-profit organizations - in amount of fourteen, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of seventy monthly calculation indices.

Article 380. Violation of the procedure for arrival of individuals on separate types of the especially protected natural areas

Arrival of individuals without special permission and outside the allocated places for visiting in the territories of the state wildlife preservations, state national natural parks, state natural reserves, state natural parks, shall -

entail a notification or fine in amount of two monthly calculation indices.

Article 381. Damage or destruction of objects of selective and genetic purpose

Damage or destruction of objects of selective and genetic purpose: plus trees, archived clones of plus trees, provenance trial plantations, test crops of populations and hybrids, trees and bushes on forest seed orchards, trees and bushes on permanent seed plantations, trees and bushes in plus stands, shall -

entail a notification or fine on individuals in amount of ten, on civil servants,

subjects of small entrepreneurship or non-profit organizations - in amount of forty, on subjects of medium entrepreneurship - in amount of seventy, on subjects of large entrepreneurship - in amount of three hundred monthly calculation indices.

Article 382. Violation of requirements of using animal world and hunting rules

1. Violation of requirements of using animal world and (or) hunting rules that does not contain signs of a criminally punishable act, shall -
entail a notification or fine on individuals in amount of five, on subjects of small entrepreneurship - in amount of twenty five, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

2. The same violation provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -
entail a fine on individuals in amount of fifteen, on subjects of small entrepreneurship - in amount of sixty five, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices or deprivation of the right to hunt for the term up to two years, with confiscation of the instruments for acquisition of animals, transport vehicles and other subjects that are the instruments for commission of mentioned violation.

3. Action provided by a part one of this Article committed on especially prohibited natural areas, shall -
entail a fine on individuals in amount of seventy, on subjects of small entrepreneurship - in amount of one hundred ten, on subjects of medium entrepreneurship - in amount of one hundred fifty, on subjects of large entrepreneurship - in amount of one thousand monthly calculation indices or deprivation of the right to hunt for the term up to two years, with confiscation of the subjects and (or) instrument of the administrative infraction.

Article 383. Violation of rules for fishing and protection of fish resources and other shell-fish

1. Violation of rules for fishing, as well as rules for carrying out of the other types of using fish resources and other shell-fish that does not contain the signs of a criminally punishable act, shall -
entail a fine on individuals in amount of ten, on subjects of small entrepreneurship - in amount of thirty, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

2. Action provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -
entail a fine on individuals in amount of twenty, on subjects of small entrepreneurship - in amount of fifty, on subjects of medium entrepreneurship - in amount of seventy, on subjects of large entrepreneurship - in amount of one hundred fifty monthly calculation indices.

3. Gross violation of the rules for fishing, with the exception of amateur (sport) fishing during the prohibited terms by prohibited instruments or methods at the prohibited places, as well as the rules for carrying out the other types of using fish resources and the other shell-fish that does not contain the signs of a criminally punishable act, shall -
entail a fine on individuals in amount of twenty, on subjects of small entrepreneurship - in amount of sixty, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of two hundred

fifty monthly calculation indices, with confiscation of the subjects and (or) instrument of the administrative infraction or without such.

4. Action provided by a part three of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on individuals in amount of forty, on subjects of small entrepreneurship - in amount of eighty, on subjects of medium entrepreneurship - in amount of one hundred twenty, on subjects of large entrepreneurship - in amount of three hundred monthly calculation indices, with confiscation of the subjects and (or) instrument of the administrative infraction or without such.

5. Water intake from fishery water bodies without installation of the special tools for prevention from appearing of fish in water intake facilities, shall -

entail a fine on individuals in amount of ten, on subjects of small entrepreneurship - in amount of thirty, on subjects of medium entrepreneurship - in amount of seventy, on subjects of large entrepreneurship - in amount of one hundred fifty monthly calculation indices.

Article 384. Violation of requirements of the legislation in the field of protection, reproduction and use of fish resources and other shell-fish

Violation of requirements of the legislation in the field of protection, reproduction and use of the fish resources and other shell-fish, if this action does not contain the signs of a criminally punishable act committed in the form of:

1) admission of discharging the hazardous substances exceeding established standards;

2) failure to provide the structures and devices of new and reconstructed objects preventing the adverse effect, pollution and clogging of waters;

3) use of livestock farms and other industrial complexes that do not have disposal facilities and sanitary-protective zones;

4) use of the structures and devices for transportation and storage of oil, chemical and other products without their equipping by the means for preventing water pollution;

5) applying the toxic chemicals, manures on a water-producing area of water objects;

6) discharge and burial of the radioactive and toxic substances into water objects;

7) discharge of sewage waters of industrial, food objects into water objects that do not have the disposal facilities and that do not ensure effective treatment in accordance with the standards;

8) applying the equipment and technology on water objects and water facilities representing a threat to environment;

9) discharge of solid, industrial, household and other wastes and their burial into water objects;

10) clogging of the water-producing areas of water objects, ice sheets of water objects, ice streams by solid, industrial, household and other wastes, the washing of which entails quality degradation of the surface water objects, shall -

entail a fine on individuals in amount of ten, on civil servants, subjects of small entrepreneurship - in amount of thirty, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

Article 385. Violation of rules for conduct of hunting

1. Violation of rules for conduct of hunting, if this action does not contain the signs of a criminally punishable act committed in the form of:

- 1) illegal restriction of visiting the hunting areas;
- 2) applying prohibited types, methods and duration for hunting;
- 3) non-ensuring of organizing protection, reproduction and use of animal world on the allocated hunting areas and fishery waters, shall -
entail a fine on individuals in amount of three, on civil servants - in amount of twenty monthly calculation indices.

2. Action provided by a part one of this Article committed three and more times within one year after imposition of administrative sanction, if this action does not contain the signs of a criminally punishable act, shall -

entail a fine on individuals in amount of five, on civil servants, subjects of small entrepreneurship - in amount of twenty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices, or deprivation of the right to conduct hunting.

Article 386. Violation of rules for maintenance and protection of green plantings

Violation of rules for maintenance and protection of green plantings established by the local representative bodies of oblasts, city of republican significance and the capital, shall -

entail a notification or fine on individuals in amount of fifteen, on subjects of small entrepreneurship or non-profit organizations - in amount of thirty, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of one hundred fifty monthly calculation indices.

Article 387. Untimely clearing the felling site from the felling wastes, clogging of glades and territories adjoining to cutting areas

1. Untimely clearing the felling site from the felling wastes, clogging of glades and territories adjoining to cutting areas, shall -

entail a notification or fine on individuals in amount of five, on subjects of small entrepreneurship - in amount of twelve, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

2. The same actions committed on especially protected natural areas, shall -
entail a fine on individuals in amount of fifteen, on subjects of small entrepreneurship - in amount of twenty five, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of eighty monthly calculation indices.

Article 388. Violation of procedure and terms for development of cutting areas

1. Violation of procedure and terms for development of cutting areas, shall -
entail a notification or fine on individuals in amount of five, on subjects of small entrepreneurship - in amount of twelve, on subjects of medium entrepreneurship - in amount of twenty five, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

2. The same actions committed on especially protected natural areas, shall -
entail a fine on individuals in amount of twenty, on subjects of small entrepreneurship - in amount of thirty five, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of one hundred fifty monthly calculation indices.

Article 389. Illegal acquisition, sale, transit, entry, outflow, storage (management) of species of wild animal and plants, their parts and derivatives

1. Illegal acquisition, sale, transit, entry, outflow, storage (management) of species of wild animal and plants, their parts and derivatives, shall -
entail a fine on individuals in amount of ten, on subjects of small entrepreneurship - in amount of thirty, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of seventy monthly calculation indices, with confiscation of the species of wild animals and plants and their products.

2. Actions provided by a part one of this Article committed repeatedly second time within one year after imposition of administrative sanction, shall -

entail a fine on individuals in amount of twenty, on subjects of small entrepreneurship - in amount of sixty, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of one hundred forty monthly calculation indices, with confiscation of the species of wild animals and plants and their products.

Article 390. Violation of procedure for issuance and use of the issued permissions for using the animal world

1. Violation of procedure for issuance of permission for using the animal world, shall -

entail a fine on civil servants in amount of twenty five monthly calculation indices.

2. Violation of the issued permissions for using the animal world that is expressed in illegal seizure of the age-sex group (in case of indication), terms for seizure, territory and borders of a field of supposed seizure, methods for seizure (catching, killing, gathering) of the wild animals from environmental conditions, if this action does not contain the signs of a criminally punishable act, shall -

entail a fine on individuals in amount of five, on subjects of small entrepreneurship - in amount of twelve, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

Article 391. Illegal change of conditions of the granted licence, and equally violation of the approved procedure for conduct of petroleum operations at sea

Illegal change of conditions of the granted licence, and equally violation of the approved procedure for conduct of petroleum operations at sea, shall -

entail a fine on subjects of small entrepreneurship in amount of fifty, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of one hundred fifty monthly calculation indices.

Article 392. Carrying out of petroleum operations at sea creating an obstacle and inflicting damage to marine navigation, fishing

1. Carrying out of petroleum operations at sea creating an obstacle and inflicting damage to marine navigation, fishing, shall -

entail a fine on subjects of small entrepreneurship in amount of fifty, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of one hundred fifty monthly calculation indices.

2. Unwarranted placement of underwater cables or pipelines in a territory of the Republic of Kazakhstan or their laying on a continental shelve of the Republic of

Kazakhstan that may entail to damage of the mineral deposits, inflict harm to life or health of humans, inflict damage to living resources, marine flora and fauna or create interference to the other legal types of activity on the continental shelf of the Republic of Kazakhstan, if these actions do not contain the signs of a criminally punishable act, shall -

entail a fine on subjects of small entrepreneurship in amount of fifty, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of one hundred fifty monthly calculation indices.

3. Actions provided by parts one or two of this Article committed repeatedly second time within a year after imposition of administrative infraction, shall -

entail a fine on subjects of small entrepreneurship in amount of seventy five, on subjects of medium entrepreneurship - in amount of one hundred fifty, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices, with confiscation of the vessel and tools of committing infraction or without such.

Article 393. Violation of rules for conduct of the marine scientific researches on a continental shelf of the Republic of Kazakhstan

1. Violation of rules for conduct of the marine scientific researches provided by the permission or international treaties of the Republic of Kazakhstan that created or might create the interferences to legal types of activity on a continental shelf of the Republic of Kazakhstan, or illegal change of a program of the marine scientific researches on the continental shelf of the Republic of Kazakhstan, shall -

entail a fine on individuals in amount of ten, on subjects of small entrepreneurship - in amount of forty five, on subjects of medium entrepreneurship - in amount of seventy five, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

2. Action provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on individuals in amount of fifteen, on subjects of small entrepreneurship - in amount of seventy, on subjects of medium entrepreneurship - in amount of one hundred fifty, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

Article 394. Violation of rules for burial of wastes and other materials, as well as the rules for conservation and disassembling on a continental shelf of the Republic of Kazakhstan

1. Violation of rules for burial of vessels and other floating crafts, flight vehicles, artificial islands, installations and structures, wastes and other materials, as well as the rules for conservation and disassembling provided by the international treaties ratified by the Republic of Kazakhstan that may lead to the damage of mineral deposits, inflict harm to life or health of humans, inflict damage to biological resources, marine flora and fauna or create interferences to the other legal types of activity on a continental shelf of the Republic of Kazakhstan, shall -

entail a fine on individuals in amount of five, on subjects of small entrepreneurship - in amount of forty five, on subjects of medium entrepreneurship - in amount of seventy five, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

2. Action provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on individuals in amount of ten, on subjects of small entrepreneurship - in amount of ninety, on subjects of medium entrepreneurship - in

amount of one hundred monthly calculation indices, on subjects of large entrepreneurship - in amount of the size of damage inflicted to environment.

Article 395. Failure to perform the legal requirements of civil servants of the bodies for protection of a continental shelf of the Republic of Kazakhstan

1. Failure to perform the legal requirements of civil servants of the bodies for protection of a continental shelf of the Republic of Kazakhstan, as well as impeding to exercising the powers by these civil servants imposed on them, including inspection of a vessel, shall -

entail a fine in amount of seventy of monthly calculation indices.

2. Actions provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine in amount of one hundred fifty monthly calculation indices with confiscation of the vessel and tools of committing infraction, as well as received results of researches or without such.

Article 396. Illegal transfer of mineral and biological resources of a continental shelf, territorial waters (seas) and internal waters of the Republic of Kazakhstan

1. Illegal transfer of mineral and biological resources of a continental shelf, territorial waters (seas) and internal waters of the Republic of Kazakhstan to foreign persons, legal entities created in accordance with the legislation of another state, or to foreign states, shall -

entail a fine on individuals in amount of ten, on subjects of small entrepreneurship - in amount of twenty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of one hundred percent of the costs of illegally transferred mineral and biological resources.

2. Action provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on individuals in amount of fifteen, on subjects of small entrepreneurship - in amount of twenty five, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of two hundred percent of the costs of illegally transferred mineral and biological resources with confiscation of the vessel and tools of committing the infraction, as well as received results of researches or without such.

Article 397. Breach of the legislation on environmental audit

1. Failure to perform the requirements of the legislation on conduct of compulsory environmental audit, shall -

entail a fine on individuals in amount of five, on subjects of small entrepreneurship - in amount of twenty five, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

2. Drawing up of the knowingly inaccurate environmental audit report by environmental auditors (environmental audit organizations), shall -

entail a fine on individuals in amount of seventy, on subjects of small entrepreneurship - in amount of one hundred sixty, on subjects of medium entrepreneurship - in amount of two hundred fifty, on subjects of large entrepreneurship - in amount of seven hundred monthly calculation indices.

3. Representation of the knowingly inaccurate or incomplete information by inspected person in the course of conducting environmental audit that entailed to drawing up of inaccurate environmental audit report, shall -

entail a fine on subjects of small entrepreneurship or non-profit organizations -

in amount of two hundred fifty, on subjects of medium entrepreneurship – in amount of four hundred, on subjects of large entrepreneurship – in amount of seven hundred monthly calculation indices.

4. Action provided by a part two of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall –

entail a fine on individuals in amount of one hundred, on subjects of medium entrepreneurship – in amount of four hundred, on subjects of large entrepreneurship – in amount of one thousand monthly calculation indices, with deprivation of the license for the right to carry out environmental audit activity.

Article 398. Sale of caviar marked with violation of the procedure for marking, or unmarked caviar of sturgeon species of fishes

1. Sale of caviar marked with violation of the procedure for marking, or unmarked caviar of sturgeon species of fishes, shall –

entail a fine on individuals in amount of thirty five, on subjects of small entrepreneurship – in amount of sixty, on subjects of medium entrepreneurship – in amount of ninety, on subjects of large entrepreneurship – in amount of one hundred twenty monthly calculation indices, with confiscation of the caviar, marked with violation of procedure for marking, or caviar sold without marking.

2. Action provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall –

entail a fine on individuals in amount of seventy, on subjects of small entrepreneurship – in amount of one hundred fifteen, on subjects of medium entrepreneurship – in amount of one hundred sixty, on subjects of large entrepreneurship – in amount of two hundred twenty monthly calculation indices, with confiscation of the caviar, marked with violation of procedure for marking, or caviar sold without marking.

Article 399. Representation of invalid data by individuals and legal entities performing works and rendering the services in the field of environmental protection

1. Representation of invalid data by individuals and legal entities performing works and rendering the services in the field of environmental protection upon development of emission standards, measures on environmental protection, programs of industrial environmental control and reports on them, shall –

entail a fine on subjects of small entrepreneurship in amount of sixty five, on subjects of medium entrepreneurship – in amount of one hundred, on subjects of large entrepreneurship – in amount of two hundred twenty monthly calculation indices, with suspension of the licence validity term or without such.

2. Action provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall –

entail a fine on subjects of small entrepreneurship in amount of one hundred sixty five, on subjects of medium entrepreneurship – in amount of two hundred fifty, on subjects of large entrepreneurship – in amount of three hundred twenty monthly calculation indices, with suspension of the licence validity term or without such.

3. Commission of actions provided by parts one and two of this Article that entailed infliction of a heavy damage to environment or committed more than three times, if these actions do not contain the signs of a criminally punishable act, shall –

entail a fine on subjects of small entrepreneurship in amount of two hundred sixty, on subjects of medium entrepreneurship – in amount of three hundred, on subjects of large entrepreneurship – in amount of three hundred fifty monthly calculation indices, with deprivation of the license.

Chapter 22. ADMINISTRATIVE INFRACTIONS IN THE FIELD OF PROTECTION AND QUARANTINE OF PLANTS, GRAIN MARKET AND STORAGE OF GRAIN, COTTON INDUSTRY, SEED PRODUCTION AND STATE VETERINARY- SANITARY CONTROL AND SUPERVISION AND LIVESTOCK BREEDING, AS WELL AS FORMATION AND USE OF REGIONAL STABILIZATION FUNDS OF FOOD COMMODITIES

Article 400. Breach of the legislation of the Republic of Kazakhstan in the field of quarantine of plants

1. Violation of phytosanitary requirements to entered quarantineable products and conduct of the phytosanitary measures committed in the form of:

1) entry of the quarantineable products into the territory of the Republic of Kazakhstan that do not conform to phytosanitary requirements submitted to the entered quarantineable products;

2) entry of a batch of quarantineable products of the high phytosanitary risk into the territory of the Republic of Kazakhstan without the phytosanitary certificate of the national quarantine service of exporting country;

3) entry of a batch of quarantineable products of the high phytosanitary risk into the territory of the Republic of Kazakhstan without the re-export phytosanitary certificate of the national quarantine service of exporting country;

4) carrying out of transfer of the imported quarantineable products through the territory of the Republic of Kazakhstan with violation of phytosanitary requirements of the Republic of Kazakhstan;

5) non-representation of the quarantineable products for survey;

6) non-conduct of the annual preventive decontamination of storage capacities in which the storage or processing of the quarantineable products is carried out;

7) use of the planting or seed material before obtainment of the results of a laboratory examination;

8) non-compliance with conditions for storage of the imported planting or seed material before obtainment of the results of a laboratory examination;

9) use of grain, grain legume, oil-producing crops entered into the territory of the Republic of Kazakhstan for the seeding purposes for use in accordance with industrial, feed and technical purposes;

10) non-conduct of clearing the transport vehicles after transferring the imported quarantineable products, as well as the quarantineable products from the quarantine zones with compulsory destruction of wastes;

11) re-shipping of the quarantineable products on passage or point of destination without permission of the authorized body;

12) non-representation of the entered quarantineable products for the secondary quarantine examination at the point of its destination;

13) use of the seed or planting material for sowing obstructed by quarantine undesirable plants;

14) carrying out of storage or clearance of the quarantineable products procured in a zone of spreading the quarantine objects from the quarantineable products, procured in the zone being free from quarantine objects;

15) non-ensuring of a systematical inspection of sowings, territories, warehouses, the activity of which is linked with production, procurement, processing, storage, transportation and sale of the quarantineable products;

16) carrying out of inter-oblast transportations of the quarantineable products without the quarantine certificate, shall -

entail a fine on individuals in amount of twenty, on civil servants, subjects of small entrepreneurship or non-profit organizations - in amount of thirty, on subjects of

medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

2. Breach of the legislation of the Republic of Kazakhstan in the field of quarantine of plants upon entry, interstate transportations and upon selling the quarantineable products committed in the form of:

1) entry of the quarantineable products into the territory of the Republic of Kazakhstan, as well as transport vehicles contaminated by quarantine objects and alien species;

2) violation of prohibitions or restrictions for entry of the quarantineable products into the Republic of Kazakhstan;

3) sale of the quarantineable products by quarantine objects;

4) re-shipping of the quarantineable products exported from the quarantine zone of the Republic of Kazakhstan on passage;

5) transportation of mites, nematodes and living insects entered for the scientifically research purposes at the same time with the grain, grain legume, feedstuff, oil-producing, technical crops and their products after processing, fruits, vegetables, fruits and potato, planting or seed material, cuts of natural flowers and potted plants, wood, wrapping and support materials;

6) violation of prohibitions or restrictions for export of the quarantineable products contaminated by quarantine objects from the quarantine phytosanitary zone, shall -

entail a fine on individuals in amount of twenty, on civil servants, subjects of small entrepreneurship or non-profit organizations - in amount of thirty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices, with confiscation of the quarantineable products in case of impossibility of its decontamination and processing.

3. Untimely or improper maintenance of the accounting of spreading the quarantine objects or untimely or improper organization of the measures on quarantine of the plants on the objects of the state control and supervision in the field of quarantine of plants, shall -

entail a fine on civil servants I amount of thirty monthly calculation indices.

4. Action (omission) provided by a part three of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on civil servants in amount of sixty monthly calculation indices.

Footnote. Article 400 is in the wording of the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 401. Breach of the legislation of the Republic of Kazakhstan on grain

1. Sale of grain upon export and import without the relevant passport of quality of grain, shall -

entail a fine on individuals in amount of five, on subjects of small entrepreneurship - in amount of ten, on subjects of medium entrepreneurship - in amount of fifteen, on subjects of large entrepreneurship - in amount of one hundred fifty monthly calculation indices.

2. Dispatch of any quantity of grain by cereal receiving points storing grain of the state resources, and (or) export of grain by transport organizations without preliminary coordination with the authorized body, shall -

entail a fine on subjects of medium entrepreneurship in amount of one hundred fifty, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

3. Violation of the rules for quantitative and qualitative keeping accounting of

grain by cereal receiving points; issuance, circulation and redemption of grain receipts committed in the form of:

- 1) improper registration of grain coming into cereal receiving points;
- 2) improper registration of clearance, drying of grain;
- 3) improper registration of discharging grain;
- 4) improper keeping of the book of qualitative and quantitative accounting of

grain;

- 5) incorrect metering of the control physical weight of grain;
- 6) non-compliance with the term for issuance of the grain receipt;
- 7) incorrect maintenance of a register of the grain receipt;
- 8) violation of the procedure for transferring the rights on a warehouse warrant;
- 9) non-compliance with the term for redemption of the grain receipt;
- 10) violation of the terms for storing the grain receipts, shall -

entail a fine on subjects of medium entrepreneurship in amount of two hundred, on subjects of large entrepreneurship - in amount of three hundred monthly calculation indices.

4. Carrying out of the activity by a cereal receiving point that does not relate to rendering of the services on warehouse activity with the issuance of the grain receipts, with the exception of the activity permitted by the Law of the Republic of Kazakhstan "On grain", issuance of warrants and (or) representation of own property in pledge under commitments of third parties, shall -

entail a fine on subjects of medium entrepreneurship in amount of one hundred twenty, on subjects of large entrepreneurship - in amount of three hundred monthly calculation indices with suspension of the licence validity term.

5. Systematical (two and more times within six sequential calendar months) distortion of the quantitative and qualitative indices of grain by cereal receiving points upon condition of their documentary proof, shall -

entail a fine on subjects of medium entrepreneurship in amount of two hundred, on subjects of large entrepreneurship - in amount of five hundred monthly calculation indices, with suspension of the license validity term.

6. Alienation of basic funds by a cereal receiving point without which the carrying out of the activity on rendering of services on warehouse activity with issuance of the grain receipts becomes completely impossible or essentially impaired, shall -

entail a fine on subjects of medium entrepreneurship in amount of one hundred twenty, on subjects of large entrepreneurship - in amount of three hundred monthly calculation indices, with the suspension of the license validity term.

7. Failure to eliminate the violations that entailed bringing to administrative liability provided by parts four, five, six of this Article upon expiry of suspension of the license validity term, shall -

entail a fine on subjects of medium entrepreneurship in amount of two hundred fifty, on subjects of large entrepreneurship - in amount of five hundred fifty monthly calculation indices, with the deprivation of the license.

8. Inappropriate use of grain of the state selling and state stabilization grain resources by grain processing organizations sold to them by an agent for the purpose of regulation of internal market, shall -

entail a fine on subjects of small entrepreneurship in amount of fifty, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of two hundred fifty monthly calculation indices.

9. Non-fulfillment of the obligation on formation of the state resources of grain by domestic grain producers, shall -

entail a fine on subjects of small entrepreneurship in amount of fifty, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of five hundred monthly calculation indices.

10. Breach of the legislation of the Republic of Kazakhstan on grain by members of a commission on temporary management or temporary administration during the period of temporary management of a cereal receiving point, shall -

entail a fine on individuals, subjects of small entrepreneurship in amount of fifty, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of five hundred monthly calculation indices.

11. Failure to comply with the procedure for storing grain by cereal receiving points, as well as with the measures ensuring their quantitative and qualitative preservation, non-ensuring of grain sampling by its owner in established manner; non-ensuring of receipt, storage and dispatch of grain of the state grain resources in a priority (primary) manner, shall -

entail a fine on subjects of medium entrepreneurship in amount of one hundred, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

Article 402. Violations upon carrying out of entrepreneurial activity and rendering of services in the field of seed production

1. Carrying out activity on production, sale, storage, transportation and use of seeds with the breach of the legislation of the Republic of Kazakhstan in the field of seed production committed in the form of:

1) use of the seeds of agricultural plants being contaminated by quarantine objects for sowing (planting);

2) use of the seeds of agricultural plants for sowing (planting) if the seeds belong to the variety that did not pass the state crop variety testing;

3) use of the seeds of agricultural plants for sowing (planting) if the seeds belong to the variety that is not included into the State register of selection achievements admitted for use in the Republic of Kazakhstan or recognized unpromising in the Republic of Kazakhstan;

4) use of the seeds for sowing (planting) in attested elite-seed and seed production that do not conform to variety and sowing qualities;

5) use of the seeds for sowing (planting) that did not undergo the examination of the seeds' sowing qualities;

6) sale and use of the seeds for sowing (planting) that do not conform to the requirements of technical regulations;

7) violation of the procedure and terms for conducting strain renovation and variety changing;

8) failure to acquire original seeds of the varieties and parental forms of hybrids for ensuring of producing elite seeds for the purpose of their further sale;

9) failure to keep accounting of a quantity, origin of the seeds sold and used for own purposes, their varietal and sowing qualities;

10) failure to create insurance and financial funds of the seeds of agricultural plants on account of own funds, shall -

entail a notification or fine on individuals in amount of ten, on subjects of small entrepreneurship - in amount of seventeen, on subjects of medium entrepreneurship - in amount of twenty five, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

2. Violation of the examination of varietal and sowing seed qualities by approbators, experts of seeds and attested legal entities rendering the services on

conduct of approbation of the varietal sowings of agricultural plants, shall -
entail a notification or fine on individuals in amount of ten, on legal entities -
in amount of two hundred monthly calculation indices.

3. Violation of the qualifying requirements submitted to the activity in the field of seed production by attested individuals and legal entities, as well as approbators and experts of seeds, shall -

entail a notification or fine on individuals in amount of twenty, on subjects of small entrepreneurship - in amount of thirty five, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

4. Actions provided by a part three of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on individuals in amount of fifty monthly calculation indices, on attested persons - deprivation of the attestation certificate certifying the right of subjects to carrying out of the activity in the field of seed production.

5. Untimely conduct of attestation, re-attestation of the subjects of seed production, shall -

entail a fine on civil servants in amount of twenty monthly calculation indices.

Footnote. Article 402 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 403. Breach of the legislation of the Republic of Kazakhstan on protection of plants

1. Non-representation, and equally untimely representation of phytosanitary reporting, shall -

entail a fine on individuals in amount of five, on individuals, subjects of small entrepreneurship - in amount of ten, on subjects of medium entrepreneurship - in amount of fifteen, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

2. Conduct of phytosanitary monitoring and phytosanitary measures on the objects of phytosanitary control that entailed development and spreading of hazardous organisms with a number more than economic harmfulness threshold, shall -

entail a fine on individuals in amount of five, on civil servants, subjects of small entrepreneurship - in amount of ten, on subjects of medium entrepreneurship - in amount of fifteen, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

3. Failure to conduct pesticide (toxic chemicals) detoxification and maintenance, support of the special storages (burial grounds) in improper state, committed in the form of:

1) absence of the special storages (burial grounds) for pesticide (toxic chemicals) detoxification and their containers;

2) absence of the methods and technology of pesticide (toxic chemicals) detoxification that become unfit for use and their containers, pesticide (toxic chemicals) developed and provided by the suppliers (producers, importers, sellers);

3) storage of pesticide (toxic chemicals) of the first hazard class that become unfit for the following intended use, in the capacities that do not ensure airtightness and not excepting a possibility of polluting by environmental pesticides (toxic chemicals);

4) packing of pesticides (toxic chemicals) of the second hazard class in multilayered container made of polymer materials without the special inserts (depending on specific of the pesticide (toxic chemical));

5) repacking of pesticides (toxic chemicals) with the damaged integrity of the

package;

6) absence of the high temperature installations ensuring decay of burned compounds to the non-toxic (unhazardous) substances at the places determined in accordance with the legislation by the state bodies of environmental control and sanitary-epidemiological welfare of population for destruction of paper or wooden container of the pesticides (toxic chemicals) by burning;

7) absence of the means of mechanization for loading, transfer and discharge of prohibited pesticides (toxic chemicals) that become unfit for use and their containers, shall -

entail a fine on individuals in amount of five, on civil servants, subjects of small entrepreneurship - in amount of ten, on subjects of medium entrepreneurship - in amount of fifteen, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

4. Failure to take measures on construction of the special storages (burial grounds), shall -

entail a fine on civil servants in amount of ten monthly calculation indices.

5. Action (omission) provided by parts one, two, three and four of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on individuals in amount of ten, on civil servants, subjects of small entrepreneurship - in amount of twenty, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

Footnote. Article 403 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 404. Breach of the legislation of the Republic of Kazakhstan on development of cotton industry

1. Violation of the established procedure for accounting and preservation of documents reflecting performed operations with cotton by cotton processing organizations, shall -

entail a fine on subjects of small entrepreneurship in amount of ten, on subjects of medium entrepreneurship - in amount of fifteen, on subjects of large entrepreneurship - in amount of seventy monthly calculation indices.

2. Violation of the qualifying requirements submitted to an expert organization, the rules for conducting a quality examination of cleaned cotton, raw cotton and issuance of the passport of quality of the cleaned cotton, quality certificate of the raw cotton committed in the form of:

1) absence of the relevant premises based on the right of ownership or in property lease for the organoleptic estimation of the cleaned cotton that meets the requirements of fire and sanitary-epidemiological security;

2) absence of the qualification specialists for a functional and technical maintenance of the automated test measurement system of the cleaned cotton of high efficiency (such as HVI) having the relevant special education and work experience no less than one year on maintenance of the automated test measurement system of the cleaned cotton of high efficiency (such as HVI);

3) absence of the qualified experts on cotton (appraiser) having the relevant special education and work experience no less than two years on organoleptic estimation of quality of the cleaned cotton;

4) absence of technical regulations and regulatory documents on standardization;

5) absence of the specialized automotive transport for a modern delivery of samples of the cleaned cotton from cotton gin plants;

6) non-conformance to requirements of the premises for storage of samples of the cleaned cotton;

7) absence or incomplete equipping by a complex of ceramic colour samples, calibration standards and device for determination of the index of a micronaire, complex of the standard samples of appearance of the cleaned cotton approved or admitted for use in the Republic of Kazakhstan;

8) inaccurate drawing up of an act and registration log of samples collection of the cleaned cotton;

9) violation of the procedure for conduct of the sample collection of the cleaned cotton;

10) violation of the procedure for conduct of tests of the cleaned cotton;

11) inaccurate drawing up and untimely issuance of the passport of quality of the cleaned cotton;

12) inaccurate drawing up of the passport of quality of the cleaned cotton in the form approved by the authorized body;

13) violation of storage life of the cleaned cotton in a laboratory of expert organization after testing before dispatch of the batch by the owner of the cleaned cotton;

14) inaccurate and incomplete drawing up of the sample collection act and registration log of the samples of the cleaned cotton;

15) violation of the procedure for conduct of sample collection of the cleaned cotton;

16) violation of the procedure for conduct of testing of the cleaned cotton;

17) inaccurate drawing up and untimely issuance of the quality certificate of the cleaned cotton;

18) non-conformance to requirements of the premises for storing the samples of the cleaned cotton, shall -

entail a fine on individuals in amount of five, on subjects of small entrepreneurship - in amount of ten, on subjects of medium entrepreneurship - in amount of fifteen, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

3. Avoidance from participation in a system of guaranteeing the fulfillment of obligations on cotton receipts, shall -

entail a fine on subjects of small entrepreneurship in amount of twenty five, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of one hundred twenty monthly calculation indices, with suspension of the license validity term.

4. Non-fulfillment or improper fulfillment of written prescriptions of the local executive bodies of oblasts, cities of republican significance and the capital on elimination of detected breaches of the legislation of the Republic of Kazakhstan on development of the cotton industry within the terms stated in the prescription, shall -

entail a fine on individuals in amount of twenty, on subjects of small entrepreneurship - in amount of twenty five, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of one hundred twenty monthly calculation indices.

5. Carrying out of entrepreneurial activity by a cotton processing organization, prohibited by the Law of the Republic of Kazakhstan on development of cotton industry, issuance of the guarantees and (or) provision of own property in pledge under commitments of the third persons in violation of the requirements of the Law of the Republic of Kazakhstan on development of cotton industry, as well as alienation of the basic funds by the cotton processing organization without which the carrying out of the

activity on rendering of services on warehouse activity with the issuance of the cotton receipts becomes completely impossible or essentially impaired, shall -

entail a fine on subjects of small entrepreneurship in amount of sixty, on subjects of medium entrepreneurship - in amount of one hundred twenty, on subjects of large entrepreneurship - in amount of three hundred monthly calculation indices, with suspension of the licence validity term.

6. Systematical (two and more times within six sequential months) distortion of the quantitative and qualitative indices of cotton upon applications of the holders of the cotton receipts upon condition of their documentary confirmation, shall -

entail a fine on subjects of small entrepreneurship in amount of forty, on subjects of medium entrepreneurship - in amount of eighty, on subjects of large entrepreneurship - in amount of one hundred fifty monthly calculation indices, with suspension of the licence validity term.

7. Provision of knowingly false information by a licensee upon obtainment of the license, shall -

entail a fine on subjects of small entrepreneurship in amount of fifteen, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of seventy monthly calculation indices, with suspension of the licence validity term.

8. Breach of the Law of the Republic of Kazakhstan on development of the cotton industry by the commission members on temporary management or temporary administration during the period of temporary management by the cotton processing organization, shall -

entail a fine on individuals in amount of fifty, on subjects of small entrepreneurship - in amount of eighty, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

9. Non-elimination of the violations that entailed bringing to administrative liability provided by parts five, six, seven and eight of this Article, upon expiry of the term for suspension of the license validity term, shall -

entail deprivation of the license.

Article 405. Violation of requirements of the legislation of the Republic of Kazakhstan upon formation and use of the regional stabilization funds of food commodities

1. Inappropriate use of the regional stabilization funds of food commodities, carrying out of commodity interventions on the products of plant production during the period of harvesting, as well as non-compliance with the rules for formation and use of the regional stabilization funds of food commodities, shall -

entail a fine on civil servants in amount of one hundred, on legal entities - in amount of two hundred monthly calculation indices.

2. Non-compliance with the prices upon procurement of the food commodities into the regional stabilization fund of food commodities and their sale from the regional stabilization fund of food commodities, shall -

entail a fine on legal entities in amount of two hundred fifty monthly calculation indices.

Article 406. Breach of the legislation of the Republic of Kazakhstan in the field of veterinary medicine

1. Breach of the legislation of the Republic of Kazakhstan in the field of veterinary medicine committed in the form of:

1) non-compliance with conditions and requirements of the quarantine and restrictive measures;

2) non-compliance with the veterinary (veterinary and sanitary) rules,

requirements and veterinary standards:

upon placement, construction, reconstruction and putting into operation of the objects of state veterinary and sanitary control and supervision linked with maintenance, breeding, use, production, procurement (slaughtering), storage, processing and sale of the relocated (transferred) objects being subordinated to the state veterinary and sanitary control and supervision;

upon maintenance, breeding and use of animals, including the animals in zoological gardens, circuses, at bee gardens, in aquariums;

upon carrying out of the activity on the objects of internal trade; on production objects carrying out growth of animals, procurement (slaughtering), storage, processing and sale of animals, products and raw materials of animal origin; in organization on production, storage and sale of veterinary preparations, feeding stuff and feed supplements;

upon carrying out of the transportation (displacement) of the relocated (transferred) objects in a territory of the Republic of Kazakhstan being subordinated to the state veterinary and sanitary control and supervision;

3) non-compliance with requirements of the regulatory legal acts on protection of a territory of the Republic of Kazakhstan from carrying and spreading of contagious and exotic diseases of animals from other states;

4) non-compliance with conditions and requirements for slaughtering of the live-stock animals designed for the following selling;

5) carrying out of production, entry (import), sale and applying (use) of veterinary preparations, feed supplements without their state registration, with the exception of the cases of production, entry (import) in capacities required for conduct of their registration tests, shall -

entail a fine on individuals in amount of twenty, on civil servants, subjects of small entrepreneurship or non-profit organizations - in amount of fifty, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

2. Action (omission) provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on individuals in amount of forty, on civil servants, subjects of small entrepreneurship or non-profit organizations - in amount of one hundred, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of four hundred monthly calculation indices.

3. Failure to conduct or improper conduct of veterinary measures, as well as violation of the terms for their conduct, shall -

entail a fine on individuals in amount of twenty five, on civil servants, subjects of small entrepreneurship or non-profit organizations - in amount of one hundred twenty five, on subjects of medium entrepreneurship - in amount of two hundred fifty, on subjects of large entrepreneurship - in amount of five hundred monthly calculation indices.

4. Actions (omission) provided by a part three of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on individuals in amount of fifty, on civil servants, subjects of small entrepreneurship or non-profit organizations - in amount of two hundred fifty, on subjects of medium entrepreneurship - in amount of five hundred, on subjects of large entrepreneurship - in amount of one thousand monthly calculation indices.

5. Non-ensuring of identification of live-stock animals, shall -

entail a fine on civil servants in amount of twenty five monthly calculation

indices.

6. Action (omission) provided by a part five of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall - entail a fine on civil servants in amount of fifty monthly calculation indices.

7. Failure to perform the functions by the local executive bodies imposed on them by the legislation of the Republic of Kazakhstan in the field of veterinary medicine, shall -

entail a notification on civil servants of the local executive bodies.

8. Action (omission) provided by a part seven of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on civil servants of the local executive bodies in amount of one hundred monthly calculation indices.

9. Non-notifying the subdivisions of the local executive bodies carrying out the activity in the field of veterinary medicine, state veterinary organizations created by the local executive bodies, bodies of the state veterinary and sanitary control and supervision on:

1) newly acquired animal (animals), received animal yield, its (their) slaughtering and sale;

2) cases of loss, simultaneous disease of several animals or on their unusual behavior and failure to take the measures of isolate maintenance of the animals upon suspicion of disease before arrival of the specialists in the field of veterinary medicine, state veterinary and sanitary inspectors, shall -

entail a notification or fine on individuals in amount of five, on subjects of small entrepreneurship or non-profit organizations - the fine in amount of twenty five, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

10. Action (omission) provided by a part nine of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on individuals in amount of thirty, on subjects of small entrepreneurship or non-profit organizations - in amount of fifty, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

11. Violation of the procedure for issuance of veterinary documents and requirements to their forms, shall -

entail a fine on civil servants, subjects of small entrepreneurship - in amount of twenty five, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

12. Action (omission) provided by a part eleven of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on civil servants, on subjects of small entrepreneurship - in amount of fifty, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

13. Failure to render assistance to the specialists in the fields of veterinary medicine upon performance of their official duties on conduct of veterinary measures, shall -

entail a fine on individuals in amount of five, on civil servants, subjects of small entrepreneurship or non-profit organizations - in amount of twenty five, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

14. Violation of rules for quarantine of animals, shall -

entail a fine on individuals in amount of five, on civil servants, subjects of small entrepreneurship or non-profit organizations - in amount of twenty five, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

15. Violation of the regulatory legal acts on the issues of struggle against epizootics, as well as other regulatory legal acts in the field of veterinary medicine that did not entail spreading of the epizootics or other grave consequences, shall -

entail a fine on individuals in amount of ten, on civil servants, subjects of small entrepreneurship or non-profit organizations - in amount of twenty five, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

16. Actions (omission) provided by parts thirteen, fourteen and fifteen of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on individuals in amount of twenty, on civil servants, subjects of small entrepreneurship or non-profit organizations - in amount of fifty, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

Article 407. Breach of the legislation of the Republic of Kazakhstan on livestock breeding

1. Breach of the legislation of the Republic of Kazakhstan on livestock breeding committed in the form of:

1) sale of pedigree products (material) that did not undergo assessment by the subjects in the field of livestock breeding;

2) sale of pedigree products (material) without issuance of the pedigree certificate by the subjects in the field of livestock breeding;

3) refusal of the objects in the field of livestock breeding from maintenance of data accounting and non-representation of reporting;

4) non-execution of the acts of the state inspectors on livestock breeding by the subjects in the field of livestock breeding;

5) use of the seed and embryos by the subjects in the field of livestock breeding received from the pedigree animals not registered in the manner established by the legislation of the Republic of Kazakhstan on livestock breeding;

6) use of the pedigree animals that did not undergo assessment by the subjects in the field of livestock breeding for the purpose of reproduction of pedigree animals;

7) falsification of the results of assessing pedigree animals by the subjects in the field of livestock breeding;

8) refusal of individuals and legal entities from representation of data for pedigree animals acquired on account of the budget funds within the development programs of livestock breeding for their registration in the state register of pedigree animals;

9) violation of the procedure for use of pedigree animals by individuals and legal entities, acquired for the purpose of breeding on account of the budget funds within the development programs of livestock breeding, shall -

entail a fine on individuals in amount of ten, on subjects of small entrepreneurship - in amount of thirty, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

2. Non-compliance with the obligations established by the Law of the Republic of Kazakhstan "On livestock breeding" by individuals and legal entities carrying out the activity in the field of livestock breeding subjected to notification, shall -

entail a fine on individuals in amount of ten, on subjects of small

entrepreneurship – in amount of thirty, on subjects of medium entrepreneurship – in amount of fifty, on subjects of large entrepreneurship – in amount of one hundred monthly calculation indices, with suspension of the activity on subjects in the field of livestock breeding or without such.

3. Actions (omission) provided by parts one and two of this Article committed repeatedly second time within a year after imposition of administrative sanction, and equally failure to eliminate the violations provided by parts one and two of this Article that entailed bringing to administrative liability, shall – entail prohibition of the activity in the field of livestock breeding.

Article 408. Violation of rules for maintenance and walking of dogs and cats, rules for catching and destruction of stray dogs and cats

1. Violation of rules for maintenance and walking of dogs and cats, rules for catching and destruction of stray dogs and cats in cities and other inhabited localities, established by the local representative bodies of oblasts, cities of republican significance and the capital, shall –

entail a notification or fine in amount of three monthly calculation indices.

2. The same actions that entailed infliction of harm to health or property of individuals, shall –

entail a fine in amount of ten monthly calculation indices.

Chapter 23. ADMINISTRATIVE INFRACTIONS IN THE FIELD OF EDUCATION, PHYSICAL TRAINING AND SPORT

Footnote. Title of Chapter 23 is in the wording of the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 409. Breach of the legislation of the Republic of Kazakhstan in the field of education, physical training and sport

Footnote. Title of Article 409 is in the wording of the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

1. Non-fulfillment or improper fulfillment of the obligations and standards of pedagogical ethics by a teaching employee, shall –

entail a fine on individuals in amount of ten monthly calculation indices.

2. Non-fulfillment or improper fulfillment of the obligations provided by the legislation of the Republic of Kazakhstan in the field of education by parents or another legal representatives, shall –

entail a fine in amount of ten monthly calculation indices.

3. Non-fulfillment or improper fulfillment of the obligations by a head or other civil servant of educational organization due to negligent or unfair relation to them, if this entailed infliction of light harm to health of the pupils, students and employees of the educational organization during the academic and educational process, shall –

entail a fine in amount of fifty monthly calculation indices.

4. Violation of the requirements by educational organizations committed in the form of:

1) non-compliance with the standard rules for activity of educational organizations;

2) non-compliance with the standard rules for admission in educational organizations;

3) non-compliance with the standard rules for change and reinstatement of students by the types of educational organizations;

4) non-compliance with the standard rules for provision of academic leaves for

students in educational organizations;

5) non-compliance with the standard rules of competitive substitution of the positions of higher-education teaching personnel and scientific workers of educational organizations, shall -

entail a fine on civil servants in amount of ten, on subjects of small entrepreneurship or non-profit organizations in amount of fifteen, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of twenty five monthly calculation indices, with suspension of the license validity term.

5. Creation and activity of organizational structures of political parties in educational organizations, shall -

entail a fine on civil servants, on subjects of small entrepreneurship in amount of ten, on subjects of medium entrepreneurship - in amount of fifteen, on subjects of large entrepreneurship - in amount of twenty five monthly calculation indices.

6. Non-conformance of rendered educational services to the requirements of the state obligatory educational standard, as well as other violations of the requirements of the state obligatory educational standards, shall -

entail a fine on civil servants, on subjects of small entrepreneurship in amount of fifteen, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of thirty monthly calculation indices, with suspension of the license validity term.

7. Action (omission) provided by parts one - six of this Article committed repeatedly second time within a year after imposition of administrative infraction, shall -

entail a fine on individuals in amount of twenty, on civil servants in amount of thirty, on subjects of small entrepreneurship - in amount of forty, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of sixty monthly calculation indices, with deprivation of the license.

8. Non-compliance with the requirements on supplying the sports equipment and equipping the places for conduct of activities and competitions, shall -

entail a fine on legal entities in amount of one hundred monthly calculation indices.

9. Liquidation, change of the designated and functional purpose of health and fitness, sports facilities being in the state ownership without the creation of the equal health and fitness, sports facilities, shall -

entail a fine on civil servants in amount of five hundred monthly calculation indices.

10. Non-compliance with the requirements on supporting participants of sports events by the medical assistance and access of sportsmen to them that did not pass medical examination in accordance with the regulatory requirements, shall -

entail a fine on legal entities in amount of five hundred monthly calculation indices.

11. The act provided by a part nine of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine in amount of one thousand monthly calculation indices.

Footnote. Article 409 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Chapter 24. ADMINISTRATIVE INFRACTIONS ENCROACHING ON PUBLIC SAFETY AND HEALTH OF POPULATION

Article 410. Violation or failure to perform the requirements of fire security

1. Violation or failure to perform the fire-fighting requirements provided by the rules of fire security, technical regulations, construction standards and rules, national standards in organizations, public places, storage capacities, agricultural lands, in halls of residence and residential houses, shall -

entail a notification or fine on individuals in amount of five, on civil servants, subjects of small entrepreneurship or non-profit organizations - in amount of fifteen, on subjects of medium entrepreneurship - in amount of twenty five, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

2. Action (omission) provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on individuals in amount of ten, on civil servants, subjects of small entrepreneurship or non-profit organizations - in amount of twenty, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

3. Action (omission) provided by a part one of this Article that entailed the fire development that inflicted harm to human health or significant damage, in the absence of crime components, shall -

entail a fine on individuals in amount of ten, on civil servants, subjects of small entrepreneurship or non-profit organizations - in amount of twenty, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

Note. As applied to this Article, the significant damage shall be regarded as the sum exceeding fifty monthly calculation indices at the time of commission of the administrative infraction.

Article 410-1. Breach of the legislation of the Republic of Kazakhstan upon conduct of audit in the field of fire security

1. Non-representation or untimely representation of a copy of conclusion on results of conducted audit in the field of fire security by an expert organization to the territorial subdivision of the authorized body in the scope of civil protection, shall -

entail a fine on the expert organization in amount of thirty monthly calculation indices.

2. Representation of conclusion in view of the results of conducting the audit in the field of fire security by the expert organization containing inaccurate information on conformance (non-conformance) of the object of requirement to the fire security, shall -

entail a fine on the expert organization in amount of fifty monthly calculation indices.

3. Action (omission) provided by parts one and two of this Article committed repeatedly second time within a year after imposition of administrative sanction, as well as representation of knowingly false conclusion by the expert organization in view of the results of conducting audit in the field of fire security, shall -

entail a fine on expert organizations in amount of one hundred monthly calculation indices with deprivation of the accreditation certificate.

Footnote. Chapter 24 is supplemented by Article 410-1 in accordance with the Law of the Republic of Kazakhstan dated 29.12.2014 No. 269-V (shall be enforced from 01.01.2015).

Article 411. Release and sale of explosive and fire hazardous products that do not meet the requirements of fire security

Release and sale of explosive and fire hazardous products that do not meet the requirements of fire security, if this did not entail infliction of grave or average

gravity harm to health carelessly and (or) heavy damage to an individual or legal entity, or the state, shall -

entail a fine on civil servants, subjects of small entrepreneurship in amount of thirty, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

Note. As applied to this Article of this Code, the heavy damage shall be regarded as the sum exceeding one hundred monthly calculation indices at the time of commission of administrative infraction.

Article 412. Violation or failure to comply with the safety rules on water reservoir

Violation or failure to comply with the safety rules on water reservoirs committed by a person being liable for their compliance in the absence of the signs of a criminally punishable act, shall -

entail a fine on individuals in amount of seven, on subjects of small entrepreneurship - in amount of ten, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of sixty monthly calculation indices.

Footnote. Article 412 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 413. Violation of requirements of radiation security upon use of nuclear energy

Unreasonable or premeditated release of radioactive substances into the atmosphere, water environment and subsoil in quantities exceeding the levels established by the authorized state bodies; involvement into economic turnover for the purpose of use and consumption of products and materials by the population, subjected to radiation or containing radioactive substances, without permission hereto of the authorized state bodies; permit to work on the object of using the nuclear energy for the persons that did not pass the relevant training or that do not have the document certifying their qualification, as well as the persons under eighteen years or having medical alerts; violation of the requirements on ensuring of accounting and control of radioactive substances and the sources of ionizing radiation, if these actions do not contain the signs of a criminally punishable act, shall -

entail a fine on individuals in amount of twenty, on subjects of small entrepreneurship in amount of forty five, on subjects of medium entrepreneurship - in amount of seventy, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices or deprivation of the license for the relevant type of activity in the field of using the nuclear energy.

Article 414. Violation of requirements of Nuclear proliferation regime

Violation of the established manner of nuclear export and import, violation of the requirements on ensuring of physical protection of nuclear materials, objects of using the nuclear energy; violation of the requirements on ensuring of accounting and control of the nuclear materials, sources of ionizing radiation, if these actions do not contain the signs of a criminally punishable act, shall -

entail a fine on individuals in amount of ten, on civil servants, subjects of small entrepreneurship in amount of forty, on subjects of medium entrepreneurship - in amount of seventy, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices or deprivation of the licenses, special permissions for the activity in the scope of using nuclear energy.

Article 415. Breach of the legislation of the Republic of Kazakhstan in the field of technical regulation

1. Breach of the legislation of the Republic of Kazakhstan in the field of technical regulation committed in the form of:

1) release and sale of the products that do not meet the requirements of the technical regulations;

2) release of the products in a wholesale or retail trade, at markets that do not meet the requirements of a regulatory document on standardization;

3) import and (or) sale of the products subjected to compulsory confirmation of conformity, without existence of the conformity certificate, conformity mark or declaration on conformity, as well as in case of their forgery, expiration or suspension of the validity term;

4) violation of the procedure for performance of the works on confirmation of conformity and accreditation;

5) unreasonable issuance or confirmation of the validity term of the conformity certificate, and equally unreasonable acceptance or registration of a declaration on conformity, applications-declarations, shall -

entail a fine on individuals in amount of thirty, on subjects of small entrepreneurship or non-profit organizations - in amount of sixty five, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices, with suspension of the accreditation certificate, attestations of experts-auditors on confirmation of conformity, accreditation for the term up to six months.

2. Action (omission) provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on individuals in amount of forty five, on subjects of small entrepreneurship or non-profit organizations - in amount of one hundred twenty, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of four hundred monthly calculation indices, with deprivation of the accreditation certificate, attestations of experts-auditors on confirmation of conformity, accreditation.

Article 416. Breach of the legislation in the field of safety ensuring of separate types of products

Failure to terminate the implementation of life cycle processes of the products by the subject from the date of detection of non-conformity to the safety requirements established by the legislative acts on food safety, chemical products, machines and equipment, toys and technical regulations, shall -

entail a fine on individuals in amount of one hundred sixty, on subjects of small entrepreneurship or non-profit organizations - in amount of two hundred thirty, on subjects of medium entrepreneurship - in amount of three hundred ten, on subjects of large entrepreneurship - in amount of one thousand six hundred monthly calculation indices, with suspension of the activity or without such with confiscation of the products or without such.

Note. As applied to this Article, the subjects shall be regarded as the persons being liable for safety of products in accordance with the legislative acts on food safety, chemical products, machines and equipment, tools.

Article 417. Violation of the procedure for issuance of the certificate on origin of goods and conclusion of the configuration of goods of the Customs Union or foreign goods

1. Drawing up and issuance of the acts of examinations on origin of goods, on determination of the status of goods of the Customs Union or foreign goods by experts-auditors on determination of the country of origin of goods, status of goods of the Customs Union or foreign goods in which the data for goods are falsified and (or)

inaccurate, shall -

entail a fine on experts-auditors on determination of the country of origin of goods, status of goods of the Customs Union or foreign goods in amount of ten monthly calculation indices with suspension of the certificates of the experts-auditors on determination of the country of origin of the goods, status of goods of the Customs Union or foreign goods for the term up to six months, on expert organizations - in amount of thirty monthly calculation indices with suspension of the activity for the term up to three months.

2. Refusal in issuance of the certificate on origin of goods in case of representing duly executed act of the examination on origin of goods and documents confirming the origin of goods, by the list approved by the authorized body in the field of technical regulation, documents confirming the origin of goods for internal circulation, or refusal in issuance of the conclusion of the configuration of goods of the Customs Union or foreign goods in case of representing duly executed act of examination on determination of the status of goods of the Customs Union or foreign goods and details, documents confirming the status of the goods of the Customs Union or foreign goods, shall -

entail a fine on organization authorized to issue the certificate on origin of goods, the bodies (organizations) authorized to issue the certificate on origin of goods for internal circulation, the conclusion of the configuration of goods of the Customs Union or foreign goods, in amount of fifty monthly calculation indices.

3. Issuance of the certificate on origin of goods by the authorized organization, the certificate on origin of goods for internal circulation, the conclusion of the configuration of goods of the Customs Union or foreign goods by the bodies (organizations) authorized to issue the certificate on origin of goods for internal circulation, the conclusion of the configuration of goods of the Customs Union or foreign goods, in which the data for goods are falsified and (or) inaccurate, shall -

entail a fine on organization authorized to issue the certificate on origin of goods, the bodies (organizations) authorized to issue the certificate on origin of goods for internal circulation, conclusions of the configuration of goods of the Customs Union or foreign goods in amount of thirty monthly calculation indices.

4. Violation of the term for issuance of the certificate on origin of goods, the certificate on origin of goods for internal circulation, the conclusion of the configurations of goods of the Customs Union of foreign goods by the authorized organization, the bodies (organizations) authorized to issue the certificate on origin of goods for internal circulation, the conclusion of the configuration of goods of the Customs Union or foreign goods, as well as of the written substantiated decision on refusal in their issuance, shall -

entail a fine on organization authorized to issue the certificate, the bodies (organizations) authorized to issue the certificate on origin of goods for internal circulation, the conclusion of the configurations of goods of the Customs Union or foreign goods in amount of thirty monthly calculation indices.

5. Representation of the falsified and (or) inaccurate documents confirming the origin of goods by the list approved by the authorized body in the field of technical regulation for obtaining the certificate on origin of goods, the documents confirming the origin of goods for internal circulation, for obtaining the certificate on origin of goods for internal circulation, as well as details, documents confirming the status of goods of the Customs Union or foreign goods, for obtaining the conclusions of the configurations of goods of the Customs Union or foreign goods, shall -

entail a fine on subjects of small entrepreneurship in amount of twelve, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large

entrepreneurship - in amount of thirty monthly calculation indices.

6. Actions (omission) provided by parts one, two, three and four of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on experts-auditors on determination of the country of origin of goods, status of goods of the Customs Union or foreign goods in amount of forty monthly calculation indices with deprivation of the certificates of experts-auditors on determination of the country of origin, status of goods of the Customs Union or foreign goods, on organization authorized to issue the certificate, the bodies (organizations) authorized to issue the certificate on origin of goods for internal circulation, the conclusion of the configurations of goods of the Customs Union or foreign goods - in amount of one hundred monthly calculation indices, on expert organizations - in amount of sixty monthly calculation indices, with suspension of the activity for the term up to three months.

Article 418. Violation of the national standards imposed on the National Flag of the Republic of Kazakhstan and the National Emblem of the Republic of Kazakhstan, as well as material objects with their image

1. Production, use and placement of the National Flag of the Republic of Kazakhstan and the National Emblem of the Republic of Kazakhstan, as well as material objects with their image that do not conform to the relevant requirements of the national standard, shall -

entail a fine on individuals in amount of fifty, on subjects of small entrepreneurship or non-profit organizations - in amount of one hundred, on subjects of medium entrepreneurship - in amount of one hundred fifty, on subjects of large entrepreneurship - in amount of four hundred monthly calculation indices.

2. Action provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on individuals in amount of eighty, on subjects of small entrepreneurship or non-profit organizations - in amount of one hundred forty, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of five hundred monthly calculation indices.

Article 419. Breach of the legislation of the Republic of Kazakhstan on ensuring the unity of measurements

1. Breach of the legislation of the Republic of Kazakhstan on ensuring the unity of measurements committed in the form of:

1) admission of non-conformity of the quantity of the packaged goods contained in the packs of any type upon their prepackaging, sale and import to the quantity indicated on the packs;

2) admission of non-conformity of determination of weighing, volume, expenditure or other quantities characterizing the quantity of goods alienated upon commission of commercial operations to the quantity of goods stated in a control (sales) check or another document confirming the purchase of inspected goods;

3) adjustment of measuring instruments, metrological certification of the procedure of measurements without accreditation;

4) issuance in circulation, applying, sale and advertising of measuring instruments and standard samples subjected to the state metrological control that did not pass testing for the purpose of type approval or metrological certification, as well as adjustment and (or) not included into the register of the state system of ensuring the unity of measurements;

5) applying the methods for measuring subjected to the state metrological control

and that did not pass the metrological certification and registration into the register of the state system of ensuring the unity of measurements, shall -

entail a fine on individuals in amount of thirty, on subjects of small entrepreneurship or non-profit organizations - in amount of sixty five, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices, with suspension of the accreditation certificate, certificate of the technical expert in the field of ensuring the unity of measurements, certificate of the verification officer for the term up to six months.

2. Actions (omission) provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on individuals in amount of thirty, on subjects of small entrepreneurship or non-profit organizations - in amount of ninety, on subjects of medium entrepreneurship - in amount of one hundred fifty, on subjects of large entrepreneurship - in amount of three hundred monthly calculation indices, with deprivation of the accreditation certificate, certificate of the technical expert in the field of ensuring the unity of measurements, certificate of the verification officer.

Footnote. Article 419 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 420. Failure to take measures for destruction of wild hemp

Failure to take measures for destruction of wild hemp on sowings of agricultural crops, in gardens, vineyards, breeding nurseries and parks, on the sidelines of the fields, irrigation and irrigation-amelioratory networks, on the waysides of the common and railway roads, in a territory of organizations, on the land fields of inhabitants of cities, rural settlements and other inhabited localities, as well as on the lands of the state forest and water funds, state reserve and secured to the organizations after prescription, shall -

entail a fine on individuals in amount of ten, on subjects of small entrepreneurship or non-profit organizations - in amount of forty, on subjects of medium entrepreneurship - in amount of seventy, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

Article 421. Failure to take measures for ensuring protection of the drug containing sowings

Failure to take measures for ensuring established regime of protection of hemp, poppy sowings and other plants containing narcotic substances, places for storage and processing of the harvests of these crops, and equally failure to take measures for destruction of the stubble remains and production wastes containing narcotic substances, shall -

entail a fine on subjects of small entrepreneurship or non-profit organizations in amount of sixty, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

Article 422. Failure to take measures for suppression of sale and (or) nonmedical consumption of narcotic drugs, psychotropic substances and precursors

1. Failure to take measures for suppression of sale and (or) nonmedical consumption of narcotic drugs, psychotropic substances and precursors by the owner of entertaining establishment, as well as educational institution, shall -

entail a fine on subjects of small entrepreneurship or non-profit organizations in amount of one hundred fifty, on subjects of medium entrepreneurship - in amount of three

hundred, on subjects of large entrepreneurship - in amount of one thousand monthly calculation indices.

2. Actions (omission) provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall - entail a fine on subjects of small entrepreneurship or non-profit organizations in amount of two hundred, on subjects of medium entrepreneurship - in amount of four hundred, on subjects of large entrepreneurship - in amount of two thousand monthly calculation indices.

Note. Entertainment establishments mentioned in this Code shall include gambling establishments, nightclubs, coffee bars, restaurants, Internet cafes, computer, billiard, bowling clubs and cinemas, objects of theater and entertaining purpose and other buildings, premises, structures in which the services of entertaining and leisure, theater and entertaining, sporting, cultural and leisure purpose are rendered.

Article 423. Propaganda and illegal advertising of narcotic drugs, psychotropic substances and precursors

1. Propaganda and illegal advertising of narcotic drugs,, psychotropic substances and precursors, shall -

entail a fine on subjects of small entrepreneurship in amount of one hundred fifty, on subjects of medium entrepreneurship - in amount of three hundred, on subjects of large entrepreneurship - in amount of five hundred monthly calculation indices.

2. Advertising of narcotic drugs and psychotropic substances included into the list of narcotic drugs, psychotropic substances and precursors subjected to control in the Republic of Kazakhstan in the unspecialized printed publications, designed for medical and pharmaceutical workers, and equally distribution of the samples of medical preparations for the purpose of advertising containing narcotic drugs and psychotropic substances, shall -

entail a fine on subjects of small entrepreneurship in amount of two hundred, on subjects of medium entrepreneurship - in amount of four hundred, on subjects of large entrepreneurship - in amount of seven hundred monthly calculation indices, with deprivation of the license for the relevant type of activity or without such.

Notes.

1. The propaganda of narcotic drugs, psychotropic substances and precursors in this Article shall be regarded as the activity of individuals and legal entities oriented to distribution of the details on techniques, methods of development, production and use, the places of acquisition of narcotic drugs, psychotropic substances and precursors, as well as production and distribution of the book products, publication materials, distribution in computer networks of the mentioned details or commission of the other actions for these purposes.

2. The illegal advertising of narcotic drugs, psychotropic substances and precursors in this Article shall be regarded as the activity of individuals and legal entities on distribution and placement of any information in any form, with the help of any means that has the unconscious impact on perception and instincts of a human, forms or supports his (her) interests in narcotic drugs, psychotropic substances and precursors.

Article 424. Illegal medical and (or) pharmaceutical activity

1. Engagement in illegal medical and (or) pharmaceutical activity by a person that does not have the certificate and (or) the license for this type of activity, shall -

entail a fine on individuals in amount of five, on civil servants -in amount of fifteen, on subjects of small entrepreneurship - in amount of twenty, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of seventy monthly calculation indices.

2. Rendering of the guaranteed volume of free medical assistance on a paid basis in the healthcare organizations rendering it, shall -

entail a fine on individuals in amount of ten, on civil servants, subjects of small entrepreneurship - in amount of thirty, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of four monthly calculation indices.

3. Repeated commission of the acts provided by a part two of this Article within a year after imposition of administrative sanction, shall -

entail a fine on individuals in amount of thirty with deprivation of the specialist's certificate, on civil servants, subjects of small entrepreneurship - in amount of sixty five, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of seven hundred monthly calculation indices, with confiscation of the incomes received due to commission of the administrative infraction.

4. Conspicuousness of the sessions of mass healing (two and more people), as well as with the use of mass media, shall -

entail a fine in amount of one hundred fifty monthly calculation indices.

5. Participation of medical workers, authorized to prescript medical products in the advertising of the medical products, sale of the medical products by the medical workers at the workplace, with the exception of cases provided by the legislation, as well as appointment to the certain pharmacy organizations and the other types of organizations and the other forms of cooperation with them for the purpose of obtaining remuneration, shall -

entail a fine on individuals in amount of eighty monthly calculation indices with the deprivation of the specialist's certificate, on civil servants, subjects of small entrepreneurship - in amount of one hundred, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of three hundred monthly calculation indices.

Article 425. Violation of requirements of the legislation in the field of sanitary and epidemiological welfare of population, as well as hygienic standards

1. Violation of the regulatory legal acts in the field of sanitary and epidemiological welfare of population, as well as hygienic standards, technical regulations that did not entail carelessly mass disease or intoxication of people, shall -

entail a fine on individuals in amount of ten, on civil servants, subjects of small entrepreneurship - in amount of twenty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of one hundred twenty monthly calculation indices.

2. Action (omission) provided by a part one of this Article that entailed infliction of harm to the human health, if this action (omission) does not contain the signs of a criminally punishable act, shall -

entail a fine on individuals in amount of two hundred, on civil servants, subjects of small entrepreneurship or non-profit organizations - in amount of three hundred, on subjects of medium entrepreneurship - in amount of four hundred, on subjects of large entrepreneurship - in amount of two thousand monthly calculation indices.

Article 426. Violation of the rules of pharmaceutical activity and scope of circulation of medical products, medical accessories and medical devices

1. Violation of the rules for registration and reregistration, production, manufacturing and quality control, testing (research), entry, procurement,

transportation, storage, marking, sale, applying (use), ensuring, destruction, advertising of medical products, medical accessories and medical devices, if it did not inflict harm to human health, shall -

entail a fine on individuals in amount of seventy, on civil servants - in amount of one hundred, on subjects of small entrepreneurship - in amount of one hundred thirty, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of one thousand monthly calculation indices.

2. Production, procurement, transportation, storage, sale, applying (use), advertising of unregistered, forbidden for applying medical products, medical accessories and medical devices, if they did not entail infliction of harm to human health, shall -

entail a fine on individuals in amount of one hundred, on civil servants - in amount of one hundred fifty, on subjects of small entrepreneurship - in amount of two hundred, on subjects of medium entrepreneurship - in amount of three hundred, on subjects of large entrepreneurship - in amount of one thousand five hundred monthly calculation indices, with suspension of the activity, with confiscation of medical products and the products equated to them, medicinal and prophylactic food and food supplements, as well as cosmetic units that are the direct subjects of commission of administrative infraction and incomes obtained due to commission of the administrative infraction.

3. Acts provided by parts one or two of this Article that entailed infliction of harm to human health, if these actions do not contain the signs of a criminally punishable act, shall -

entail a fine on individuals in amount of two hundred, on civil servants - in amount of three hundred, on subjects of small entrepreneurship - in amount of three hundred fifty, on subjects of medium entrepreneurship - in amount of four hundred, on subjects of large entrepreneurship - in amount of two thousand monthly calculation indices, with confiscation of medical products, medical accessories and medical devices, medicinal and prophylactic food and food supplements, as well as cosmetic units that are the direct subjects of commission of administrative infraction and incomes obtained due to commission of the administrative infraction.

Article 427. Violation of requirements of technical resistance of objects and premises in the scope of turnover of narcotic drugs, psychotropic substances, precursors

1. Violation of requirements of technical resistance of objects and premises in the scope of turnover of narcotic drugs, psychotropic substances, precursors, shall -

entail a fine on subjects of small entrepreneurship in amount of twenty five, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices, with suspension of the activity of a legal entity.

2. Action (omission) provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on subjects of small entrepreneurship in amount of one hundred seventy five, on subjects of medium entrepreneurship - in amount of three hundred fifty, on subjects of large entrepreneurship - in amount of two thousand monthly calculation indices, with the prohibition of the activity of a legal entity.

Article 428. Inaccurate advertising in the field of public health service

Dissemination of advertising of medical services, methods and means of preventative measures, diagnostics, treatment and medical rehabilitation by an advertiser that does not have the license for carrying out the relevant type of

activity, as well as advertising of biological active food supplements without their state registration, if this action does not have the signs of a criminally punishable act, shall -

entail a fine on individuals in amount of ten, on civil servants - in amount of twenty five, on subjects of small entrepreneurship - in amount of one hundred, on subjects of medium entrepreneurship - in amount of one hundred fifty, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

Article 429. Avoidance from medical examination and treatment of the persons contacting with those who are HIV infected, has AIDS, venereal diseases, tuberculosis, as well as the persons using narcotic drugs or psychotropic substances without medical disposal

1. Avoidance from medical examination and treatment of the persons contacting with those who are HIV infected, has AIDS, venereal diseases, tuberculosis, that continues after written warning made by the health care institution, shall -

entail a fine in amount of five monthly calculation indices.

2. Avoidance from medical examination and treatment of the persons recognized as suffering from alcoholism, drug addiction and substance abuse or in respect of whom there are sufficient data that they use drugs or psychotropic substances without medical disposal, shall -

entail a fine in amount of ten monthly calculation indices.

Article 430. Avoidance from treatment of the persons with the diseases representing danger for wider public

1. Refusal from taking medical products and another avoidance from treatment of the persons with the diseases representing danger for wider public, the list of which is determined by the Government of the Republic of Kazakhstan, as well as the persons being in contact with them and that are in need of preventive treatment, that continues after written warning made by the health care institution, shall -

entail a fine in amount of five monthly calculation indices.

2. Avoidance of parents or the persons substituting them from treatment of minor children with the diseases representing danger for wider public, the list of which is determined by the Government of the Republic of Kazakhstan, shall -

entail a fine on individuals in amount of ten monthly calculation indices.

Article 431. Concealment of the source of infection by the persons with diseases representing danger for the wider public and the persons being in contact with them

Concealment of the source of infection by the persons with diseases representing danger for the wider public and the persons being in contact with them, creating the danger of infecting the other persons by these diseases, shall -

entail a fine in amount of five monthly calculation indices.

Article 432. Representation of knowingly false details and information upon receipt of permitting documents for engagement in medical, pharmaceutical activity

1. Representation of knowingly false details and information upon receipt of permitting documents for engagement in medical, pharmaceutical activity, including by falsification of the documents if this action does not contain the signs of a criminally punishable act, shall -

entail a fine on individuals in amount of ten, on civil servants, subjects of small entrepreneurship - in amount of fifteen, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of thirty monthly

calculation indices.

2. The same act committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on individuals in amount of twenty, on civil servants, subjects of small entrepreneurship - in amount of thirty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of sixty monthly calculation indices.

Article 433. Violation of the obligation by the public health service entities on informing the authorized bodies

1. Violation of the obligation by the public health service entities on informing the authorized body in the field of public health service on the cases of infectious diseases, intoxications, mental and behavioral disorders (diseases) representing the danger for the wider public, the bodies of emergency situations on a threat of occurrence and (or) on occurrence of medical and sanitary consequences of emergencies, the internal affairs bodies - on the persons that referred concerning the fresh injuries, wounds, criminal abortions, on cases of diseases representing the danger for the wider public, shall -

entail a fine on individuals in amount of five, on civil servants - in amount of ten monthly calculation indices.

2. The same action (omission) committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on individuals in amount of ten monthly calculation indices with the deprivation of the certificate, on civil servants - in amount of twenty monthly calculation indices.

Chapter 25. ADMINISTRATIVE INFRACTIONS ENCROACHING ON PUBLIC ORDER AND MORALITY

Article 434. Disorderly conduct

1. Disorderly conduct, i.e. abusive language in public places, offensive harassment to individuals, contamination of residential premises, dirtying of the places of common use, parks, public gardens, as well as release of household wastes in unestablished places and other similar actions expressing disrespect to the wider public, violating the public order and calm of individuals, shall -

entail a fine in amount of ten monthly calculation indices or administrative arrest for the term up to ten days.

2. Actions provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail administrative arrest for the term up to fifteen days.

3. Actions provided by a part two of this Article committed by persons in respect of whom the administrative arrest shall not be applied in accordance with a part two of Article 50 of this Code, shall -

entail a fine in amount of twenty monthly calculation indices.

Article 435. Hooliganism committed by a minor

Disorderly conduct or hooliganism provided by a part one of Article 293 of the Criminal Code of the Republic of Kazakhstan committed by a minor at the age from fourteen to sixteen, shall -

entail a fine on parents or the persons substituting them in amount of seven monthly calculation indices.

Article 436. Shooting from fire arms, gas, air weapon, launch of pyrotechnical substances and products with their applying in inhabited localities

1. Shooting from fire arms, gas (with the exception of cases of self-protection), air weapon in inhabited localities and at the places not assigned for this, shall -
entail a fine in amount of ten monthly calculation indices with confiscation of the weapon or without such.

2. Explosion of the special and home-produced pyrotechnical devices in inhabited localities and at the places not assigned for this, violating the rest of individuals, established order and that did not entail infliction of the heavy material damage, shall -
entail a fine in amount of ten monthly calculation indices with confiscation of the pyrotechnical means and devices.

3. Actions provided by parts one and two of this Article committed by the minors at the age up to sixteen, shall -
entail a notification or fine on parents or the persons substituting them in amount of ten monthly calculation indices with the confiscation of the pyrotechnical devices.

4. Actions provided by parts one and two of this Article committed repeatedly second time within a year after imposition of administrative sanction, and equally by the person being brought to the administrative liability within a year for the infraction provided by Article 437 of this Code, shall -
entail a fine in amount of fifteen monthly calculation indices with the confiscation of the subject being a tool or instrument for commission of the administrative infraction.

Article 437. Violation of silence

1. Violation of silence at night time (from 23 to 6 hours), as well as performance of the works in residential premises and outside them with a noise not linked with urgent necessity, impeding the normal rest and calm of the individuals, shall -
entail a fine on individuals in amount of five, on subjects of small entrepreneurship or noon-profit organizations - in amount of ten, on subjects of medium entrepreneurship - in amount of fifteen, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

2. The same action committed repeatedly second time within a year after imposition of the administrative sanction, shall -
entail a fine on individuals in amount of ten, on subjects of small entrepreneurship or noon-profit organizations - in amount of twenty, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of ninety monthly calculation indices.

Article 438. Knowingly false call of special services

1. Knowingly false call of the bodies of the state fire-fighting service, police, ambulance service, emergency services, shall -
entail a fine on individuals in amount of thirty monthly calculation indices.

2. Actions provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction or committed during the period of liquidation of the accidents, fires, consequences of natural disasters, shall -
entail a fine on individuals in amount of sixty monthly calculation indices.

3. Actions provided by parts one and two of this Article committed by the minors at the age from fourteen to sixteen years, shall -
entail a notification or fine on parents and the persons substituting them in amount of fifteen monthly calculation indices.

Article 439. Knowingly false information on a fact of corruption

Reporting of knowingly false information on a fact of corruption to the body leading the fight against corruption, shall -

entail a fine on individuals in amount of two hundred monthly calculation indices.

Article 440. Drinking of alcohol or appearance in public places in a state of intoxication

1. Drinking of alcohol in the streets and in other public places, except for the trade and public catering organizations, in which the sale of alcohol drinks on draught is permitted by the local executive body, or appearance in public places in a state of intoxication offending the human dignity and public morality, shall -

entail a fine in amount of five monthly calculation indices.

2. Appearance of the persons under eighteen years in public places in a state of intoxication, and equally drinking of alcohol by them, shall -

entail a fine on parents or the persons substituting them in amount of five monthly calculation indices.

3. Actions provided by parts one and two of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine in amount of ten monthly calculation indices.

4. Actions provided by parts one and two of this Article committed by a person that was subjected twice to the administrative sanction within a year for drinking of alcohol or appearance in public places in a state of intoxication, shall -

entail administrative arrest for the term up to five days.

5. Actions provided by a part four of this Article committed by the persons to which the administrative arrest in accordance with a part three of Article 50 of this Code may not be applied, shall -

entail a fine in amount of fifteen monthly calculation indices.

Article 441. Violation of the prohibition of consuming tobacco products in separate public places

Footnote. Title of Article 441 is in the wording of the Law of the Republic of Kazakhstan dated 06.04.2015 No. 299-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

1. Consumption of tobacco products in separate public places in which the legislation of the Republic of Kazakhstan established the prohibition for consuming the tobacco products, shall -

entail a fine on individuals in amount of three monthly calculation indices.

2. Action provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on individuals in amount of six monthly calculation indices.

3. Breach of the legislation of the Republic of Kazakhstan by an employer, providing allocation of the special places for consuming tobacco products, as well as failure to take measures against the persons consuming the tobacco products in the special places not defined for that, shall -

entail a fine on civil servants in amount of ten, on legal entities - in amount of forty monthly calculation indices.

Footnote. Article 441 as amended by the Law of the Republic of Kazakhstan dated 06.04.2015 No. 299-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Article 442. Appearance of minors in entertaining premises or outside dwelling place at night time without accompanying of legal representatives

Footnote. Title of Article 442 is in the wording of the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

1. Appearance of minors in entertaining premises at night time without accompanying of legal representatives from 22 to 6 hours, shall - entail a fine on legal representatives in amount of three monthly calculation indices.

2. Appearance of minors without accompanying of legal representatives outside a dwelling place from 23 to 6 hours, shall - entail a notification on legal representatives.

3. Actions provided by parts one and two of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall - entail a fine on legal entities in amount of fifteen monthly calculation indices.

Footnote. Article 442 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 443. Insubordination to legal requirement of the person that takes participation in ensuring public order

1. Insubordination to legal requirement of the person that takes participation in ensuring public order, shall -

entail a fine in amount of five monthly calculation indices.

2. Action (omission) provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine in amount of ten monthly calculation indices or administrative arrest up to five days.

Footnote. Article 443 is in the wording of the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 444. Participation, involvement or access to gambling games

1. Participation in gambling games (for money, things and other values) at the places not allocated for that, and equally takings stacks for sport and other competitions by the persons that do not have the special permission, shall - entail a fine on individuals in amount of two hundred monthly calculation indices with the confiscation of playing accessories, money, things and other values.

2. Involvement and access of the citizens of the Republic of Kazakhstan at the age up to twenty one year in playing gambling games and (or) betting for money, things and other values, shall -

entail a fine on individuals in amount of three hundred monthly calculation indices.

Article 445. Breach of the legislation of the Republic of Kazakhstan on gambling business

1. Paragraph 1 enters into force upon expiry of six months after the date of its first official publication in accordance with the Law of the Republic of Kazakhstan dated 24.04.2015 No. 310-V.

2. Betting, taking (registration) of stacks, payment of winnings outside gambling premises (totalizator counters or bookmaker's offices) or organization and conduct of the gambling games and (or) betting providing taking of the stacks and (or) giving of the winning in the form of one property, except for the money by the organizer of gambling business, with the exception of the case established by the Law, shall -

entail a fine on subjects of medium entrepreneurship in amount of three hundred, on subjects of large entrepreneurship - in amount of one thousand monthly calculation indices, with suspension of the license validity term.

3. Non-compliance with the requirements of a percentage of the winning technologically built into a game machine, shall -

entail a fine on subjects of medium entrepreneurship in amount of three hundred,

on subjects of large entrepreneurship - in amount of one thousand monthly calculation indices, with the confiscation of the incomes received due to commission of the administrative infraction, and suspension of the license validity term.

4. Non-fulfillment of the conditions on formation, use, ensuring of placing the compulsory reserves on a permanent basis by an organizer of gambling business in the manner and on conditions determined by the legislation of the Republic of Kazakhstan, shall -

entail a fine on subjects of medium entrepreneurship in amount of three hundred, on subjects of large entrepreneurship - in amount of one thousand monthly calculation indices with the suspension of the license validity term.

5. Installation of game machines or their parts in walls, window and door apertures in a casino and hall of game machines, shall -

entail a fine on subjects of medium entrepreneurship in amount of three hundred, on subjects of large entrepreneurship - in amount of one thousand monthly calculation indices with the suspension of the license validity term.

Non-compliance with the requirements on equipping the pay offices and playing places of gambling premises by video recording systems by an organizer of the gambling business or violation of the terms for storage of recorded information or conditions of recording, or non-fulfillment of the obligation to establish the equipment for organization and conduct of betting, shall -

entail a fine on subjects of medium entrepreneurship in amount of three hundred, on subjects of large entrepreneurship - in amount of one thousand monthly calculation indices with the suspension of the license validity term.

7. Paragraph 7 enters into force upon expiry of six months after the date of its first official publication in accordance with the Law of the Republic of Kazakhstan dated 24.04.2015 No. 310-V.

8. Use of game machines by an organizer of gambling business with the violation of requirements of the legislation of the Republic of Kazakhstan in the field of technical regulation, shall -

entail a fine on subjects of medium entrepreneurship in amount of three hundred, on subjects of large entrepreneurship - in amount of one thousand monthly calculation indices with the suspension of the license validity term.

9. Paragraph 9 enters into force upon expiry of six months after the date of its first official publication in accordance with the Law of the Republic of Kazakhstan dated 24.04.2015 No. 310-V.

10. Paragraph 10 enters into force upon expiry of six months after the date of its first official publication in accordance with the Law of the Republic of Kazakhstan dated 24.04.2015 No. 310-V.

11. Actions (omission) provided by parts one, two, four, five, six, seven, nine and ten of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine on subjects of medium entrepreneurship in amount of four hundred, on subjects of large entrepreneurship - in amount of two thousand monthly calculation indices with the deprivation of the license.

12. Acts provided by parts three and eight of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine on subjects of medium entrepreneurship in amount of four hundred, on subjects of large entrepreneurship - in amount of two thousand monthly calculation indices with the confiscation of incomes received due to commission of the administrative infraction, and deprivation of the license.

Footnote. Article 445 as amended by the Law of the Republic of Kazakhstan dated

24.04.2015 No. 310-V (shall be enforced upon expiry of twenty one calendar days after the date of its first official publication).

Article 446. Advertising of the products of erotic content

Sale, distribution or advertising of the products of erotic content at the places not allocated for these purposes, shall -

entail a fine on individuals in amount of twenty monthly calculation indices with the confiscation of the products of erotic content.

Article 447. Violation of the rules for protection and use of the monuments of history and culture

Violation of the rules for protection and use of the monuments of history and culture protected by the state, shall -

entail a fine on individuals in amount of five, on civil servants - in amount of ten monthly calculation indices.

Article 448. Vandalism of minors

Vandalism, i.e. contamination of the buildings, other structures, monuments of history and culture, natural objects protected by the state, burial places of people by signatures or drawings, or by other actions offending public morality, and equally intended waste of the property on a transport or in other public places, committed by the minors at the age under sixteen years, shall -

entail a fine on parents or the persons substituting them in amount of fifteen monthly calculation indices.

Article 449. Harassment in public places

1. Harassment, i.e. importunate address in public places for the purpose of purchase, sale, exchange or acquisition of the things by other method, by the person that is not an entrepreneurship entity, as well as for the purpose of fortunetelling, beggary, rendering of sexual services or solicitation of another services, shall -

entail a fine on individuals in amount of five monthly calculation indices.

2. Actions provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of ten monthly calculation indices or administrative arrest for the term up to five days.

3. Actions provided by a part one of this Article committed a foreign person or stateless person, shall -

entail an administrative arrest for the term up to five days with the administrative expulsion beyond the borders of the Republic of Kazakhstan.

Footnote. Article 449 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 450. Provision of premises knowingly for prostitution or procurement

1. Provision of premises knowingly for prostitution or procurement, shall -

entail a fine on individuals in amount of one hundred, on civil servants, subjects of small entrepreneurship - in amount of one hundred fifty, on subjects of medium entrepreneurship - in amount of three hundred, on subjects of large entrepreneurship - in amount of one thousand monthly calculation indices, with suspension of their activity or separate types of activity for the term up to three months.

2. The same action committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine on individuals in amount of one hundred fifty, on civil servants, subjects of small entrepreneurship - in amount of two hundred, on subjects of medium entrepreneurship - in amount of four hundred, on subjects of large entrepreneurship - in amount of two thousand monthly calculation indices, with the termination of their

activity or separate types of activity for the term up to three years with the confiscation of incomes received due to commission of the administrative infraction.

Chapter 26. ADMINISTRATIVE INFRACTIONS IN THE FIELD OF PRINT AND INFORMATION

Article 451. Breach of the legislation of the Republic of Kazakhstan on mass media

1. Distribution of the media products, as well as messages and materials of the informational agency without registration or after issuance of a decision on suspension, termination of their broadcast (airing) or recognition of a certificate on registration as invalid, shall -

entail a fine on civil servants in amount of ten, on subjects of small entrepreneurship - in amount of twenty, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of three hundred monthly calculation indices, with the confiscation of the media products.

2. Production, manufacturing, replication and (or) distribution of the media products, as well as messages and materials of the informational agency without the reregistration in cases of change of the owner or its legal organizational form, name, as well as the name of mass media, changing language of publication or broadcasting, territory of distribution, main thematic scope, periodicity of broadcasting, shall -

entail a fine on civil servants in amount of forty, on subjects of small entrepreneurship - in amount of one hundred, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of one thousand monthly calculation indices, with the suspension of broadcast (airing) of the mass media for the term up to three months.

3. Actions provided by a part two of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a prohibition of the broadcast (airing) of the mass media.

Article 452. Breach of the legislation of the Republic of Kazakhstan on television and radio broadcasting

1. Breach of the legislation of the Republic of Kazakhstan on television and radio broadcasting by television and radio broadcasting companies committed in the form of:

1) distribution of domestic television and radio programs less than established rate of interest by domestic television and radio channels;

2) distribution of the television news programs on a television channel without ensuring of sign language interpretation or translation in the form of subtitles;

3) distribution of additional information on a television channel exceeding fifteen percent of the picture area;

4) failure to ensure the quality of providing television and radio programs by the television and radio channels in accordance with the rules for connecting the technical means of television and radio broadcasting to the operators' networks of the television and radio broadcasting, technical operation of the television and radio broadcasting systems and requirements of the national standards of television and radio broadcasting, shall -

entail a fine on civil servants in amount of fifty, on subjects of small entrepreneurship or non-profit organizations - in amount of one hundred, on subjects of medium entrepreneurship - in amount of one hundred fifty, on subjects of large entrepreneurship - in amount of three hundred monthly calculation indices.

2. Acts provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine on civil servants in amount of one hundred, on subjects of small entrepreneurship or non-profit organizations - in amount of one hundred fifty, on

subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of four hundred monthly calculation indices.

3. Distribution of the programs through the television and radio channels in Kazakh language less than a total volume of the programs in other languages in time intervals with the length of six hours each, calculated from zero hours of local time, shall -

entail a fine on civil servants in amount of ten, on subjects of small entrepreneurship - in amount of twenty, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of three hundred monthly calculation indices, with the confiscation of printed or other products and suspension of the broadcasting (airing) of the mass media for the term up to three months.

4. Action provided by a part three of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine on civil servants in amount of fifty, on subjects of small entrepreneurship - in amount of one hundred fifty, on subjects of medium entrepreneurship - in amount of two hundred fifty, on subjects of large entrepreneurship - in amount of one thousand monthly calculation indices, with the deprivation of the license for activity on organizing the television and (or) radio broadcasting and prohibition of broadcasting (airing) of the mass media.

5. Broadcasting of the relay of the television and radio programs of foreign television and radio channels in the weekly volume by domestic television and radio channel, exceeding twenty percent of the total volume of television and radio programs, shall -

entail a fine on civil servants in amount of fifty, on legal entities - in amount of one hundred monthly calculation indices.

6. Action provided by a part five of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine on civil servants in amount of one hundred, on legal entities - in amount of two hundred monthly calculation indices, with the suspension of the broadcasting (airing) of the mass media for the term up to three months.

7. Breach of the legislation of the Republic of Kazakhstan on television and radio broadcasting by the operators of television and radio broadcasting committed in the form of:

1) failure to distribute compulsory television and radio channels by the operators of television and radio broadcasting;

2) violation of the conditions for relay of a television and radio channel by the operators of television and radio broadcasting, shall -

entail a fine on civil servants in amount of fifty, on subjects of small entrepreneurship or non-profit organizations - in amount of one hundred, on subjects of medium entrepreneurship - in amount of one hundred fifty, on subjects of large entrepreneurship - in amount of three hundred monthly calculation indices.

8. Acts provided by a part seven of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine on civil servants in amount of one hundred, on subjects of small entrepreneurship or non-profit organizations - in amount of one hundred fifty, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of four hundred monthly calculation indices.

9. Breach of the legislation of the Republic of Kazakhstan on television and radio broadcasting by television and radio broadcasting companies and operators of the television and radio broadcasting committed in the form of:

1) organization of a system of community reception that does not provide commercial purpose without the written consent of the owners of a building and (or) buildings;

2) distribution of the television programs that may inflict harm to an individual, moral and spiritual development of children and youth;

3) untimely distribution of a warning signal of the population by the operators of television and radio broadcasting and television and radio companies on a threat to life, health of people and procedure for the actions in the existing situation of natural and technogenic character, as well as in behalf of defence, national security and protection of public order;

4) use of technical means of television broadcasting that did not pass the procedures for confirmation of conformity;

5) creation of noises for the radio transmitting and radio receiving communication means by individually land satellite receiving facilities;

6) distribution of the television and radio channels by the operators of television and radio broadcasting that are not registered, reregistered in the authorized body, shall -

entail a fine on civil servants in amount of fifty, on subjects of small entrepreneurship or non-profit organizations - in amount of one hundred, on subjects of medium entrepreneurship - in amount of one hundred fifty, on subjects of large entrepreneurship - in amount of three hundred monthly calculation indices.

10. Acts provided by a part nine of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine on civil servants in amount of one hundred, on subjects of small entrepreneurship or non-profit organizations - in amount of one hundred fifty, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of four hundred monthly calculation indices.

Article 453. Manufacturing, storage, inflow, transmission, distribution of media products, and equally other products in a territory of the Republic of Kazakhstan

1. Manufacturing, storage, inflow, transmission of the media products in a territory of the Republic of Kazakhstan containing details and materials oriented to the propaganda or agitation of the forcible change of constitutional order, violation of integrity of the Republic of Kazakhstan, subversion of the state security, wars, incitement of the social, race, national, religious, class and tribal dissension, cult of cruelty, violence and pornography, shall -

entail a fine on individuals in amount of twenty, on civil servants - in amount of twenty five, on subjects of small entrepreneurship or non-profit organizations - in amount of fifty, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices, with the confiscation of the media products.

2. Distribution of the media products in a territory of the Republic of Kazakhstan containing details and materials oriented to the propaganda or agitation of the forcible change of constitutional order, violation of integrity of the Republic of Kazakhstan, subversion of the state security, wars, incitement of the social, race, national, religious, class and tribal dissension, propaganda and acquittal of extremism or terrorism, as well as disclosing the technique and tactics of the anti-terrorist operations during their conduct, if these actions do not contain the signs of a criminally punishable act, shall -

entail a fine on individuals in amount of twenty, on civil servants - in amount of twenty five, on subjects of small entrepreneurship or non-profit organizations - in

amount of fifty, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices, with the confiscation of the media products.

3. Actions provided by parts one and two of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall - entail a fine on individuals in amount of one hundred, on civil servants - in amount of one hundred fifty, on subjects of small entrepreneurship or non-profit organizations - in amount of two hundred, on subjects of medium entrepreneurship - in amount of three hundred, on subjects of large entrepreneurship - in amount of one thousand five hundred monthly calculation indices, with the confiscation of the media products with the deprivation of the licence for the activity on organizing the television programs and (or) radio broadcasting and prohibition of the activity of a legal entity.

4. Manufacturing, storage, inflow, transmission, distribution of another products in a territory of the Republic of Kazakhstan that do not relate to the media products containing details and materials oriented to the propaganda or agitation of the forcible change of constitutional order, violation of integrity of the Republic of Kazakhstan, subversion of the state security, wars, incitement of the social, race, national, religious, class and tribal dissension, cult of cruelty, violence and pornography, if these actions do not contain the signs of a criminally punishable act, shall - entail a fine on individuals in amount of one hundred, on civil servants - in amount of one hundred fifty, on subjects of small entrepreneurship or non-profit organizations - in amount of two hundred, on subjects of medium entrepreneurship - in amount of three hundred, on subjects of large entrepreneurship - in amount of one thousand five hundred monthly calculation indices, with the confiscation of the media products.

5. Actions provided by parts three and four of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall - entail a fine on individuals in amount of two hundred, on civil servants - in amount of three hundred, on subjects of small entrepreneurship or non-profit organizations - in amount of three hundred fifty, on subjects of medium entrepreneurship - in amount of four hundred, on subjects of large entrepreneurship - in amount of two thousand monthly calculation indices, with the deprivation of the licence for the activity on organizing the television and (or) radio broadcasting and prohibition of the activity of a legal entity.

Article 454. Violation of the procedure for representing free samples of periodical printed publications, fixation, storage of the materials of television and radio programs

1. Non-representation of compulsory free samples of periodical printed publications, as well as fixation and storage of the materials of television and radio programs, shall -

entail a notification or fine in amount of ten monthly calculation indices.

2. Actions provided by a part one of this Article committed repeatedly second time within a year after imposition of administrative sanction, shall -

entail a fine in amount of fifteen monthly calculation indices and suspension of the broadcasting (airing) of the mass media for the term up to three months.

Article 455. Breach of the legislation of the Republic of Kazakhstan on advertising

1. Production, dissemination, placement and use of advertising of the goods (works and services) prohibited to advertising by the Laws of the Republic of Kazakhstan, shall -

entail a fine on individuals in amount of fifty, on civil servants - in amount of seventy, on subjects of small entrepreneurship or non-profit organizations - in amount of one hundred, on subjects of medium entrepreneurship - in amount of one hundred fifty, on subjects of large entrepreneurship - in amount of four hundred monthly calculation indices.

2. Violation of the requirements established by the Laws of the Republic of Kazakhstan to the languages of dissemination of advertising, shall -

entail a fine on individuals in amount of twenty, on civil servants - in amount of seventy, on subjects of small entrepreneurship or non-profit organizations - in amount of one hundred, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of four hundred monthly calculation indices.

3. The same action committed with the use of mass media, shall -

entail a fine on individuals in amount of seventy, on civil servants - in amount of one hundred, on subjects of small entrepreneurship or non-profit organizations - in amount of one hundred fifty, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of five hundred monthly calculation indices.

4. Actions provided by parts one, two and three of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine on individuals in amount of one hundred fifty, on civil servants - in amount of one hundred seventy, on subjects of small entrepreneurship or non-profit organizations - in amount of two hundred, on subjects of medium entrepreneurship - in amount of three hundred, on subjects of large entrepreneurship - in amount of six hundred monthly calculation indices, with the suspension of broadcasting (airing) of mass media for the term up to three months.

Article 456. Violation of the procedure for announcing output information

1. Release of a periodical printed publication without established output information, broadcast of television and radio programs of electronic mass media without announcing own name, and equally with unclear or knowingly false output information, shall -

entail a notification or fine in amount of twenty monthly calculation indices with the confiscation of a circulation of the media products or without such.

2. Actions provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of fifty monthly calculation indices with the confiscation of a circulation of the products and technical means used for production and distribution of the media products, or suspension of broadcasting (airing) of mass media for the term up to three months.

Chapter 27. ADMINISTRATIVE INFRACTIONS ENCROACHING ON ESTABLISHED CONTROL PROCEDURE

Article 457. Breach of the legislation of the Republic of Kazakhstan on the issues of the state registration of regulatory legal acts

1. Non-representation of a regulatory legal act by a civil servant for the state registration, subjected to such registration in the manner and in terms established by the legislation of the Republic of Kazakhstan, shall -

entail a fine in amount of ten monthly calculation indices.

2. Application of a regulatory legal act by a civil servant that ceased to be in

force in established manner, recognized by the court as invalid, officially unpublished in the established manner, not entered into force, or the validation of which is suspended by the authorized body, as well as that did not pass the state registration in the bodies of justice, shall -

entail a fine in amount of twenty monthly calculation indices.

3. Actions provided by parts one or two of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of thirty monthly calculation indices.

Article 458. Violation of the procedure for use the National Flag of the Republic of Kazakhstan, National Emblem of the Republic of Kazakhstan, as well as use and performance of the National Anthem of the Republic of Kazakhstan

1. Illegal use the National Flag of the Republic of Kazakhstan, National Emblem of the Republic of Kazakhstan and their images, as well as use and performance of the National Anthem of the Republic of Kazakhstan with the violation of requirements of the legislation of the Republic of Kazakhstan, shall -

entail a fine in amount of two hundred monthly calculation indices.

2. Non-use of the state symbols in the cases when their use is compulsory, shall - entail a fine on civil servants in amount of two hundred monthly calculation indices.

3. Acts provided by parts one and two of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of four hundred monthly calculation indices.

Article 459. Violation of the procedure for the following official publication of the texts of regulatory legal acts

Violation of the procedure for the following official publication of the texts of regulatory legal acts committed in the form of:

1) the following official publication of the texts of regulatory legal acts that did not pass the examination for conforming the texts published by them to the reference control bank of regulatory legal acts of the Republic of Kazakhstan;

2) non-publication in an exact conformity to the reference control bank of regulatory legal acts of the Republic of Kazakhstan;

3) failure to indicate the date of entering into force;

4) following publication of the official texts of regulatory legal acts with the annotations of a printed publication to the published regulatory legal acts, shall -

entail a fine on subjects of small entrepreneurship in amount of thirty, on subjects of medium entrepreneurship - in amount of sixty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

Article 460. Violation of the term for filing the documents to the state registration of rights to immovable property

Violation of the term for filing the documents to the state registration of rights to immovable property by individuals and (or) legal entities, established by the Law of the Republic of Kazakhstan "On state registration of rights to immovable property", shall -

entail a fine on individuals in amount of ten, on legal entities - in amount of twenty monthly calculation indices.

Article 461. Violation of protective prescription

Violation of protective prescription issued by the internal affairs body, shall - entail a notification or administrative arrest for the term up to five days.

Article 462. Impeding to civil servants of the state inspections and bodies of state control and supervision in performing their official duties, failure to perform the regulations, prescriptions and other requirements

1. Impeding to civil servants of the state inspections and bodies of state control and supervision in performing their official duties in accordance with their competence being expressed in a refusal to represent necessary documents, materials, statistical (with the exception of the primary statistics) and other details, information on the activity, on incomes, on equipping by instruments for metering the energy resources, volume of consumption and losses of energy resources, water, on calculation and payment of insurance contributions, on use of nuclear energy, in a refusal of access for conducting the revisions, inspection, inventory, examination under the regulation of the authorized body and other actions provided by the legislation, or in creation of another obstacle in their carrying out, or provision of inaccurate information, shall -

entail a fine on individuals in amount of three, on civil servants, subjects of small entrepreneurship or non-profit organizations - in amount of one hundred, on subjects of medium entrepreneurship - in amount of one hundred fifty, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

2. Actions provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine on individuals in amount of seven, on civil servants, subjects of small entrepreneurship or non-profit organizations - in amount of two hundred, on subjects of medium entrepreneurship - in amount of three hundred, on subjects of large entrepreneurship - in amount of four hundred monthly calculation indices.

3. Non-performance or improper performance of legal requirements or prescriptions, presentations, regulations, issued by the bodies of state control and supervision (civil servants), by civil servants of the state bodies within their competence, with the exception of cases provided by Articles 162, 227 of this Code, shall -

entail a fine on individuals in amount of five, on civil servants - in amount of fifteen, on subjects of small entrepreneurship or non-profit organizations - in amount of one hundred, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of five hundred monthly calculation indices, with the suspension of validity term of the permission for a certain type of activity or separate types of activity.

4. Non-representation or untimely presentation of the information by inspected subjects on measures that will be taken to eliminate the violations detected by the bodies of control and supervision, shall -

entail a fine in amount of twenty monthly calculation indices.

5. Break of stamp (seal) imposed by a civil servant of the authorized body, with the exception of the cases provided by a part two of Article 625, part one of Article 626 of this Code, shall -

entail a fine on individuals in amount of five, on subjects of small entrepreneurship or non-profit organizations - in amount of ten, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

Note.

1. The individual shall not be subject to bringing to the administrative liability in accordance with parts one and two of this Article for refusal from representing necessary documents, materials, statistical (with the exception of primary statistics) and other details, information on equipping by instruments for metering the energy resources, water.

2. Legal entity, with the exception of the state enterprises, limited liability partnerships, joint stock companies, as well as national management holdings, national holdings, national companies, the participant or shareholder of which is the state, as well as branch, associated and other legal entities that are affiliated with them, shall not be subject to bringing to the administrative liability in accordance with the parts one and two of this Article for refusal from representing necessary documents, materials statistical (with the exception of primary statistics) and other details, information on equipping by instruments for metering the energy resources, water, volumes of consumption and losses of energy resources and water in the case if such person consumes the energy resources in the volume being equivalent to less than one thousand five hundred tons of equivalent fuel per year.

Article 463. Engagement in entrepreneurial or another activity, as well as carrying out of the actions (operations) without the relevant registration, permission or filing of notification

1. Engagement in entrepreneurial or another activity, as well as carrying out of the actions (operations) without the relevant registration, permission, and equally non-filing of a notification in the cases when the registration, permission, filing of the notification are compulsory, if these actions do not contain the signs of a criminally punishable act, shall -

entail a fine on individuals in amount of fifteen, on civil servants, subjects of small entrepreneurship - in amount of twenty five, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of one hundred fifty monthly calculation indices, with the confiscation of subjects and (or) instruments for commission of the administrative infractions or without such, and engagement in entrepreneurial or another activity without the license shall entail additionally confiscation of incomes (dividends), money, securities received due to the administrative infraction.

2. Actions provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine on individuals in amount of thirty, on subjects of small entrepreneurship - in amount of fifty, on subjects of medium entrepreneurship - in amount of eighty, on subjects of large entrepreneurship - in amount of five hundred monthly calculation indices, with the confiscation of subjects and (or) instruments for commission of the administrative infraction, and engagement in entrepreneurial or another activity without the license shall entail additionally confiscation of incomes (dividends), money, securities received due to the administrative infraction.

Note. The liability on such Article shall not be applied to a notification on currency operation and registration of currency operations carried out in accordance with the Law of the Republic of Kazakhstan "On currency regulation and currency control", as well as to notifications carried out in accordance with the Law of the Republic of Kazakhstan "On natural monopolies and regulated markets".

Article 464. Violation of the rules for licensing

1. Violation of the rules for licensing established by the legislation of the Republic of Kazakhstan, including non-conformance to the qualification requirements submitted to the licensable types of activity, shall -

entail a fine on individuals in amount of fifteen, on civil servants, subjects of small entrepreneurship or non-profit organizations - in amount of forty five, on subjects of medium entrepreneurship - in amount of eighty, on subjects of large entrepreneurship - in amount of one hundred fifty monthly calculation indices, with the suspension of the licence validity term for particular type of activity or without such.

2. Representation of knowingly inaccurate information by a licensee upon

obtainment of the license, and equally the actions (omission) provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, as well as failure to eliminate the violations of the rules for licensing that entailed bringing to the administrative liability, upon expiry of the term for suspension of the license validity, shall -

entail a fine on individuals in amount of forty, on subjects of small entrepreneurship or non-profit organizations - in amount of one hundred, on subjects of medium entrepreneurship - in amount of one hundred fifty, on subjects of large entrepreneurship - in amount of three hundred monthly calculation indices, with the deprivation of the license for particular type of activity.

Footnote. Article 464 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 465. Violation of the procedure and terms for issuance of permission

1. Violation of the terms for issuance of permission, shall -

entail a fine on civil servants in amount of fifty monthly calculation indices.

2. Issuance of permission with the violation of the procedure established by the legislation of the Republic of Kazakhstan on permissions and notifications, and equally unreasonable refusal in issuing the permission, shall -

entail a fine on civil servants in amount of fifty monthly calculation indices.

3. Actions provided by parts one and two of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine on civil servants in amount of seventy monthly calculation indices.

Article 466. Breach of the legislation of the Republic of Kazakhstan on state registration of legal entities and record registration of branches and representatives

1. Carrying out of the activity without reregistration of a legal entity, its branches and representatives in the cases provided by the legislation, shall -

entail a fine on subjects of small entrepreneurship or non-profit organizations in amount of ten, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of forty monthly calculation indices.

2. Untimely notification of a registering body on change of location of a legal entity, shall -

entail a fine on subjects of small entrepreneurship or non-profit organizations in amount of five, on subjects of medium entrepreneurship - in amount of ten, on subjects of large entrepreneurship - in amount of thirty monthly calculation indices.

Article 467. Non-return of a license and (or) license addendum to a licensor

Non-return of a license and (or) license addendum by a licensee to a licensor within ten business days from the date of termination of the license and (or) license addendum validity term, shall -

entail a fine on individuals in amount of ten, on civil servants - in amount of twenty, on legal entities - in amount of two hundred monthly calculation indices.

Article 468. breach of the legislation of the Republic of Kazakhstan on the national registers of identification numbers

1. Divulgence of the details contained in the national registers of identification numbers that are not subjected to divulgence, and equally non-fulfillment or improper fulfillment of the obligations established by the legislation of the Republic of Kazakhstan on the national registers of identification numbers, committed:

by the authorized body in the form of:

1) non-formation of the identification number within one business date from the

date of reference of the registering bodies;

2) non-representation of information to the registering state bodies and other state institutions no later than two business days from the date of their references; by the registering body in the form of:

1) untimely representation of details to the authorized body for formation of the identification number within one business day from the date of receipt of such details;

2) non-representation of details to the authorized body for replenishment and maintenance of the actual data status of informational systems of the national registers of identification numbers within one business day from the date of receipt of such details;

3) non-representation of details to the authorized body for exclusion or conditional exclusion of the identification numbers from the national registers of identification numbers within one business day from the date of receipt of such details; by the state bodies and other state institutions in the form of:

1) non-representation of details established by the Government of the Republic of Kazakhstan to the authorized body for replenishment and maintenance of the actual data status of informational systems of the national registers of identification numbers within one business day from the date of receipt of such details;

2) non-representation of details to the authorized body for exclusion or conditional exclusion of the identification numbers from the national registers of identification numbers within one business day from the date of receipt of such details;

3) non-considering the identification number upon issuance of the documents of registration, permission and other nature in accordance with the legislation of the Republic of Kazakhstan;

by banks and organizations carrying out separate types of banking operations in the form of

1) non-considering the identification number, as well as failure to control the correctness of stating in accordance with an algorithm of formation of an identification number established by the legislation of the Republic of Kazakhstan, shall -

entail a fine on civil servants in amount of twenty monthly calculation indices.

2. Acts provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine on civil servants in amount of thirty monthly calculation indices.

Article 469. Violation of the requirements submitted to the activity on assembling, checking and technical maintenance of the means of security alarm

1. Violation of the requirements by individuals or legal entities submitted to the activity on assembling, checking and technical maintenance of the means of security alarm by the Law of the Republic of Kazakhstan "On security activity", shall -

entail a fine on individuals in amount of ten, on subjects of small entrepreneurship - in amount of fifty five, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of one hundred fifty monthly calculation indices.

2. Action provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, and equally non-elimination of the violation provided by a part one of this Article that entailed bringing to the administrative liability, shall -

entail a fine on individuals in amount of forty, on subjects of small entrepreneurship - in amount of ninety nine, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of three hundred fifty monthly calculation indices with the prohibition of activity.

Article 470. Breach of the legislation of the Republic of Kazakhstan in the field of security activity

1. Breach of the legislation of the Republic of Kazakhstan in the field of security activity committed in the form of:

1) non-performance and (or) improper performance of the requirements on ensuring the engineering and technical strengthening of the objects subjected to the state protection approved by the Government of the Republic of Kazakhstan;

2) provision of a right to foreign legal entities, legal entities with foreign participation, foreign persons, as well as stateless persons to carry out all the types of security activity; to establish or be a founder (founders) of the private protective organizations; to have a private protective organization in a trust management;

3) accept the persons that do not conform to the requirements of paragraph 6 of Article 6 of the Law of the Republic of Kazakhstan "On security activity" on position of a guard of a private protective organization;

4) failure to perform the requirements on providing a standard type document to the guard upon fulfilling own employment duties that certifies his (her) identity and belonging to the private protective organization, and special uniform;

5) non-compliance with the restrictions provided by Article 17-1 of the Law of the Republic of Kazakhstan "On security activity";

6) carrying out of the activity on training and raising of qualification of the workers holding positions of a head and guard in the private protective organization with the violation of requirements established by the legislation of the Republic of Kazakhstan, shall -

entail a fine on civil servants, subjects of small entrepreneurship in amount of fifty, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of one hundred twenty monthly calculation indices.

2. Actions (omission) provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, and equally failure to eliminate the violation provided by a part one of this Article that entailed bringing to the administrative liability, shall -

entail a fine on civil servants, subjects of small entrepreneurship in amount of eighty, on subjects of medium entrepreneurship - in amount of one hundred thirty, on subjects of large entrepreneurship - in amount of one hundred fifty monthly calculation indices, with the prohibition of the activity or without such.

Article 471. Non-fulfillment of the obligations by the local executive bodies and other authorized state bodies established by the tax legislation of the Republic of Kazakhstan

1. Non-transfer, untimely or incomplete transfer of the sums of taxes and other compulsory payments into the budget subjected to transfer into the budget by the local executive bodies or authorized state bodies in accordance with the tax legislation of the Republic of Kazakhstan and bodies mentioned in this part, shall -

entail a fine on civil servants in amount of thirty monthly calculation indices.

2. Non-representation, untimely, inaccurate or incomplete representation of the details determined by the tax legislation of the Republic of Kazakhstan for representation to the state revenues bodies by the local executive bodies and other authorized state bodies, shall -

entail a fine on civil servants in amount of thirty monthly calculation indices.

3. Failure to perform the requirements by the authorized state and local executive bodies on elimination of the violations detected in results of the tax control and mentioned in the act of control, shall -

entail a fine on civil servants in amount of thirty monthly calculation indices.

4. Actions (omission) provided by parts one, two of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine on civil servants in amount of sixty monthly calculation indices.

Footnote. Article 471 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 472. Violation of the rules for accounting and the following use of property received in ownership of the state on separate grounds, in cases provided by the legislative acts

1. Incomplete and (or) untimely transfer of property to the authorized body received in ownership of the state on separate grounds, if these acts do not have the signs of a criminally punishable act, specifically:

- 1) confiscated on the ground of court acts to the state budget;
- 2) material evidences on the ground of court acts turned into the state budget;
- 3) treasures containing the things related to the monuments of history and culture;
- 4) gifts that came to a person authorized to perform the state functions, or to the person equated to him (her), as well as their family members and subjected to delivery to the special state fund without compensation;
- 5) transferred into republican ownership in the other cases provided by the legislative acts, including goods and transport vehicles registered in a customs regime of refusal in behalf of the state;
- 6) recognized ownerless in established manner;
- 7) transferred to the state by the right of succession, as well as escheated succession;
- 8) findings;
- 9) neglected animals, shall -

entail a fine on individuals in amount of eight, on civil servants - in amount of fifteen, on legal entities - in amount of forty five monthly calculation indices.

2. Non-compliance with the procedure for accounting, storage, assessment and sale of the property received in ownership of the state on separate grounds committed in the form of:

- 1) non-ensuring of storage of the documents certifying occurrence of the right of ownership of the state;
- 2) choice of an organizer of auction not by the state procurement of the services on organization and conduct of the auctions;
- 3) failure to destroy the property that is not sold at the minimal price;
- 4) untimely transfer of the sums from selling such property to the state budget, shall -

entail a fine on civil servants in amount of fifteen, on legal entities - in amount of forty five monthly calculation indices.

Article 473. Divulgence of the details that are the tax secrets

Divulgence of the details that are the tax secrets without professional or official necessity by the persons that became known on such details in the manner established by the tax legislation of the Republic of Kazakhstan, shall -

entail a fine in amount of forty monthly calculation indices.

Article 474. Carrying out of particular actions by the bodies (organizations) being authorized by the state without recovery of taxes and other compulsory payments to the budget, and equally without receipt of the documents confirming such payment

1. Carrying out of legally significant actions provided by the legislation of the Republic of Kazakhstan by bodies (organizations) being authorized by the state without recovery of taxes and other compulsory payments to the budget, shall -

entail a fine on civil servants in amount of thirty monthly calculation indices.

2. Carrying out of legally significant actions provided by the legislation of the Republic of Kazakhstan by the bodies (organizations) authorized by the state, without receipt of the document confirming payment of taxes and other compulsory payments to the budget in the cases when the receipt of confirming document is provided by the legislative acts, shall -

entail a fine on civil servants in amount of thirty monthly calculation indices.

3. Actions provided by parts one and two and this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine on civil servants in amount of seventy monthly calculation indices.

Article 475. Refusal in tax registering or violation of the terms for tax registration

1. Refusal in tax registering of a tax payer or registration of the tax payer as a payer of value added tax, and equally violation of the terms for such registration (recording) by a civil servant of the state revenues bodies established by the tax legislation, shall -

entail a fine in amount of twenty monthly calculation indices.

2. Actions provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of forty monthly calculation indices.

Article 476. Violation of the emergency situation

Violation of the regime or failure to perform the requirements established by the state body due to announcement of emergency situation, as well as non-execution of legal orders and regulations of a governor of a region, if these actions (omission) do not contain the signs of a criminally punishable act, insofar as:

1) special regime of entry and departure;

2) prohibition to leave particular place, own flat (house) for particular individuals for established term;

3) prohibition of holding the meetings, rallies, marches and demonstrations, as well as entertaining, sport and other mass events;

4) prohibition of strikes;

5) restriction or prohibition of trade in arms, virulent chemical and poisonous substances, as well as alcohol drinks and alcohol-containing substances;

6) quarantine and conduct of other compulsory sanitary- epidemiological measures;

7) restriction or prohibition of using multiplying technology, as well as radio and television transmitting equipment, audio and video recording technology; prescriptions on withdrawal of audio amplifier technical means; measures to ensure control of the mass media;

8) special rules for using communications;

9) traffic limitation of the transport vehicles and conduct of their search;

10) prohibition to stay on the streets or in other public places for individuals during the curfew restrictions without specially issued passes and documents certifying their identity or to stay outside own dwelling place without the documents certifying identity, shall -

entail a notification or fine in amount of ten monthly calculation indices or administrative arrest for the term up to fifteen days.

Article 477. Violation of the legal regime in a zone of conducting anti-terrorist operation

Violation of the legal regime or failure to perform the requirements established due to announcement of the anti-terrorist operation, insofar as:

- 1) special regime of entry and departure;
- 2) prohibition to stay on the separate fields of location and objects for individuals, as well as obstruction of towing transport vehicles;
- 3) obstruction of inspecting the documents certifying identity of the individuals, conduct of personal inspection and search of the things being in possession of the individual, search of transport vehicles;
- 4) special rules for using communications;
- 5) obstruction of taking the transport vehicles for delivery of the persons being in need of emergency medical care to the medical institutions, transit to the place of commission of the act of terrorism, as well as for pursuing and detention of the persons being suspected in commission of the act of terrorism, if delay may create a real threat to life or health of the people;
- 6) suspension of the activity of hazardous production objects;
- 7) obstruction of temporary resettlement of individuals residing within the limits of the territory on which the legal regime of anti-terrorist operation is imposed;
- 8) introduction of quarantine, conduct of sanitary epidemiological, veterinary measures and measures on plant quarantine;
- 9) obstruction of entry to residential and other premises being in the ownership or in possession and in use of individuals and legal entities, and to the land fields belonging to them on the basis of the right of private ownership or land use;
- 10) restriction or prohibition of trade in arms, ammunition, explosive substances, virulent chemical and poisonous substances, establishment of the special regime of turnover of medical products, narcotic drugs, psychotropic substances and precursors, ethyl alcohol and alcohol products, shall -

entail a fine on individuals in amount of twenty monthly calculation indices or the administrative arrest for the term up to fifteen days, on subjects of small entrepreneurship or non-profit organizations - in amount of eighty five, on subjects of medium entrepreneurship - in amount of one hundred fifty, on subjects of large entrepreneurship - in amount of two hundred fifty monthly calculation indices, with the suspension of the activity of hazardous production objects.

Article 478. Actions provoking the violation of legal order in emergency conditions

Actions provoking the violation of legal order or spreading the national and religious dissension, active obstruction of the exercising own legal rights and obligations by individuals and civil servants, and equally malicious insubordination to the legal regulation or requirement of the employee of the bodies of internal affairs, national security, the military servant, representatives of power or society fulfilling official duties or public debt on protection of the public order, or the actions violating the public order and calm of the individuals, as well as breach of the legislation on administrative supervision committed at the place where the emergency situation is imposed, shall -

entail a fine in amount of forty monthly calculation indices or administrative arrest for the term up to thirty days.

Article 479. Failure to report on taken measures on elimination of the reasons and conditions promoting commission of infraction

Failure to report on taken measures on elimination of the reasons and conditions promoting commission of crimes and administrative infractions by a head of organization and other persons, upon the recommendations of the bodies (civil servants) considering

the case, shall -

entail a fine in amount of ten monthly calculation indices.

Article 480. Breach of the legislation of the Republic of Kazakhstan on administrative supervision

1. Failure to perform the rules of administrative supervision by a person released from the places of deprivation of freedom or restrictions imposed in respect of him (her) by the court, shall -

entail a notification or fine in amount of ten monthly calculation indices.

2. Actions provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of twenty monthly calculation indices or administrative arrest up to fifteen days.

Article 481. Transfer of banned substances, products and subjects to the persons detained in the correctional system facilities, special institutions

1. Transfer or attempt to transfer of alcohol drinks, medical and other substances having dopey effect, money, food products, products and other subjects by any method to the persons detained in the correctional system facilities, special institutions prohibited for storage and use in these institutions, hidden from searching, shall -

entail a notification or fine in amount of ten monthly calculation indices, with the confiscation of a subject being a tool or subject of commission of the administration infraction.

2. Actions provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of twenty monthly calculation indices or administrative arrest for the term up to thirty days, with the confiscation of a subject being a tool or subject of commission of the administrative infraction.

Article 482. Illegal acquisition, transfer, sale, keeping, bearing, carriage of weapons by individuals and legal entities

1. Illegal acquisition, transfer, sale, keeping, bearing, carriage of smoothbore, gas weapons and ammunition to them not registered in the internal affairs bodies, as well as electric, pneumatic weapons with a muzzle energy more than 7,5 Joul, a caliber more than 4,5 millimeters, shall -

entail a fine on individuals in amount of twenty, on subjects of small entrepreneurship or non-profit organizations - in amount of twenty five, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of forty monthly calculation indices, with the confiscation of weapons.

2. Actions provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine on individuals in amount of thirty, on subjects of small entrepreneurship or non-profit organizations - in amount of twenty five, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices, with the confiscation of weapons.

Note. The person that delivered illegally kept weapons on a voluntary basis shall be released from administrative liability, if his (her) actions does not have the components of another infraction.

Article 483. Violation of the procedure for storage, accounting, use, carriage, trade, destruction, entry, inflow of non-military pyrotechnical substances and products with their applying

1. Violation of the procedure for storage, accounting, use, carriage, trade, destruction, entry, inflow of non-military pyrotechnical substances and products with their applying by the persons having the licenses for the right to activity in the scope of turnover of non-military pyrotechnical substances and products with their applying, shall -

entail a fine on individuals in amount of five, on subjects of small entrepreneurship or non-profit organizations - in amount of ten, on subjects of medium entrepreneurship - in amount of fifteen, on subjects of large entrepreneurship - in amount of forty five monthly calculation indices, with the confiscation of non-military pyrotechnical substances and products with their applying.

2. Sale of non-military pyrotechnical products of the 4 hazard class outside the places of their storage and (or) to the persons that do not have the license for acquisition of non-military pyrotechnical products of the 4 hazard class, shall -

entail a fine on individuals in amount of ten, on subjects of small entrepreneurship or non-profit organizations - in amount of twenty, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of seventy monthly calculation indices, with the confiscation of non-military pyrotechnical substances and products with their applying.

3. Actions provided by parts one and two of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine on individuals in amount of twenty, on subjects of small entrepreneurship or non-profit organizations - in amount of forty, on subjects of medium entrepreneurship - in amount of sixty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices, with the confiscation of non-military pyrotechnical substances and products with their applying.

Article 484. Violation of the rules for acquisition, keeping, use or carriage of non-military service weapons, ammunition to them

1. Violation of the rules for acquisition, keeping, use or carriage of non-military service weapons, ammunition to them by individuals having permission of the internal affairs bodies for keeping, bearing of the weapons, shall -

entail a fine in amount of five monthly calculation indices.

2. Violation of the rules for acquisition, keeping or carriage of the service weapons, ammunition to them by workers of the organizations being liable for their preservation, and equally use of the service weapons and ammunition to them not according to the purpose intended, shall -

entail a fine in amount of fifteen monthly calculation indices.

Article 485. Unlawful applying gas weapons

1. Unlawful applying gas weapons, shall -

entail a fine in amount of ten monthly calculation indices.

2. The action provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of fifteen monthly calculation indices with the confiscation of weapons or without such.

Article 486. Violation of the procedure for registration (reregistration) of non-military and service weapons or procedure for their recording

1. Violation of the procedure for registration (reregistration) of non-military and service weapons or the rules for their recording that is expressed in violation of the terms for:

1) registration and obtainment of a permission for keeping and (or) bearing of

weapons by an individual after their acquisition;

2) referring of an individual to the internal affairs body on prolongation of the permission for keeping and (or) bearing of non-military weapons;

3) notifying the internal affairs body by the owner of weapons on loss or theft of the weapons belonged to him (her);

4) referring of an individual to the internal affairs body for recording of the weapons upon change of the residence place;

5) registration of the service and (or) non-military weapons in the internal affairs bodies by a legal entity after their acquisition, shall - entail a fine on individuals in amount of five, on subjects of small entrepreneurship or non-profit organizations - in amount of ten, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of forty monthly calculation indices.

2. The action provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine on individuals in amount of ten, on subjects of small entrepreneurship or non-profit organizations - in amount of fifteen, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of seventy monthly calculation indices.

Article 487. Evading from delivery of non-military weapons, ammunition to them for selling

Evading from delivery of non-military weapons, ammunition to them for selling by the individuals, the permission of whom for keeping and bearing them is annulled, shall -

entail a fine in amount of five monthly calculation indices.

Article 488. Breach of the legislation of the Republic of Kazakhstan on the procedure for organizing and holding peaceful meetings, rallies, marches, pickets and demonstrations

1. Breach of the legislation of the Republic of Kazakhstan on the procedure for organizing and holding peaceful meeting, rally, march, pickets and demonstration or another public event or obstruction of their organizing or holding, and equally participation in illegal meetings, rallies, marches, demonstrations, if these actions do not have the signs of a criminally punishable act, shall -

entail a notification or fine on individuals in amount of twenty monthly calculation indices, on civil servants - fine in amount of fifty monthly calculation indices or arrest for the term up to ten days.

2. Provision of a premise or another property (communications means, multiplying technology, equipment, transport) by the heads and other civil servants of organizations to the participants of unauthorized meeting, rally, picketing, demonstration or another public event or creation of the other conditions for organizing and holding such events, shall -

entail a fine in amount of twenty monthly calculation indices.

3. Actions provided by parts one and two of this Article committed repeatedly second time within a year after applying the measures of administrative sanction or by an organizer of the meeting, rally, march, demonstration, shall -

entail a fine in amount of fifty monthly calculation indices or administrative arrest for the tem up to fifteen days.

Article 489. Breach of the legislation of the Republic of Kazakhstan on public associations, as well as management, participation in the activity of public, religious associations that are not registered in the manner established by the

legislation of the Republic of Kazakhstan, financing of their activity

1. Commission of the actions by the heads, members of a public association or by the public association that are beyond the purposes and tasks determined by the charters of these public associations, shall -

entail a notification or fine on legal entities in amount of one hundred monthly calculation indices.

2. Commission of the actions by the heads, members of a public association or by the public association breaching the legislation of the Republic of Kazakhstan, shall - entail a notification or fine on legal entities in amount of one hundred monthly calculation indices with the suspension of the activity of a public association for the term from three to six months.

3. The action provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall - entail a fine on legal entities in amount of one hundred fifty monthly calculation indices with the suspension of the activity of a public association for the term from three to six months.

4. The action provided by a part two of this Article committed repeatedly second time within a year after imposition of the administrative sanction, and equally failure to eliminate the violations provided by a part three of this Article, shall - entail a fine on legal entities in amount of two hundred monthly calculation indices with the prohibition of the activity of a public association.

5. Financing of political parties by foreign legal entities and international organizations, legal entities with foreign participation, state bodies and organizations, charitable organizations, shall -

entail a fine on civil servants in amount of four hundred, on legal entities - in amount of two thousand monthly calculation indices, with the confiscation of illegal donations.

6. Acceptance of illegal donations by a political party, shall -

entail a fine in amount of four hundred monthly calculation indices with the confiscation of the illegal donations and prohibition of the activity of the political party.

7. Failure to publish annual accounts on financial activity of a political party within the terms and volume established by the legislation of the Republic of Kazakhstan, shall -

entail a fine in amount of two hundred monthly calculation indices with the suspension of the activity of the political party for the term up to six months.

8. Carrying out of the activity of a political party, its structural subdivisions (branches and representatives) without reregistration in the cases provided by the legislation of the Republic of Kazakhstan, shall -

entail a fine in amount of two hundred monthly calculation indices with the prohibition of the activity of the political party.

9. Management of the activity of public, religious associations not registered in the manner established by the legislation of the Republic of Kazakhstan, and equally the activity of which is suspended or prohibited, shall -

entail a fine in amount of one hundred monthly calculation indices.

10. Participation in the activity of public, religious associations not registered in the manner established by the legislation of the Republic of Kazakhstan, and equally the activity of which is suspended or prohibited, shall -

entail a fine in amount of fifty monthly calculation indices.

11. Financing of the activity of public, religious associations unregistered in

the manner established by the legislation of the Republic of Kazakhstan, and equally the activity of which is suspended or prohibited, shall -

entail a fine in amount of two hundred monthly calculation indices.

Article 490. Breach of the legislation of the Republic of Kazakhstan on religious activity and religious associations

1. Violation of the requirements established by the legislation of the Republic of Kazakhstan to:

1) conduct of religious customs, ceremonies and (or) meeting;

2) carrying out of charitable activity;

3) entry, release, publication and (or) distribution of the religious literature and other materials of religious content, subjects of religious destination;

4) construction of cultic buildings (structures), reprofiling (change of functional purpose) of buildings (structures) into cultic buildings (structures), shall -

entail a fine on individuals in amount of fifty, on legal entities - in amount of two hundred monthly calculation indices with the suspension of the activity for the term of three months.

2. Obstruction of legal religious activity, and equally the violation of civil rights of individuals on the grounds of relation to the religious or insult of their religious feelings or desecration of the subjects, structures and places being respected by the followers of a particular religious, if all the above mentioned actions do not contain the signs of a criminally punishable act, shall -

entail a fine on individuals in amount of fifty, on civil servants - in amount of one hundred, on legal entities - in amount of two hundred monthly calculation indices.

3. Carrying out of a missionary work without registration (reregistration), and equally use of religious literature, informational materials of religious content and subjects of religious purpose by the missionaries without the favourable conclusion of the religious examination, the distribution of religious denomination of the religious associations unregistered in the Republic of Kazakhstan, shall -

entail a fine on citizens of the Republic of Kazakhstan in amount of one hundred monthly calculation indices, on foreign persons and stateless persons - in amount of one hundred monthly calculation indices with the administrative expulsion beyond the Republic of Kazakhstan.

4. Carrying out of the activity by a religious association that is not provided by its charter, shall -

entail a fine in amount of three hundred monthly calculation indices with the suspension of the activity for the term up to three months.

5. Engagement in political activity by a religious association, and equally participation in the activity of political parties and (or) rendering of financial support, interference in the activity of the state bodies or assumption of the functions of the state bodies or their civil servants by the members of religious associations, shall -

entail a fine in amount of three hundred monthly calculation indices with the suspension of the activity for the term up to three months.

6. Creation of organizational structures of religious associations in the state bodies, organizations, institutions, as well as public health and educational organizations, shall -

entail a fine on civil servants in amount of one hundred, on legal entities - in amount of two hundred monthly calculation indices.

7. Management of a religious association by the person appointed by a foreign religious centre without coordination with the authorized body, and equally failure to

take measures by a head of the religious association to non-admitting involvement and (or) participation of minors in the activity of the religious association in case of objection of one of the parents of the minor or his (her) other legal representatives, shall -

entail a fine in amount of fifty monthly calculation indices with the administrative expulsion beyond the Republic.

8. Actions (omission) provided by parts one, two, three, four, five and seven of this article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine on individuals in amount of two hundred, on civil servants in amount of three hundred, on legal entities - in amount of five hundred monthly calculation indices with the prohibition of their activity.

Article 491. Violation of the rules for registration of the acts of civil status

Concealment of the circumstances obstructing marriage, or informing false details to the civil registry bodies, shall -

entail a fine in amount of five monthly calculation indices.

Article 492. Residence in the Republic of Kazakhstan without registration or without the documents certifying identity

1. Residence of the citizens of the Republic of Kazakhstan without identity certificate or with invalid identity certificate or without the registration at the place of residence for the term from ten calendar days to three months, shall -

entail a notification.

2. Residence of the citizens of the Republic of Kazakhstan without identity certificate or with invalid identity certificate or without the registration at the place of residence for the term more than three months, shall -

entail a fine in amount of five monthly calculation indices.

3. The act provided by parts one and two of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of ten monthly calculation indices.

4. Permanent residence of a foreign person or stateless person in the Republic of Kazakhstan without the registration at the place of residence, or without the residence permit or without certificate of a stateless person or with invalid residence permit, certificate of the stateless person for the term more than ten calendar days, as well as untimely notifying the internal affairs bodies on loss of passport, residence permit or certificate of the stateless person, shall -

entail a fine in amount of five monthly calculation indices.

5. Acts provided by a part four of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of fifteen monthly calculation indices.

Article 493. Admission of registering individuals by the owner of a dwelling place or other persons the authority of which includes dwelling places, buildings and (or) premises, that do not live there in fact

1. Admission of registering individuals by the owner of a dwelling place or other persons the authority of which includes dwelling places, buildings and (or) premises, that do not live in the dwelling places, buildings and (or) premises belonging to the owner or being under authority of the other persons, shall -

entail a fine on individuals in amount of five, on subjects of small entrepreneurship or non-profit organizations - in amount of ten, on subjects of medium entrepreneurship - in amount of fifteen, on subjects of large entrepreneurship - in

amount of twenty monthly calculation indices.

2. The act provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine on individuals in amount of ten, on subjects of small entrepreneurship or non-profit organizations - in amount of twenty, on subjects of medium entrepreneurship - in amount of twenty five, on subjects of large entrepreneurship - in amount of thirty monthly calculation indices.

3. Failure to take measures by the owner of a dwelling place or other persons the authority of which includes the dwelling places, buildings and (or) premises on removing the registration of the individuals registered and not residing in the dwelling places, buildings and (or) premises belonging to the owner or being under authority of the other persons, shall -

entail a fine on individuals in amount of three, on subjects of small entrepreneurship or non-profit organizations - in amount of ten, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of forty monthly calculation indices.

4. The act provided by a part three of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine on individuals in amount of ten, on subjects of small entrepreneurship or non-profit organizations - in amount of twenty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of eighty monthly calculation indices.

Article 494. Illegal confiscation of passports, identity certificates or taking them in pledge

1. Illegal confiscation of passports, identity certificates or taking them in pledge from the citizens, shall -

entail a notification or fine in amount of five monthly calculation indices.

2. The actions provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of ten monthly calculation indices.

Article 495. Representation of knowingly false details to the state bodies of the Republic of Kazakhstan upon acceptance of the documents certifying identity, or upon filing an application for obtainment of the permission of a permanent residence in the Republic of Kazakhstan or on conferment of citizenship of the Republic of Kazakhstan or restoration of citizenship of the Republic of Kazakhstan

1. Representation of knowingly false details to the state bodies of the Republic of Kazakhstan upon receipt of the documents certifying identity, shall -

entail a fine in amount of twenty monthly calculation indices.

2. Representation of knowingly false details to the state bodies of the Republic of Kazakhstan by a foreign person or stateless person upon filing an application for obtainment of the permission for a permanent residence in the Republic of Kazakhstan or on conferment of citizenship of the Republic of Kazakhstan or restoration of the citizenship of the Republic of Kazakhstan, shall -

entail the administrative expulsion beyond the Republic of Kazakhstan.

Article 496. Breach of the legislation of the Republic of Kazakhstan on citizenship

1. Use of passport and (or) identity certificate of a citizen of the Republic of Kazakhstan by a person that lost the citizenship of the Republic of Kazakhstan, shall -

entail a fine on individuals in amount of one hundred monthly calculation indices.

2. Failure to report on a fact of acquisition of the foreign citizenship within the terms established by the legislation of the Republic of Kazakhstan, shall - entail a fine in amount of two hundred monthly calculation indices or administrative expulsion beyond the Republic of Kazakhstan.

3. The acts provided by parts one and two of this Article committed by the persons being at the state service, as well as by the persons carrying out the functions of a representative of authority or performing organizational and management or administrative and economic functions in the state bodies, shall - entail a fine in amount of three hundred monthly calculation indices.

Footnote. Article 496 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 497. Violation of the procedure for representation of primary statistics

1. Representation of inaccurate primary statistics to the relevant bodies of the state statistics, shall - entail a notification.

2. Representation of primary statistics to the relevant bodies of the state statistics within established term, shall - entail a fine on individuals in amount of five, on civil servants, subjects of small entrepreneurship - in amount of seven, on subjects of medium entrepreneurship - in amount of ten, on subjects of large entrepreneurship - in amount of forty monthly calculation indices.

3. The acts provided by parts one and two of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall - entail a fine on individuals in amount of seven, on civil servants, subjects of small entrepreneurship - in amount of ten, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

Article 498. Refusal, non-representation, untimely representation, concealment, additions and other deviations of legal statistics data and special accountings

1. Refusal, non-representation to the state body carrying out the activity in the field of legal statistics and special accountings, legal statistics data and special accountings, their representation with the violation of established term, concealment, additions and other intended deviations of the legal statistics data and special accountings, and equally obstruction of receiving the legal statistics information and details of the special accountings in any form, shall - entail a fine on civil servants in amount of twenty monthly calculation indices.

2. The same actions committed in the field of health care service, shall - entail a fine on civil servants in amount of two hundred monthly calculation indices.

Article 499. Violation of the procedure for representing administrative data

1. Representation of administrative sources of inaccurate administrative data by civil servants to the authorized body in the field of state statistics, shall - entail a fine in amount of ten monthly calculation indices.

2. Non- representation of the administrative sources of administrative data by civil servants to the authorized body in the field of state statistics, shall - entail a fine in amount of ten monthly calculation indices.

3. The acts provided by parts one and two of this Article committed repeatedly

second time within a year after imposition of the administrative sanction, shall -
entail a fine in amount of fifteen monthly calculation indices.

Article 500. Refusal from conduct of the state statistical supervision

Refusal of civil servants from fulfillment of the state obligations imposed on them on conduct of statistical supervision or their untimely fulfillment, shall -
entail a notification or fine in amount of ten monthly calculation indices.

Article 501. Loss, sale, transfer or another illegal divulgation of primary statistics, statistical information and (or) data bases by a civil servant

Loss, sale, transfer or another illegal divulgation of primary statistics, statistical information and (or) data bases allowing to identify a respondent by the civil servant of the state statistical bodies, with the exception of cases provided by Article 8 of the Law of the Republic of Kazakhstan "On state statistics", if these actions do not contain the signs of a criminally punishable act, shall -
entail a fine in amount of twenty five monthly calculation indices.

Article 502. Collection of primary statistics in the unapproved statistical form

Collection of primary statistics in the unapproved statistical form, shall -
entail a notification or fine on civil servants in amount of ten monthly calculation indices.

Article 503. Collection of administrative data in the uncoordinated form

Collection of administrative data in the uncoordinated form, shall -
entail a notification or fine on civil servants in amount of ten monthly calculation indices.

Article 504. Violation of established requirements in the scope of protection of the state secrets, as well as in work with service classified information

1. Violation of established procedure for access or admission to the state secrets, shall -

entail a fine in amount of twenty monthly calculation indices.

2. Violation of established requirements on ensuring the secrecy order by the persons admitted to work with the state secrets or their carriers, if these actions do not contain the signs of a criminally punishable act, shall -

entail a fine in amount of twenty monthly calculation indices.

3. Unreasonable classification of details and their carriers that are not subjected to classification, use of the secrecy labels and other restrictive labels for classifying the details that are not related to the state secrets, if these actions do not contain the signs of a criminally punishable act, shall -

entail a fine in amount of twenty monthly calculation indices.

4. The actions mentioned in a part three of this Article committed for the purpose of concealing the violation of legality, shall -

entail a fine in amount of fifty monthly calculation indices.

5. Unreasonable disclosure of details and their carriers constituting the state secrets, violation of the terms for disclosing the carriers established upon their classification, with the exception of the cases provided by the legislation on state secrets, if these actions do not contain the signs of a criminally punishable act, shall -

entail a fine in amount of twenty monthly calculation indices.

6. Violation of established requirements of working with service classified information by the persons admitted to it due to professional or service activity that entailed disclosure or loss of these details, shall -

entail a fine in amount of fifteen monthly calculation indices.

Article 505. Violation of the rules for site improvement of the territories of cities and inhabited localities, as well as destruction of infrastructure facilities, destruction and damage of green plantings of a city and inhabited localities

1. Violation of the rules for site improvement of the territories of cities and inhabited localities, as well as destruction of infrastructure facilities, destruction and damage of green plantings of a city and inhabited localities, shall -

entail a notification or fine on individuals in amount of twenty, on subjects of small entrepreneurship - in amount of thirty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

2. The actions provided by a part one of this Article committed repeatedly second time within a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a notification or fine on individuals in amount of twenty, on subjects of small entrepreneurship - in amount of thirty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

Article 506. Illegal entry to protected objects

Illegal entry to the object protected in accordance with the legislation of the Republic of Kazakhstan by the Service Protection Service, bodies and subdivisions of the National Security Committee, Internal Affairs Ministry, Ministry of Defence, shall -

entail a fine in amount of fifteen monthly calculation indices or administrative arrest for the term up to fifteen days.

Article 507. Obstruction of the activity of participants of the national preventive mechanism

Obstruction of the legal activity of participants of the national preventive mechanism by a civil servant with the use of official position, and equally interference to this activity committed by the civil servant with the use of own official position that entailed essential violation of their rights and legal interests, shall -

entail a fine in amount of forty monthly calculation indices.

Article 508. Divulgence of details on a private life of a person by participants of the national preventive mechanism became known to them in the course of preventive visits

Divulgence of details on a private life of a person by participants of the national preventive mechanism became known to them in the course of preventive visits, without the consent of the person, if these actions do not contain the signs of a criminally punishable act, shall -

entail a fine in amount of twenty monthly calculation indices.

Article 509. Destruction of documents of the National archive fund

1. Destruction of documents of the National archive fund, personnel documents without coordination with the authorized body or local executive body of the oblast, city of republican significance, the capital, shall -

entail a fine on civil servants, subjects of small entrepreneurship or non-profit organizations - in amount of ten, on subjects of medium entrepreneurship - in amount of

twenty, on subjects of large entrepreneurship - in amount of forty monthly calculation indices.

2. The act provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine on civil servants, subjects of small entrepreneurship or non-profit organizations - in amount of twenty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of eighty monthly calculation indices.

Chapter 28. ADMINISTRATIVE INFRACTIONS ENCROACHING ON ESTABLISHED MANNER OF THE STATE BORDER REGIME OF THE REPUBLIC OF KAZAKHSTAN AND PROCEDURE FOR STAYING IN A TERRITORY OF THE REPUBLIC OF KAZAKHSTAN

Article 510. Violation of the frontier regime in a frontier zone and procedure for staying in separate locations

1. Violation of the frontier regime in a frontier zone upon entry (passage), temporary staying or movement in the frontier zone:

1) by a citizen of the Republic of Kazakhstan without the documents certifying identity;

2) by a foreign person or stateless person without the documents certifying identity, and the passes issued by the internal affairs bodies;

3) by a foreign person (inhabitant of the border districts of neighboring states) that entered the Republic of Kazakhstan through the simplified checkpoints without the documents certifying identity, and the pass issued by the National Security Committee of the Republic of Kazakhstan, and equally change of the route upon transit through the frontier zone by a foreign person or stateless person on the lines of international railway and automobile communications to the checkpoint for the purpose of departure from the Republic of Kazakhstan, shall -

entail a fine in amount of five monthly calculation indices.

2. Carrying out of economic, fishing and other activity, conduct of public and political, cultural and other measures in a frontier zone without notifying the Frontier Service of the National Security Committee of the Republic of Kazakhstan, shall -

entail a fine on individuals in amount of five, on subjects of small entrepreneurship - in amount of twenty five, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of seventy five monthly calculation indices.

3. Entry (passage), temporary staying or movement of a foreign person or stateless person in a territory of the Republic of Kazakhstan, temporarily closed for visiting by foreign persons and stateless persons without the permission of the Ministry of Foreign Affairs of the Republic of Kazakhstan and Internal Affairs Bodies, shall -

entail a fine in amount of ten monthly calculation indices.

Article 511. Violation of restrictions established in a territory of forbidden zone under arsenals, bases and warehouses of the Armed Forces of the Republic of Kazakhstan, other forces and military formations of the Republic of Kazakhstan and the forbidden district under arsenals, bases and warehouses of the Armed Forces of the Republic of Kazakhstan, other forces and military formations of the Republic of Kazakhstan

1. Staying of individuals in a territory of forbidden zone under arsenals, bases and warehouses of the Armed Forces of the Republic of Kazakhstan, other forces and

military formations of the Republic of Kazakhstan, shall -

entail a fine in amount of ten monthly calculation indices.

2. Construction and conduct of any works, with the exception of the works performed for the purpose of ensuring counter-sabotage and fire security in a territory of forbidden zone under arsenals, bases and warehouses of the Armed Forces of the Republic of Kazakhstan, other forces and military formations of the Republic of Kazakhstan, shall -

entail a fine on individuals in amount of fifteen, on subjects of small entrepreneurship - in amount of twenty, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of sixty monthly calculation indices.

3. Shooting from fire arms, use of pyrotechnical means, as well as arrangement of shooting ranges, stands and firing ranges in a territory of forbidden district under arsenals, bases and warehouses of the Armed Forces of the Republic of Kazakhstan, other forces and military formations of the Republic of Kazakhstan, shall -

entail a fine on individuals in amount of fifteen, on subjects of small entrepreneurship - in amount of twenty, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of sixty monthly calculation indices.

Article 512. Violation of the regimes of territorial waters (sea) and internal waters of the Republic of Kazakhstan

1. Violation of the regimes in territorial waters (sea) and internal waters of the Republic of Kazakhstan, Kazakhstan's part of the frontier rivers, lakes and other water reservoirs being expressed in non-compliance with the established procedure for accounting, maintenance, leaving the stationing sites and return to the stationing site, floatation of Kazakhstan's small size self-propelled and non-propelled (surface and underwater) vessels (crafts) and vessels (crafts) for overice movement, shall -

entail a fine on individuals in amount of twenty, on subjects of small entrepreneurship - in amount of thirty, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of eighty monthly calculation indices.

2. Carrying out of the fishing, research, prospecting and another activity in territorial waters (sea) and internal waters of the Republic of Kazakhstan, Kazakhstan's part of the waters of the frontier rivers, lakes and other water reservoirs without permission of the authorized state body with the violation of the procedure established by the legislation of the Republic of Kazakhstan, shall -

entail a fine on individuals in amount of twenty, on subjects of small entrepreneurship - in amount of thirty, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of eighty monthly calculation indices, with the confiscation of transport vehicles and other subjects being indirect subjects for commission of the administrative infraction.

Article 513. Violation of the regime in checkpoints through the State border of the Republic of Kazakhstan

1. Violation of the regime in checkpoints through the State Border of the Republic of Kazakhstan by a citizen of the Republic of Kazakhstan being expressed in non-compliance with the established procedure for entry to the checkpoints, staying, movement and departure from them of the persons, transport vehicles, entry, staying, movement, inflow of cargo and goods, carrying out of economic and another activity, shall -

entail a fine in amount of five monthly calculation indices.

2. The same actions committed by a foreign person or stateless person, shall -

entail a fine in amount of five monthly calculation indices with the administrative expulsion beyond the Republic of Kazakhstan.

Article 514. Violation of the regime of the State Border of the Republic of Kazakhstan

1. Violation of the regime of the State Border of the Republic of Kazakhstan being expressed in non-compliance with the established procedure for:

1) maintenance of the State Border of the Republic of Kazakhstan (with the exception of the field of the State Border of the Republic of Kazakhstan on Caspian sea);

2) crossing the State Border of the Republic of Kazakhstan;

3) pass of the persons, transport vehicles, cargo and goods through the State Border of the Republic of Kazakhstan;

4) entry, temporary staying, residence, movement in a frontier belt and performance of flights over the frontier belt;

5) carrying out of economic, fishing or another activity, conduct of public policy, cultural or another events on the State Border and in a frontier belt, shall -

entail a fine on individuals in amount of ten, on subjects of small entrepreneurship - in amount of fifteen, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

2. The actions provided by a part one of this Article committed by a foreign person or stateless person, shall -

entail a fine in amount of twenty monthly calculation indices with the confiscation of transport vehicles and other subjects that are direct subjects for commission of the administrative infraction, or administrative arrest for the term up to ten days or administrative expulsion beyond the Republic of Kazakhstan.

Article 515. Illegal carriage through the State Border of the Republic of Kazakhstan

1. Failure to take measures on prevention of illegal entry of persons in a transport vehicle and its use for illegal crossing the State Border of the Republic of Kazakhstan by a transport or another organization carrying out international carriage that entailed the illegal crossing or attempt of illegal crossing the State Border of the Republic of Kazakhstan by one or several violators, shall -

entail a fine in amount of five hundred monthly calculation indices.

2. Failure to take measures on prevention of illegal entry of persons in a transport vehicle and its use for illegal crossing the State Border of the Republic of Kazakhstan by a worker of a transport or another organization carrying out international carriage, that are included in his (her) official duties, that entailed the illegal crossing the State Border of the Republic of Kazakhstan, if the mentioned act was not the aiding in a crime or attempt of illegal crossing the State Border of the Republic of Kazakhstan by one or several violators, shall -

entail a fine in amount of twenty five monthly calculation indices.

3. Failure to take measures by a person crossing the State Border of the Republic of Kazakhstan with regard to private affairs on prevention of using the transport vehicle operated by him (her) by the order person for the illegal crossing the State Border of the Republic of Kazakhstan that entailed illegal crossing of the State Border of the Republic of Kazakhstan by one or several violators, shall -

entail a fine in amount of ten monthly calculation indices.

Article 516. Insubordination to legal regulation or requirement of a military servant due to fulfillment of the obligations on protection of the State Border of the Republic of Kazakhstan

1. Insubordination to legal regulation or requirement of a military servant due to fulfillment of the obligations on protection of the State Border of the Republic of Kazakhstan, shall -

entail a fine in amount of ten monthly calculation indices or administrative arrest for the term up to five days.

2. The actions provided by a part one of this Article committed repeatedly second time by a foreign person or person without the citizenship, shall -

entail the administrative arrest for the term up to five days beyond the Republic of Kazakhstan.

Article 517. Breach of the legislation of the Republic of Kazakhstan in the field of migration of population by a foreign person or stateless person

1. Breach of the legislation of the Republic of Kazakhstan in the field of migration of population by a foreign person or stateless person being expressed in staying in the Republic of Kazakhstan without registration in the internal affairs bodies for the term up to three days after expiration of five calendar days established by the legislation of the Republic of Kazakhstan for registration, shall -

entail a notification.

2. Breach of the legislation of the Republic of Kazakhstan in the field of migration of population by a foreign person or stateless person being expressed in staying in the Republic of Kazakhstan without registration in the internal affairs bodies over the terms provided by a part one of this Article, or residence not at address mentioned upon registration, and equally in non-compliance with the rules for the transit passing through the territory of the Republic of Kazakhstan, shall -

entail a fine in amount of fifteen monthly calculation indices or administrative arrest for the term up to ten days or administrative expulsion beyond the Republic of Kazakhstan.

3. Breach of the legislation of the Republic of Kazakhstan in the field of migration of population by a foreign person or stateless person being expressed in non-departure from the Republic of Kazakhstan within three days after expiration of the term stated in visa or upon registration in a migration card, shall -

entail a notification.

4. Breach of the legislation of the Republic of Kazakhstan in the field of migration of population by a foreign person or stateless person or avoidance from the departure within the period exceeding three days after expiration of the term stated in visa or upon registration in a migration card, shall -

entail a fine in amount of fifteen monthly calculation indices or administrative arrest for the term up to ten days or administrative expulsion beyond the Republic of Kazakhstan.

5. Breach of the legislation of the Republic of Kazakhstan in the field of migration of population by a foreign person or stateless person being expressed in non-conformance of carrying out activity to the purposes stated in visa and (or) upon registration in a migration card, or carrying out of labour activity in the Republic of Kazakhstan without obtaining the permission for employment when obtainment of such permission is compulsory condition for carrying out of the labour activity, shall -

entail a fine in amount of twenty five monthly calculation indices or administrative arrest for the term up to ten days or administrative expulsion beyond the Republic of Kazakhstan.

6. The actions provided by parts one and three of this Article committed repeated within a year after imposition of the administrative sanction, shall -

entail a fine in amount of fifteen monthly calculation indices or administrative

expulsion beyond the Republic of Kazakhstan.

7. The acts provided by a part two, four and five of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail the administrative arrest for the term up to fifteen days with administrative expulsion from the Republic of Kazakhstan.

Article 518. Breach of the legislation of the Republic of Kazakhstan in the field of migration of population by individuals or legal entities accepting foreign persons and stateless persons

1. Failure to take measures on a timely registration of foreign persons and stateless persons or drawing up of the documents for the right of their staying in the Republic of Kazakhstan, or their departure from the Republic of Kazakhstan upon expiry of particular term of staying by an accepting person, shall -

entail a fine on individuals in amount of five, on a civil servant, on subjects of small entrepreneurship or non-profit organizations - in amount of ten, on subjects of medium entrepreneurship - in amount of fifteen, on subjects of large entrepreneurship - in amount of twenty calculation indices.

2. Provision of a dwelling place to a foreign person or stateless person staying in the Republic of Kazakhstan with the breach of the legislation of the Republic of Kazakhstan in the field of migration of population or avoidance from departure from the Republic of Kazakhstan within the established terms, or non-conformance of the actual residence place to the address stated upon registration, shall -

entail a fine on individuals in amount of ten, on a civil servant, on subjects of small entrepreneurship or non-profit organizations - in amount of twenty, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of forty calculation indices.

3. The actions provided by parts one and two of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine on individuals in amount of fifteen, on a civil servant, on subjects of small entrepreneurship or non-profit organizations - in amount of twenty five, on subjects of medium entrepreneurship - in amount of thirty five, on subjects of large entrepreneurship - in amount of forty five calculation indices.

4. Consummation of the transactions with a foreign person or stateless person staying in the Republic of Kazakhstan with the breach of the legislation of the Republic of Kazakhstan in the field of migration of population in non-conformity of the carrying out activity to the purposes stated in visa or upon registration in a migration card, shall -

entail a fine on individuals in amount of ten, on a civil servant, on subjects of small entrepreneurship or non-profit organizations - in amount of twenty, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of fifty calculation indices.

5. The action provided by a part four of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine on individuals in amount of fifteen, on a civil servant, on subjects of small entrepreneurship or non-profit organizations - in amount of twenty five, on subjects of medium entrepreneurship - in amount of thirty five, on subjects of large entrepreneurship - in amount of forty five calculation indices.

Footnote. Article 518 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 519. Engagement of foreign labour force and labour immigrants with breach of the legislation of the Republic of Kazakhstan

Footnote. Title of Article 519 is in the wording of the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V shall be enforced from 01.01.2015).

1. Engagement of foreign labour force without permission of the local executive body or utilization of labour of foreign persons and stateless persons that do not have employment authorization, shall -

entail a fine on individuals in amount of thirty, on civil servants - in amount of fifty, on subjects of small entrepreneurship or non-profit organizations - in amount of one hundred, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of one thousand calculation indices.

2. Appointment of a foreign person by an employer to the position (profession or specialty) that does not conform to the position (profession or specialty) stated in permission of the local executive body for engagement of foreign labour force, shall -

entail a fine on individuals in amount of thirty, on civil servants - in amount of fifty, on subjects of small entrepreneurship or non-profit organizations - in amount of one hundred, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of one thousand calculation indices.

3. The actions provided by parts one and two of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine on individuals in amount of fifty, on civil servants - in amount of one hundred, on subjects of small entrepreneurship or non-profit organizations - in amount of two hundred, on subjects of medium entrepreneurship - in amount of three hundred, on subjects of large entrepreneurship - in amount of one thousand calculation indices.

4. Is excluded by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

5. Engagement of labour immigrants to perform the works (render the services) in a private household by an employer-individual that are without the relevant permission issued by the internal affairs bodies, or conclusion of the labour contracts on performance of works (rendering of services) in a private household by one employer-individual with more than five labour immigrants at the same time, shall -

entail a fine in amount of thirty monthly calculation indices.

6. The actions provided by a part five of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of fifty monthly calculation indices.

Footnote. Article 519 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 520. Illegal activity on employment of the citizens of the Republic of Kazakhstan abroad

Carrying out of activity on employment of the citizens of the Republic of Kazakhstan abroad with the use of improper advertisement or provision of incomplete or inaccurate information, shall -

entail a fine on individuals in amount of twenty, on subjects of small entrepreneurship - in amount of sixty, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of five hundred monthly calculation indices.

Chapter 29. ADMINISTRATIVE INFRACTIONS IN THE SCOPE OF CUSTOMS AFFAIRS

Article 521. Violation of the regime of customs control zone

Movement of goods, transport vehicles and persons, including civil servants of the state bodies (except for customs) through the borders of the customs control zone and within its borders, as well as carrying out of production and another commercial activity in this zone without permission of the state revenues body, shall -

entail a fine on individuals, civil servants in amount of ten, on subjects of small entrepreneurship or non-profit organizations - in amount of fifteen, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of twenty five monthly calculation indices.

Article 522. Violation of the procedure for carrying of the activity in the scope of customs affairs

Non-compliance by the customs representative, owners of place or temporary storage warehouse, free or customs warehouse, duty free shop with the conditions and obligations of such activity in accordance with the Code of the Republic of Kazakhstan "On customs affairs in the Republic of Kazakhstan" or non-conformance of the premises or territories intended for establishment of the place or temporary storage warehouse, customs or free warehouse, duty free shop to the requirements established by the customs legislation of the Customs Union and (or) the Republic of Kazakhstan, shall -

entail a fine in amount of one hundred monthly calculation indices.

Article 523. Violation of the procedure for carrying out of activity by the customs carrier

Non-compliance with the conditions and obligations by a customs carrier provided by the customs legislation of the Customs Union and (or) Republic of Kazakhstan for carrying out of such activity, as well as absence or disrepair of the technical equipment in a transport vehicle, allowing to determine location of such transport vehicle by the state revenues body, shall -

entail a fine in amount of one hundred monthly calculation indices.

Article 524. Non-notification of the state revenues body on arrival of goods and transport vehicles

Non-notification of the state revenues body upon entry of goods and transport vehicles to the customs territory of the Customs Union on arrival by non-representation of the documents in accordance with the customs legislation of the Customs Union and (or) the Republic of Kazakhstan, shall -

entail a fine on individuals in amount of five, on subjects of small entrepreneurship or non-profit organizations - in amount of ten, on subjects of medium entrepreneurship - in amount of fifteen, on subjects of large entrepreneurship - in amount of twenty five monthly calculation indices.

Article 525. Violation of the procedure for departure of goods and transport vehicles

Violation of the procedure for departure of goods and (or) transport vehicles from the customs territory of the Customs Union without the permission of the state revenues bodies of the Republic of Kazakhstan, as well as non-representation of the documents for departure in accordance with the customs legislation of the Customs Union and (or) the Republic of Kazakhstan, shall -

entail a notification or fine on individuals in amount of five, on subjects of small entrepreneurship or non-profit organizations - in amount of ten, on subjects of medium entrepreneurship - in amount of fifteen, on subjects of large entrepreneurship - in amount of twenty five monthly calculation indices.

Article 526. Failure to take measures in case of accident or force majeure circumstances

Failure to take measures in case of accident or force majeure circumstances for ensuring preservation of goods and transport vehicles, failure to notify these circumstances, location of such goods and transport vehicles to the nearest state revenues body, or failure to ensure their carriage to the nearest state revenues body or another place determined by the state revenues body, shall -

entail a fine on individuals in amount of ten, on subjects of small entrepreneurship or non-profit organizations - in amount of fifteen, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of twenty five monthly calculation indices.

Article 527. Failure to represent goods and transport vehicles at the place of delivery

Failure to represent goods and transport vehicles at the place of delivery and failure to deliver them to the state revenues body of the Republic of Kazakhstan, shall -

entail a fine on individuals in amount of ten, on subjects of small entrepreneurship or non-profit organizations - in amount of fifteen, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of twenty five monthly calculation indices.

Article 528. Issuance without permission of the state revenues body of the Republic of Kazakhstan, loss or non-delivery of goods, transport vehicles and documents on them to the state revenues body of the Republic of Kazakhstan

1. Issuance without permission of the state revenues body of the Republic of Kazakhstan, loss or non-delivery of goods, transport vehicles being under the customs control to the place of delivery determined by the state revenues body, shall -

entail a fine in amount of forty monthly calculation indices with the confiscation of goods and transport vehicles being the indirect subjects for commission of the administrative infraction.

2. Non-delivery of the customs or other documents on goods and transport vehicles being under the customs control accepted for delivery to the state revenues body, shall -

entail a fine in amount of twenty monthly calculation indices.

3. Non-compliance with the term for delivering goods, transport vehicles and documents on them established by the state revenues body, shall -

entail a fine in amount of twenty monthly calculation indices.

Article 529. Failure to stop transport vehicle

Failure to stop the transport vehicle going through the customs border of the Customs Union, as well as transport vehicle moving through the customs border of the Customs Union as the goods, at the places determined by the state revenues body of the Republic of Kazakhstan, with the exception of cases when such failure to stop is caused by technical defect of the transport vehicle or force majeure circumstances, shall -

entail a fine in amount of ten monthly calculation indices.

Article 530. Dispatch of a transport vehicle without permission of the state revenues body of the Republic of Kazakhstan

Dispatch of a transport vehicle being under the customs control or transport vehicle moved through the customs border of the Customs Union as the goods, from the place of its parking without permission of the state revenues body of the Republic of Kazakhstan, shall -

entail a fine in amount of ten monthly calculation indices.

Article 531. Violation of the procedure for commission of the customs operations linked with putting the goods under the customs procedure, and customs clearance of goods

Violation of the procedure for commission of the customs operations linked with putting the goods under the customs procedure, and customs clearance of goods, i.e. failure to comply with the requirements established by the customs legislation of the Customs Union and (or) the Republic of Kazakhstan on putting the goods under the customs procedure, place and time of commission of the customs operations, as well as conditions for putting separate categories of goods under the customs procedure, with the exception of cases provided by other Article of this chapter, shall -

entail a fine in amount of twenty five monthly calculation indices.

Article 532. Unlawful operations, change of the state, use and (or) disposal of goods in respect of which the customs clearance is not completed

1. Conduct of operations, change of the state, use and (or) disposal of goods in respect of which the customs clearance is not completed, in violation of the requirements and conditions established by the customs legislation of the Customs Union and (or) the Republic of Kazakhstan, with the exception of the cases provided by the other Articles of this chapter, shall -

entail a fine in amount of twenty five monthly calculation indices with the confiscation of the transport vehicles being indirect subjects for commission of the administrative infraction, or without such.

2. The actions provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of forty five monthly calculation indices with the confiscation of the transport vehicles being indirect subjects for commission of the administrative infraction, or without such.

Article 533. Conduct of cargo and other operations with the goods being under the customs control without permission of the state revenues body

Transportation, loading, unloading, transshipment, correction of damages to packing, packing, repacking or acceptance for transfer of the goods and transport vehicles being under the customs control, taking samples and examples of such goods, opening of premises, capacities and other places where the mentioned goods and transport vehicles may be located, or the change of a transport vehicle of international carriage carrying the goods being under the customs control without the permission of the state revenues body or notification, shall -

entail a fine in amount of twenty five monthly calculation indices.

Article 534. Destruction, removal, change or exchange of the mends of identification

1. Destruction, removal, change or exchange of the mends of identification used by the state revenues bodies, including foreign states without the permission of the state revenues body, or damage or loss of such means of identification, shall -

entail a fine in amount of twenty monthly calculation indices.

2. The acts provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of forty monthly calculation indices.

Article 535. Violation of the procedure for the customs declaring of goods

Violation of the procedure for the customs declaring of goods by a declarant and (or) customs representative, i.e. non-compliance with the requirements on procedure for filling the customs bill and customs declaring established by the customs legislation of the Customs Union and (or) the Republic of Kazakhstan, including preliminary incomplete, periodical and temporary customs declaring the goods at the place of the customs declaring the goods, with the exception of cases provided by the other Articles of this chapter, shall -

entail a fine in amount of twenty five monthly calculation indices.

Note. The person shall not be subject to bringing to the administrative liability provided by this Article in the following cases, upon:

1) change of the goods code upon revision of decisions on classifying the goods after their release in the case when the fact of incorrect classifying the goods by a civil servant of the state revenues body is established before release of the goods;

2) elimination of the violations on an individual basis detected on the basis of the results of cameral customs inspection within ten business days from the date following the date of issuing a notification to the inspected person on elimination of the violations based on the results of the cameral customs inspection;

3) detection and voluntary elimination of the violations on an individual basis within one year after release of the goods before beginning of conducting the field customs inspection.

Footnote. Article 535 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 269-V (shall be enforced from 01.01.2015).

Article 536. Violation of the procedure for carrying out the activity in the scope of the customs affairs by a customs representative

1. Carrying out of the activity by a customs representative in the scope of the customs affairs in behalf of a third party without conclusion of the civil law contract with the third person or upon expiry of the contract's validity term or after its dissolution, shall -

entail a fine in amount of thirty monthly calculation indices.

2. The action provided by a part one of this Article committed by a customs representative repeatedly second time within a year, shall -

entail a fine in amount of fifty monthly calculation indices.

Article 537. Violation of the procedure for carrying out the activity in the scope of the customs affairs by the authorized economic operator

Non-compliance with the requirements by the authorized economic operator provided by the customs legislation of the Customs Union and (or) the Republic of Kazakhstan for carrying out of such activity, shall -

entail a fine in amount of one hundred monthly calculation indices.

Article 538. Violation of the terms for filing the customs bill, documents and details

Failure to represent the customs bill, documents and details to the state revenues body within established terms upon customs declaring of goods, with the exception of cases provided by the other Articles of this chapter, shall -

entail a fine in amount of twenty monthly calculation indices.

Article 539. Failure to represent reporting to the state revenues body of the Republic of Kazakhstan or representation of inaccurate reporting and non-compliance with the procedure for maintaining of records

Failure to represent reporting on imported, exported, declared, incoming, stored, processed, produced, acquired and sold goods being under the customs control or in a territory of free customs zones by a customs carrier, customs representative, owners of the place or warehouse of temporary storage, customs or free warehouse, duty free shop, authorized economic operators declarants in the manner and in terms determined by the customs legislation of the Customs Union and (or) the Republic of Kazakhstan, or representation of inaccurate reporting to the state revenues body, and equally non-compliance with the procedure for maintaining of records of such goods, shall - entail a fine in amount of twenty five monthly calculation indices.

Article 540. Violation of the procedure for placing goods for storage, procedure for their storage and conduct of operations with them

Violation of the procedure for placing goods for storage, procedure for their storage established by the customs legislation of the Customs Union and (or) the Republic of Kazakhstan, terms for storage on the customs warehouse, procedure for transfer of goods from one warehouse to another, and equally the conduct of operations with the goods on the customs warehouses, temporary storage warehouses and free warehouses, shall -

entail a fine in amount of twenty five monthly calculation indices.

Article 541. Violation of the terms of temporary storage of goods

Violation of the terms of temporary storage of goods established by the customs legislation of the Customs Union and (or) the Republic of Kazakhstan, shall -

entail a fine in amount of fifty monthly calculation indices with the confiscation of goods or without such.

Article 542. Violation of the procedure for processing of goods and exchange of the products after processing

1. Violation of the procedure for processing of goods, i.e. non-compliance with the requirements, restrictions and conditions for provision of the obligation on conditions of processing of goods, procedure and terms for the processing, quantity of product yield after processing, conduct of operations on processing of such goods established by the customs legislation shall -

entail a fine in amount of fifty monthly calculation indices.

2. Violation of established procedure for replacing the products after processing of domestic goods by other goods, shall -

entail a fine in amount of twenty monthly calculation indices.

Article 543. Failure to terminate the customs procedure within established terms

1. Failure to terminate the customs procedure within established terms in respect of which the requirement on its termination is established, shall -

entail a fine on individuals in amount of fifteen, on subjects of small entrepreneurship - in amount of twenty, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices, with the confiscation of transport vehicles being direct subjects for commission of the administrative infraction.

2. Failure to remove the temporary imported goods and (or) transport vehicles from the customs territory of the Customs Union by individuals within established terms for temporary import, shall -

entail a fine in amount of fifteen monthly calculation indices.

3. Representation of invalid documents, documents received by illegal means, or the documents related to the other goods and transport vehicles to the state revenues

body of the Republic of Kazakhstan as confirmation of the return export or import or impossibility of that by the reasons of destruction or loss of the goods and transport vehicles due to accident or force majeure circumstances, natural deterioration or decrease or their withdrawal from disposal due to unlawful actions of the bodies and civil servants of a foreign state, shall -

entail a fine on individuals in amount of fifteen, on subjects of small entrepreneurship or non-profit organizations - in amount of twenty, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices, with the confiscation of transport vehicles being direct subjects for commission of the administrative infraction.

Article 544. Unlawful operations, change of state, use and (or) disposal of goods and transport vehicles put under particular customs procedure

Conduct of operations, change of the state, use and (or) disposal of goods and transport vehicles not in accordance with their customs procedure, and equally transfer of the right to use the customs procedure by transferring the rights of possession, use or disposal in respect of the goods to the other person without permission of the state revenues body if this decision is compulsory, if it is allowed in accordance with the customs procedure, shall -

entail a fine on individuals in amount of twenty monthly calculation indices, with the confiscation of the transport vehicles being direct subjects for commission of the administrative infraction with the exclusion of the persons carrying out the activity in the scope of customs affairs from the relevant register.

Article 545. Non-compliance with the procedure for applying prohibitions and restrictions upon movement of goods and transport vehicles through the customs border of the Customs Union

Movement of goods and transport vehicles through the customs border of the Customs Union with non-compliance with prohibitions and restrictions established by the customs legislation of the Customs Union and (or) the Republic of Kazakhstan, shall -

entail a fine on individuals in amount of fifteen, on subjects of small entrepreneurship or non-profit organizations in amount of twenty, on subjects of medium entrepreneurship in amount of thirty, on subjects of large entrepreneurship in amount of fifty monthly calculation indices, with the confiscation of goods and transport vehicles being direct subjects for commission of the administrative infraction or without such.

Article 546. Movement of goods and transport vehicles through the customs border of the Customs Union by individuals with the violation of the procedure for movement of the goods for personal use established by the customs legislation of the Customs Union and (or) the Republic of Kazakhstan

Failure to declare goods and (or) transport vehicles by individuals according to established form for the personal use subjected to the customs declaring, with the exception of the cases provided by Article 547 of this Code, shall -

entail a fine in amount of ten monthly calculation indices.

Article 547. Violation of the procedure for movement of goods in international postal matters

Violation of the procedure for movement of goods in the international postal matters established by the customs legislation of the Customs Union and (or) the Republic of Kazakhstan, shall -

entail a fine on individuals in amount of ten, on subjects of small

entrepreneurship - in amount of twenty, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

Article 548. Movement of goods and transport vehicles through the customs border of the Customs Union besides the customs control

1. Movement of goods and transport vehicles through the customs border of the Customs Union besides the customs control, i.e. outside the places for movement of the goods through the customs border of the Customs Union determined by the state revenues bodies of the Republic of Kazakhstan or outside the established work time of the state revenues bodies of the Republic of Kazakhstan in the specified places, in the absence of the signs of a crime, shall -

entail a fine on individuals in amount of twenty, on subjects of small entrepreneurship - in amount of forty, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

2. The actions provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine on individuals in amount of twenty five, on subjects of small entrepreneurship - in amount of fifty, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of three hundred monthly calculation indices, with the confiscation of the goods and transport vehicles being direct subjects for commission of the administrative infraction, or without such.

Article 549. Concealment of goods from the customs control moved through the customs border of the Customs Union

Concealment of goods from the customs control moving or being moved through the customs border of the Customs Union, as well as with the use of hiding places or other methods obstructing detection of the goods, or forming one goods as the others, shall -

entail a fine in amount of twenty five monthly calculation indices, with the confiscation of goods being direct objects of the infraction, or without such, as well as confiscation of goods and transport vehicles with the specially produced hiding places used for movement through the customs border of the Customs Union with the concealment of the goods and subjects being direct subjects for commission of the administrative infraction.

Article 550. Movement of goods and transport vehicles through the customs border of the Customs Union with the fraudulent use of documents or means of identification

Movement of goods and transport vehicles through the customs border of the Customs Union, as well as placement of the goods under the customs procedure of the customs transit or in temporary storage warehouse with representation of invalid documents to the state revenues body as the documents required for the customs purposes, as well as that may serve as the ground for non-compliance with the prohibitions and restrictions, documents received on illegal basis, documents containing inaccurate details, or the documents related to the other goods and transport vehicles, as well as use of the forged means of identification or original means of identification related to the other goods and transport vehicles, with the exception of cases provided by Article 555 of this Code, shall -

entail a fine in amount of twenty monthly calculation indices with the confiscation of goods and transport vehicles being direct subjects for commission of the administrative infraction.

Article 551. Failure to declare or inaccurate customs declaring of goods, cash money, circular checks or certified securities

1. Failure to declare or inaccurate customs declaring of goods moving or being moved through the customs border of the Customs Union, i.e. failure to apply in established form or applying of inaccurate details on goods, on selected customs procedure, customs value or country of origin of the goods or applying the other inaccurate details by a declarant, customs representative, authorized economic operator in the customs bill and other documents required for the customs purposes, giving a ground for release from paying the customs payments, taxes, special, anti-dumping, compensation duties or decrease of their amount, with the exception of the cases provided by the other Articles of this chapter, shall -

entail a fine on individuals in amount of thirty, on subjects of small entrepreneurship or non-profit organizations - in amount of fifty, on subjects of medium entrepreneurship - in amount of eighty, on subjects of large entrepreneurship - in amount of one hundred fifty monthly calculation indices.

2. The acts provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine on individuals in amount of sixty, on subjects of small entrepreneurship or non-profit organizations - in amount of one hundred, on subjects of medium entrepreneurship - in amount of one hundred sixty, on subjects of large entrepreneurship - in amount of three hundred monthly calculation indices, with the confiscation of the goods and transport vehicles being direct subjects for commission of the administrative infraction.

3. Failure to declare or inaccurate declaring foreign currency in cash, currency in cash of the Republic of Kazakhstan, circular checks or certified securities moving through the customs border of the Customs Union and subjected to written declaring by individuals, shall -

entail a fine in amount of ten monthly calculation indices.

Note. The person shall not be subject to bringing to administrative liability provided by this Article in the following cases, upon:

1) change of the goods code upon revision of decisions on classifying the goods after their release in the case when the fact of incorrect classifying the goods by a civil servant of the state revenues body is established before release of the goods;

2) elimination of the violations on an individual basis detected on the basis of the results of cameral customs inspection within ten business days from the date following the date of issuing a notification to the inspected person on elimination of the violations based on the results of the cameral customs inspection;

3) detection and voluntary elimination of the violations on an individual basis within one year after release of the goods before beginning of conducting the field customs inspection.

Footnote. Article 551 as amended by the Laws of the Republic of Kazakhstan dated 29.12.2014 No. 269-V (shall be enforced from 01.01.2015); dated 08.06.2015 No. 317-V (shall be enforced upon expiry of thirty calendar days after the date of its first official publication).

Article 552. Transportation, storage, acquisition, use or disposal of goods and transport vehicles imported to the customs territory of the Customs Union with the violation of the customs rules

1. Transportation, storage, acquisition, use or disposal of goods and transport vehicles imported to the customs territory of the Customs Union besides the customs control or with avoidance from such control, or with the fraudulent use of documents or

means of identification, or non-declared or declared inaccurately, and equally transportation, storage, acquisition of goods and transport vehicles in respect of which the customs privileges are represented in a part of the customs payments and taxes used or alienated without the permission of the state revenues body of the Republic of Kazakhstan in other purposes than those in connection with which such privileges were represented, shall -

entail a fine on individuals in amount of ten, on subjects of small entrepreneurship or non-profit organizations - in amount of twenty, on subjects of medium entrepreneurship - in amount of twenty five, on subjects of large entrepreneurship - in amount of thirty five monthly calculation indices.

2. The actions provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of fifty monthly calculation indices with the confiscation of the goods and transport vehicles that are direct subjects for commission of the administrative infraction, or without such.

Article 553. Violation of the procedure for use and (or) disposal of goods being restricted in use and (or) disposal, as well as conditionally released goods and transport vehicles

Use and (or) disposal of goods being restricted in use and (or) disposal, as well as conditionally released goods and transport vehicles in other purposes than those provided by the customs legislation of the Republic of Kazakhstan, as well as in connection of which such privileges were provided, shall -

entail a fine in subjects of small entrepreneurship or non-profit organizations - in amount of two hundred, on subjects of medium entrepreneurship - in amount of four hundred, on subjects of large entrepreneurship - in amount of one thousand monthly calculation indices.

Article 554. The actions oriented to return of the paid customs payments and taxes without proper grounds, receipt of payments and other compensations or their non-return

Representation of documents to the state revenues body of the Republic of Kazakhstan containing inaccurate details giving the right to return of the paid customs payments, receipt of payments and other compensations or their non-return or return not in full volume without the proper grounds, if these actions do not contain the signs of a criminally punishable act, shall -

entail a fine on legal entities in amount up to two hundred fifty monthly calculation indices.

Article 555. Violation of the terms for payment of the customs payments, taxes, special, anti-dumping, compensation duties

Footnote. Title of Article 555 as amended by the Law of the Republic of Kazakhstan dated 08.06.2015 No. 317-V (shall be enforced upon expiry of thirty calendar days after the date of its first official publication).

Non-payment of customs payments, taxes, special, anti-dumping, compensation duties by payers, as well as the persons having a status of the customs representative, authorized economic operator within established terms, and equally non-payment in the cases of violation of the terms for filing the customs bill upon use of conditionally release goods in other purposes than those in connection with which the release from paying the customs duties for main customs declaring, customs payments, taxes, special, anti-dumping, compensation duties was provided, as well as upon putting the goods under the customs procedures, providing periodical payment of the customs payments, taxes, special, anti-dumping, compensation duties, shall -

entail a fine on individuals in amount of thirty, on subjects of small

entrepreneurship or non-profit organizations – in amount of thirty five, on subjects of medium entrepreneurship – in amount of forty, on subjects of large entrepreneurship – in amount of fifty monthly calculation indices.

Footnote. Article 555 as amended by the Law of the Republic of Kazakhstan dated 08.06.2015 No. 317-V (shall be enforced upon expiry of thirty calendar days after the date of its first official publication).

Article 556. Failure to fulfill the requirements of the state revenues body of the Republic of Kazakhstan on payment of the sums owed of the customs payments, taxes and late fees within established terms

Failure to fulfill the requirements of the state revenues body on payment of the sums owed of the customs payments, taxes and late fees within established terms by bank, insurance organization, guarantor in the cases of non-fulfillment of the obligation by a payer to pay the customs payments and taxes upon applying the methods for ensuring the payment of the customs payments and taxes, shall –

entail a fine on subjects of small entrepreneurship or non-profit organizations in amount of twenty, on subjects of medium entrepreneurship – in amount of forty, on subjects of large entrepreneurship – in amount of fifty monthly calculation indices.

Article 557. Non-execution of the decisions of the state revenues bodies of the Republic of Kazakhstan by banks and organizations carrying out separate types of banking operations

Non-execution of the decisions of the state revenues bodies on recovery of the customs payments, taxes and late fees or on suspension of the debit operations on accounts of a payer of the customs payments, taxes and late fees due to the fault of banks and organizations carrying out separate types of banking operations, shall –

entail a fine on legal entities in amount of two hundred fifty monthly calculation indices.

Article 558. Non-performance of the requirements of the state revenues bodies of the Republic of Kazakhstan

Non-performance of the requirements of the state revenues bodies and their civil servants upon carrying out the customs declaring, customs search, inspection of the customs bill, customs inspection, conduct of cargo-handling and other operations with the goods and transport vehicles, as well as the other requirements required for the customs control by the persons carrying out the activity in the scope of the customs affairs and by other persons established by the customs legislation of the Customs Union and (or) the Republic of Kazakhstan, shall –

entail a fine in amount of fifty monthly calculation indices.

Chapter 30. ADMINISTRATIVE INFRACTIONS IN A TRANSPORT, IN ROAD FACILITIES

Article 559. Violation of the rules ensuring safety of railway traffic

1. Violation of the rules of transit of horse-drawn carriage (sleighs) and driving of baggage, riding animals and livestock through the railway lines, cattle grazing in a railroad precinct, shall –

entail a notification or fine in amount of five monthly calculation indices.

2. Damage of railway lines, shelter forests, snow fences and other track facilities, structures and signaling arrangement and communication devices, shall –

entail a fine on individuals in amount of five, on legal entities – in amount of twenty monthly calculation indices.

3. Non-compliance with the established gauges upon loading and unloading of cargo,

shall -

entail a fine on individuals in amount of five, on legal entities - in amount of fifteen monthly calculation indices.

4. Laying, dropping or leaving subjects on the railway lines that may cause violation of the train traffic, shall -

entail a fine in amount of twenty monthly calculation indices.

5. Passage on the railway lines in undesignated areas, shall -

entail a notification or fine in amount of three monthly calculation indices.

6. Violation of the requirements of the legislation of the Republic of Kazakhstan on railway transport committed upon:

1) maintenance of the station and main lines of railway network and railway approaching lines;

2) maintenance, operation and repair of a rolling stock, technical means, railway artificial structures oriented to safety ensuring of railway traffic, shall -

entail a fine on individuals in amount of three, on civil servants - in amount of seven, on subjects of small entrepreneurship - in amount of eight, on subjects of medium entrepreneurship - in amount of ten, on subjects of large entrepreneurship - in amount of thirty monthly calculation indices.

7. Violation of the rail safety rules that entailed damage of a railway rolling stock to the state that may not be restored, shall -

entail a fine on subjects of small entrepreneurship in amount of fifty, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

8. Violation of the rail safety rules in result of which the rolling stock is damaged in the volume that requires its uncoupling and repairing, shall -

entail a fine on subjects of small entrepreneurship in amount of thirty, on subjects of medium entrepreneurship - in amount of seventy, on subjects of large entrepreneurship - in amount of one hundred fifty monthly calculation indices.

9. Failure to represent information on committed security violations on railway lines to the authorized body by participants of a carriage process within the terms established by the rail safety rules, shall -

entail a fine on civil servants in amount of twenty monthly calculation indices.

Article 560. Violation of the rules for use of the means of railway transport

1. Illegal transit in freight trains, boarding and unloading on the way, transit on a footboard and roofs of wagons, illegal stop of train without necessity, shall -

entail a fine on individuals in amount of five monthly calculation indices.

2. Discharge of rubbish and other subjects from windows and doors of the wagons of trains, illegal opening of the outer doors during train traffic, shall -

entail a notification or fine on individuals in amount of three monthly calculation indices.

Article 561. Operation of a railway rolling stock without the state registration or re-registration

1. Operation of a railway rolling stock without the state registration or re-registration in the authorized body, shall -

entail a fine on individuals in amount of two, on subjects of small entrepreneurship - in amount of five, on subjects of medium entrepreneurship - in amount of seven, on subjects of large entrepreneurship - in amount of twenty monthly calculation indices.

2. The action (omission) provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction,

shall -

entail a fine on individuals in amount of five, on subjects of small entrepreneurship - in amount of seven, on subjects of medium entrepreneurship - in amount of ten, on subjects of large entrepreneurship - in amount of thirty monthly calculation indices.

Article 562. Damage of transport public transport vehicles and their internal equipment

Damage of public transport vehicles, specifically passenger wagons and locomotives on a railway transport, vessels on marine and river transport, buses, trolleys, trams, as well as damage of their internal equipment, shall -

entail a fine on individuals in amount of ten monthly calculation indices.

Article 563. Violation of the procedure for use of the air space of the Republic of Kazakhstan

1. Violation of the procedure for use of the air space of the Republic of Kazakhstan, specifically flights of aerial vessels and other flight vehicles, conduct of all the types of shootings, rocket launching, explosive works and carrying out of another activity linked with the movement of material objects in the air space of the Republic of Kazakhstan committed in the form of:

1) carrying out the activity without representation of the flight plan (upon flights in uncontrollable air space without notifying) and (or) without permission for carrying out of the activity constituting a security threat of the flights of aerial vehicles;

2) flight of the group of aerial vehicles, the number of which exceeds the number stated in the permission;

3) non-compliance with the regimes of using the air space by aerial vehicles;

4) landing of aerial vehicles on aerodrome that is not stated in the flight plan, except for the cases of forced landing and direction to the alternate aerodrome;

5) flight of the aerial vehicle without permission of the Ministry of defence of the Republic of Kazakhstan over the territory of forbidden zone and restricted area;

6) non-compliance with vertical, longitudinal, lateral separation, off-airway clearance, local air lines, lane axis by aerial vehicles in the distance that is more than established standards, with the exception of the cases of obvious security threat of flights and prevention of the aviation accidents;

7) non-execution of commands of the bodies of air traffic service or air traffic control by users of the air space, with the exception of obvious security threat of flights and prevention of the aviation accidents, shall -

entail a fine on individuals in amount of ten, on civil servants - in amount of twenty monthly calculation indices.

2. The actions provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine on individuals in amount of fifteen, on civil servants - in amount of twenty five monthly calculation indices, with the confiscation of the subject that was an instrument for commission of the infraction.

Article 564. Violation of the flight safety rules

1. Placement of any signs and devices in the area of aerodrome being similar to the identification marks and devices being accepted for aerodrome identification, or firing of pyrotechnic products without the permission of the administration of airport, aerodrome, or installation of the objects that promote mass gathering of birds being dangerous for flights of aerial vehicles, shall -

entail a fine on individuals in amount of ten, on civil servants - in amount of twenty monthly calculation indices.

2. Failure to comply with the rules on placement of the night and day identification marks or devices on buildings and structures, shall -
entail a fine on individuals in amount of ten, on civil servants - in amount of twenty monthly calculation indices.

3. Damage of the aerodrome equipment, aerodrome signs, aerial vehicles and their equipment, shall -
entail a fine on individuals in amount of fifty monthly calculation indices.

4. Passage or transit without the proper permission through the territory of airports (except for airport terminals), aerodromes, objects of radio and light supply of the flights, shall -
entail a fine on individuals in amount of one monthly calculation indices.

5. Violation of the flight safety rules of aerial vehicle by a passenger, if this act created the situation threatening the flight safety, shall -
entail a fine on individuals in amount of two hundred monthly calculation indices or administrative arrest for the term up to fifteen days.

Article 565. Work permit to the aviation personnel that did not pass professional training or that does not have the relevant qualification

Work permit to the aviation personnel that did not pass professional training or that does not have the relevant qualification, shall -

entail a fine on civil servants in amount of forty, on legal entities - in amount of sixty monthly calculation indices.

Article 566. Violation of the rules of conduct on aerial vehicle

1. Violation of the rules of conduct on aerial vehicle committed in the form of non-execution of the regulations of a commander of aerial vehicle or other crew members by a person being on the aerial vehicle, if the acts of this person do not create security threat of the flight, shall -

entail a fine in amount of three monthly calculation indices.

2. Use of the services of cellular, trunking communications on board of aerial vehicle at the all stages of flight, of radio electronic means and high frequency devices of household purpose at the stage of taxing operation, drifting up, landing approach of the aerial vehicle, shall -

entail a notification or fine in amount of five monthly calculation indices.

3. The acts provided by parts one and two of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of ten monthly calculation indices.

Article 567. Non-fulfillment or improper fulfillment of the obligations by a carrier on rendering of services to a passenger upon cancellation or delay of flight due to the fault of the carrier or delay, cancellation of the flight due to late arrival of aerial vehicle, route change of carriage

1. Non-fulfillment or improper fulfillment of the obligations by a carrier provided by the legislation of the Republic of Kazakhstan on use of air space of the Republic of Kazakhstan and activity of aviation on rendering of services to a passenger upon cancellation or delay of flight due to the fault of the carrier or delay, cancellation of the flight due to late arrival of aerial vehicle, route change of carriage, shall -

entail a fine in amount of two hundred monthly calculation indices.

2. The action (omission) provided by a part one of this Article committed

repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of one thousand monthly calculation indices.

Article 568. Intended concealment of aviation accident or incident

Intended concealment of aviation accident, incident or details on them or deviation of information, or damage or destruction of the aircraft or ground facilities of objective control or other evidential matters linked with the aviation accident or incident, shall -

entail a fine on individuals in amount of twenty, on civil servants - in amount of thirty, on legal entities - in amount of one hundred monthly calculation indices.

Article 569. Violation of the safety rules for operation of aerial vehicles

1. Violation of the procedure for access to performance of flights of aerial vehicles or the rules for training and performance of the flights, with the exception of the cases provided by parts two, three, four, five, six, seven and eight of this Article, if these actions carelessly entailed infliction of light harm to health of an injured party, shall -

entail a fine on individuals in amount of thirty monthly calculation indices with the deprivation of the right to operate the aerial vehicle (air traffic service, technical maintenance of aerial vehicle) for the term of six months, on civil servants - in amount of thirty, on legal entities - in amount of fifty monthly calculation indices.

2. Take off on aerial vehicle in existence of the defects with which it is prohibited to begin the flight operations without the permission of the authorized body, or with the violation of the passenger capacity (cargo capacity) standards or of the restrictions on flying weight or aircraft center-of-gravity, shall -

entail a fine on a commander of the aerial vehicle in amount of forty monthly calculation indices or deprivation of the right to operate the aerial vehicle for the term of one year.

3. Operation of the aerial vehicle by a person that does not have the right of its operation, shall -

entail a fine in amount of forty monthly calculation indices.

4. Operation of the aerial vehicle that did not pass the state registration or that does not have the state and registering identification marks, or that is not recorded in the authorized body in the scope of civil aviation, or having knowingly false state and registering identification marks, shall -

entail a fine on a commanding officer of the aerial vehicle in amount of forty monthly calculation indices or deprivation of the right to operate the aerial vehicle for the term of one year.

6. Operation of the aerial vehicle on which there are no vehicle and flight documents provided by the legislation of the Republic of Kazakhstan, or operation of the aerial vehicle by a flight crew member that does not have the documents for the right to operate this type of the aerial vehicle, shall -

entail a fine in amount of forty monthly calculation indices.

6. Permit to flight of the aerial vehicle that did not pass the state registration or that does not have the state and registering identification marks, or that is not recorded in the authorized body in the scope of civil aviation, or that has the knowingly false state and registering identification marks, or on which there are no vehicle and flight documents provided by the legislation of the Republic of Kazakhstan, or where the air or cabin crew is not staffed, or that has defects with which it is prohibited to operate it without the permission issued by the authorized body, or on

which the passenger capacity (cargo capacity) standards are violated or restrictions on flying weight or aircraft center-of-gravity, and equally permit to servicing or servicing of the aerial vehicle by the person that has no the right to that or being in a state of intoxication, shall -

entail a fine on individuals and civil servants in amount of forty, on legal entities - in amount of one hundred monthly calculation indices.

7. Performance of flights by aerial vehicles on the board of which there are no search and emergency-rescue means provided by the legislation of the Republic of Kazakhstan, shall -

entail a fine on individuals and civil servants in amount of forty, on legal entities - in amount of one hundred monthly calculation indices.

8. Damage or loss of aviation personnel certificate, shall -

entail a fine on individuals in amount of twenty monthly calculation indices.

Article 570. Violation of the requirements of aviation security

1. Violation of the rules of aviation security, shall -

entail a fine on legal entities in amount of one hundred monthly calculation indices.

2. Failure to take measures on maintenance of the fences of the territory perimeter of airport, aerodrome, if these actions did not entail the aviation accident or incident, shall -

entail a fine on legal entities in amount of four hundred monthly calculation indices.

Article 571. Violation of the rules of carriage of passengers, luggage and cargo

1. Violation of the rules of international carriage of passengers, luggage and cargo, with the exception of carriage by automobile transport, shall -
entail a fine in amount of fifty monthly calculation indices.

2. Violation of the rules of carriage of passengers, luggage and cargo by automobile transport, shall -

entail a fine on individuals in amount of five, on subjects of small entrepreneurship - in amount of ten, on subjects of medium entrepreneurship - in amount of fifteen, on subjects of large entrepreneurship - in amount of twenty five monthly calculation indices.

3. The actions provided by a part two of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine on subjects of small entrepreneurship in amount of fifteen, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

Footnote. Article 571 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 572. Violation of the regime of labour and rest of drivers upon carrying out of automobile carriage of passengers, luggage or cargo

1. Operation of mechanical transport vehicles without the control devices for recording the regimes of labour and rest of drivers (tachographs) or with such properly operating devices being turned off or with unfilled diagram sheets, or with application of previously used diagram sheets or without the use of electronic cards in case of applying electronic (digital) tachographs, and equally without maintenance of the daily registry sheets of the regime of labour and rest of the drivers (in case of defect of the control device) upon carrying out of:

1) automobile carriage of hazardous cargo;

- 2) international automobile carriage of passengers, luggage and cargo;
 - 3) inter-city, inter-oblast, regular and intra-district automobile carriage of passengers, luggage;
 - 4) international, inter-oblast, inter-district (international intra-oblast) non-scheduled automobile carriage of passengers and luggage, shall -
 - entail a fine on subjects of small entrepreneurship in amount of ten, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.
2. Violation of the regime of labour and rest by the drivers of mechanical transport vehicles upon carrying out of automobile carriage of passengers, luggage or cargo, shall -
 - entail a fine in amount of ten monthly calculation indices.

Article 573. Violation of the Rules for applying the authorization system of automobile carriage in the Republic of Kazakhstan in international traffic

1. Carrying out of international automobile carriage by foreign persons or foreign legal entities in a territory of the Republic of Kazakhstan without the permit or special permit in the cases provided by the legislation of the Republic of Kazakhstan on automobile transport, shall -
 - entail a fine on drivers of mechanical transport vehicles in amount of twenty five, on legal entities in amount of five hundred monthly calculation indices.
2. Use of foreign permit to mechanical transport vehicle by a domestic carrier that is not specified in the records of access of the domestic carrier, shall -
 - entail a fine on subjects of small entrepreneurship in amount of twenty, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of forty monthly calculation indices.
3. Transfer of the forms of foreign permits by one domestic carrier to another domestic carrier, shall -
 - entail a fine on subjects of small entrepreneurship in amount of twenty, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of forty monthly calculation indices.
4. Violation of the coordinated route plan by a driver upon carrying out of carriage of passengers and luggage in international traffic, shall -
 - entail a fine in amount of ten monthly calculation indices.
5. Use of domestic permit by a foreign carrier that is not registered in accordance with the Rules for applying the authorization system of automobile carriage in the Republic of Kazakhstan in the international traffic, shall -
 - entail a fine on drivers of mechanical transport vehicles in amount of twenty monthly calculation indices.

Article 574. Absence of the lists of passengers at drivers of mechanical transport vehicles upon carrying out of unscheduled international automobile carriage of passengers and luggage

- Absence of the lists of passengers at drivers of mechanical transport vehicles upon carrying out of unscheduled international automobile carriage of passengers and luggage, shall -
 - entail a fine on individuals in amount of five monthly calculation indices.

Article 575. Carrying out of automobile carriage in a territory of the Republic of Kazakhstan by automobile transport vehicles registered in a foreign state

- Carriage of passengers, luggage or cargo by automobile transport vehicles registered in a territory of a foreign state between the points located in the territory

of the Republic of Kazakhstan, with the exception of carriage by the automobile transport vehicles temporary imported to the territory of the Republic of Kazakhstan, shall -

entail a fine on individuals in amount of ten, on subjects of small entrepreneurship - in amount of fifteen, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of forty monthly calculation indices.

Article 576. Absence of the contract of carriage at drivers of mechanical transport vehicles upon carrying out of unscheduled automobile carriage of passengers and luggage in the intra-republican communication

Absence of the contract of carriage at drivers of mechanical transport vehicles upon carrying out of unscheduled automobile carriage of passengers and luggage in the intra-republican communication, shall -

entail a fine on individuals in amount of ten monthly calculation indices.

Article 577. Carriage of passengers between the points in a territory of the Republic of Kazakhstan upon carrying out of regular carriage in international traffic

1. Organization of selling travel documents (tickets) for carriage of passengers between the points in a territory of the Republic of Kazakhstan upon carrying out of regular carriage in international traffic, shall -

entail a fine on subjects of small entrepreneurship in amount of ten, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of thirty monthly calculation indices.

2. Carriage of passengers by mechanical transport vehicles between the points in a territory of the Republic of Kazakhstan upon carrying out of regular carriage in the international traffic, shall -

entail a fine on drivers of mechanical transport vehicles in amount of thirty monthly calculation indices.

3. The action provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine on subjects of small entrepreneurship in amount of twenty, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of forty monthly calculation indices.

4. The action provided by a part two of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine on drivers of automobile transport vehicles in amount of fifty monthly calculation indices.

Article 578. Violation of the rules ensuring the safety of traffic on a marine transport

1. Violation of the established order of maneuvering and movement of the vessels on a marine transport, non-compliance with the prescribed speed of movement, requirements for giving audio and light alarms, bearing ship lights and signs, premeditated stoppage or dockage of a vessel in forbidden places, violation of the procedure for vessel towing, as well as failure to perform the compulsory requirements of a dispatcher, shall -

entail a fine in amount of seven monthly calculation indices.

2. Performance of diving operations without the proper permit in harbor waters or non-compliance with the rules for signaling during these works, shall -

entail a fine in amount of ten monthly calculation indices.

Article 579. Damage of the structures and devices of signaling and communicating on a marine transport

Damage of the structures and devices of signaling and communicating on a marine transport, shall -

entail a fine in amount of ten monthly calculation indices.

Article 580. Violation of the rules ensuring safety of passengers in vessels of a marine and river transport, as well as small size vessels

Absence, understaffing or use of the rescue and emergency means and equipment with the expired term of certification on the vessels of a marine and river transport, as well as small size vessels, violation of the requirements on equipping the gangways and ladders on the vessels of a marine and river transport, shall -

entail a fine in amount of ten monthly calculation indices.

Article 581. Violation of the rules for releasing a vessel in sailing or permit for operation of the vessel by the persons that do not have the relevant diploma (certificate, identity document)

1. Release (route) of a vessel (except for the small size vessel) in sailing without the documents certifying belonging of the vessel, its seaworthiness with the unstaffed crew team, upon non-conformance of the technical condition of the vessel to available documents, with the violation of established rules for loading, passenger capacity standards, restrictions in the area and conditions for sailing, as well as permit for operation of the vessel or its mechanisms and equipment by the persons that do not have the relevant diploma (certificate, identity document), shall -

entail a fine in amount of twenty monthly calculation indices.

2. Release of small size vessels in sailing that are not registered in established manner or did not pass technical inspection (examination), or that have the defects with which their operation is prohibited, or unstaffed with equipment, or re-equipped without the relevant permit, as well as the permit for operation of the small size vessels by the persons that do not have the right of operation of these vessels, shall -

entail a fine on civil servants, subjects of small entrepreneurship in amount of ten, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

Article 582. Violation of the rules for operation of vessels, including small size vessels, as well as operation of the vessel, including small size vessel by the person that does not have the right of operation

1. Operation of a vessel (including small size vessel) that is not registered in established manner or did not pass technical inspection (examination), or that does not have the side numbers and designations, or that is reequipped without the relevant permit, or that has defects with which its operation is prohibited, or with violation of the rules for loading of passenger capacity standards, restrictions in the area and conditions of sailing, shall -

entail a fine in amount of fifteen monthly calculation indices.

2. Operation of a vessel, including small size vessel by the person that does not have the right of operation of this vessel, including small size vessel, and equally operation of the vessel, including small size vessel, by the person that does not have the document confirming the right of operation of this vessel, including small size vessel or transfer of operation of such vessel, including small size vessel to the person that does not have the right of operation, shall -

entail a fine in amount of ten monthly calculation indices.

3. Operation of a vessel, including small size vessel in the absence of vessel documents, as well as with the violation of requirements submitted to the vessel documents, shall -

entail a fine in amount of five monthly calculation indices.

4. Operation of a vessel, including small size vessel with knowingly false or forged registering side numbers and designations, shall -

entail a fine in amount of twenty monthly calculation indices.

Article 583. Violation of the rules for sailing, loading and discharge of vessels

1. Violation of the traffic rules and the rules of giving audio and light alarms, bearing of ship lights and signs, rules for loading and discharging vessels by navigators of the vessels (except for small size vessels), as well as damage of the port structures and equipment, shall -

entail a fine in amount of five monthly calculation indices.

2. Excess of the established speed by navigators of small size vessels and other floating objects, non-compliance with the requirements, navigation marks, premeditated stoppage or dockage of a vessel in forbidden places, damage of water development facilities or technical means and signs of the shipping and navigation circumstances, violation of the rules for maneuvering, giving audio alarms, bearing of side lights and marks, shall -

entail a notification or fine in amount of two monthly calculation indices or deprivation of the right of operation of a small size vessel for the term up to one year.

3. Violation of the other rules for using small size vessels by the navigators of the small size vessels, shall -

entail a notification or fine in amount of one monthly calculation index.

Article 584. Violation of the rules ensuring security of operation of vessels on inland water ways

1. Performance of diving operations without the proper permission or non-compliance with the rules for giving signals during these works, violation of the procedure for installation and arrangement of floating booms and forest harbours, arrangement of weirs and other accessories for fishing in the areas undesignated for this purpose without coordination with the relevant bodies, shall -

entail a fine in amount of ten monthly calculation indices.

2. Destruction, damage, breakage, illegal displacement of floating and non-floating aids to navigation, communication and signalling, violation of the rules for maintenance, operation and established work regime of the navigational equipment on bridges, dams and other water development facilities, installation of signs, structures, sources of audio and light alarms without the proper permit (coordination), creating noises in identifying the navigation marks and alarms, shall -

entail a fine in amount of ten monthly calculation indices.

3. Discharge of rubbish and other subjects overboard, shall -

entail a notification or fine in amount of one monthly calculation index.

Article 585. Violation of the rules of loading, discharge and warehousing cargo in river ports and on berths

Violation of technical conditions of loading, discharge and warehousing cargo in the river ports and on berths, technical conditions for securing cargo in a vessel, failure to draw up the act of loading (discharge) of cargo, shall -

entail a fine in amount of two monthly calculation indices.

Article 586. Violation of the rules of using the bases (structures) for dockages of small size vessels

1. Violation of the standards for basing small size vessels, conditions and technical requirements for a safety operation of the bases (structures), and equally maintenance of the small size vessels on the mentioned bases (structures) that are not registered in established manner on the bases (structures) for dockage of the small size vessels, shall -

entail a fine on individuals and civil servants in amount of ten, on subjects of small entrepreneurship - in amount of fifteen, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of thirty monthly calculation indices.

2. Non-compliance with the established control regime of releasing small size vessels in sailing and return to the base, shall -

entail a notification or fine on individuals and civil servants in amount of five monthly calculation indices.

Article 587. Violation of the requirements on operation of port structures

Violation or non-compliance with the terms for conduct of regular and periodical technical inspections of the port structures, being in defective condition or non-conformance of the mooring devices and fenders of berthing facilities to own characteristics, as well as the absence of examination record book of the port structures and passport of a sea port, shall -

entail a fine on individuals and civil servants in amount of five monthly calculation indices.

Article 588. Violation of the rules for investigation of accidents and traffic accident with vessels, including small size vessels

1. Non-representation of information by a ship captain, ship owner, civil servant of water development facilities to the transport control bodies on emergency case with a vessel of marine transport, on traffic accident with a vessel of river transport, shall -

entail a fine on individuals and civil servants in amount of ten, on subjects of small entrepreneurship - in amount of twenty, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of forty monthly calculation indices.

2. Non-representation of information by a navigator or ship owner to the transport control bodies on traffic accident with a small size vessel, shall -

entail a fine on individuals and civil servants in amount of five, on subjects of small entrepreneurship - in amount of ten, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of thirty monthly calculation indices.

3. Non-representation or untimely representation of materials, certificates, explanatory notes, extracts from vessel documents or other information required for conduct of investigation upon request of the body or civil servant conducting the investigation of emergency case or traffic accident, shall -

entail a fine on individuals in amount of five, on civil servants - in amount of ten, on subjects of small entrepreneurship - in amount of twenty, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of forty monthly calculation indices.

Article 589. Violation of the rules of fire security in transport

1. Violation of the rules of fire security established in transport, shall - entail a fine in amount of five monthly calculation indices.

2. The actions provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall - entail a fine in amount of ten monthly calculation indices.

Article 590. Violation of the rules for operation of transport vehicles

1. Operation of the registered transport vehicle with unreadable state registering number plates (plate) or established with the violation of the requirements to standards, shall -

entail a fine in amount of five monthly calculation indices.

2. Operation of a transport vehicle without the state registering number plates (plate) or after prohibition of its operation, or that is not registered in the established manner, shall -

entail a fine in amount of ten monthly calculation indices.

3. Installation of knowingly false or forged state registering number plates (plate) on a transport vehicle, shall -

entail a fine on individuals in amount of fifteen, on civil servants - in amount of fifty, on subjects of small entrepreneurship or non-profit organizations - in amount of one hundred, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of one thousand monthly calculation indices.

4. Operation of a transport vehicle with knowingly false or forged state registering number plates (plate), shall -

entail a fine in amount of twenty monthly calculation indices or deprivation of the right of operation of transport vehicles for the term of one year.

5. Operation of the transport vehicles that do not meet the established rules for ensuring road traffic safety, with the exception of the cases mentioned in a part six of this Article, shall -

entail a fine in amount of five monthly calculation indices.

6. Operation of the transport vehicles that have the defects of braking system, steering control, tow hitch, shall -

entail a fine in amount of fifteen monthly calculation indices.

7. Operation of the transport vehicle being reequipped without the relevant permit, shall -

entail a fine in amount of fifteen monthly calculation indices.

8. Release of the mechanical transport vehicles into operation that did not pass the pre-trip (pre-shift) technical inspection, as well as permit to operation to the driver that did not pass pre-trip (pre-shift) medical inspection, upon carrying out of regular or unscheduled automobile carriage of passengers, luggage, as well as carriage of cargo, shall -

entail a fine on subjects of small entrepreneurship - in amount of thirty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

9. Operation of the transport vehicle that did not pass the state or compulsory technical inspection, shall -

entail a fine in amount of five monthly calculation indices.

10. The actions provided by parts one, five, six and nine of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of twenty monthly calculation indices.

Note. The transport vehicles in this chapter of the Code shall be regarded as all the types of automobiles, tractors and other self-propelled vehicles, trams, trolleys, as well as motorcycles and other mechanical transport vehicles.

Article 591. Use of phone or radio station by a driver upon operation of a transport vehicle

1. Use of phone or radio station by a driver upon operation of a transport vehicle, shall -

entail a fine in amount of five monthly calculation indices.

2. The action provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of ten monthly calculation indices.

Note. During operation of a transport vehicle, it is allowed to use phone or radio station by using headphones or speaker phone.

Article 592. Exceeding of established driving speed by drivers of transport vehicles

1. Exceeding of established driving speed of transport vehicle by the drivers of the transport vehicles in a range from ten to twenty kilometres per hour, shall -

entail a fine in amount of ten monthly calculation indices.

2. Exceeding of established driving speed of the transport vehicle in a range from twenty to forty kilometres per hour, shall -

entail a fine in amount of fifteen monthly calculation indices.

3. Exceeding of established driving speed of the transport vehicle in a range more than forty kilometres per hour, shall -

entail a fine in amount of thirty monthly calculation indices.

4. The actions provided by parts one, two and three of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of forty monthly calculation indices.

Article 593. Non-compliance with the rules of stopping of the route vehicles, traffic in residential areas, carriage of passengers and cargo and other gross violations of the road traffic rules

1. Non-compliance with the rules of stopping of the route vehicles, traffic in residential areas, carriage of passengers and cargo, use of the equipped seat belts when moving in transport vehicles, crash helmets upon operation of motorcycles and carriage of passengers on them, towage of transport vehicles, use of

lighting equipment in night time or in conditions of insufficient visibility, shall -

entail a fine in amount of five monthly calculation indices.

2. Carriage of hazardous cargo by mechanical transport vehicles or specialized mechanical transport vehicles with the violation of the established rules, and equally without the special permit for carriage of hazardous cargo of the classes 1, 6 and 7, shall -

entail a fine on individuals in amount of twenty, on subjects of small entrepreneurship - in amount of thirty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

3. Transit of heavy mechanical transport vehicles with the excess of weight parameters without the special permit, as well as fixed with the use of the special automated measuring means, shall -

entail a fine upon excess of admissible weight parameters up to five tons on

individuals in amount of fifty, on subjects of small entrepreneurship - in amount of one hundred, on subjects of medium entrepreneurship - in amount of one hundred fifty, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices, upon excess from five to ten tons on individuals in amount of one hundred, on subjects of small entrepreneurship - in amount of one hundred fifty, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of three hundred monthly calculation indices, upon excess from ten tons and more on individuals in amount of two hundred, on subjects of small entrepreneurship - in amount of five hundred, on subjects of medium entrepreneurship - in amount of eight hundred, on subjects of large entrepreneurship - in amount of one thousand monthly calculation indices.

4. Transit of large-sized mechanical transport vehicles with excess of size parameters without the special permit, as well as fixed with the use of the special automated measuring means, shall -

entail a fine on individuals in amount of twenty, on subjects of small entrepreneurship - in amount of thirty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

5. Transit of large-sized and (or) heavy mechanical transport vehicles with excess of one of the parameters or with deviation from the route or terms stated in the special permit, shall -

entail a fine on individuals in amount of twenty, on subjects of small entrepreneurship - in amount of thirty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

6. Carriage of cargo by a dump truck the maximum allowable weight of which exceeds admissible gross mass of mechanical transport vehicle established by the legislation of the Republic of Kazakhstan on public roads, shall -

entail a fine on individuals in amount of thirty, on subjects of small entrepreneurship - in amount of forty, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of sixty monthly calculation indices.

7. Excess of admissible weight and size parameters by a sender of cargo, established by the legislation of the Republic of Kazakhstan in the process of loading of mechanical transport vehicle, shall -

entail a fine on individuals in amount of thirty, on subjects of small entrepreneurship - in amount of fifty, on subjects of medium entrepreneurship - in amount of eighty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

8. The action provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of ten monthly calculation indices.

Article 594. Violation of the rules for passage of crossroads or intercrossing of carriage way

1. Driving on a crossroad or intercrossing of carriage way in the case of formed jam that lead to creation of the obstacle (jam) for the flow of transport vehicles in a transverse direction, shall -

entail a fine in amount of ten monthly calculation indices.

2. Non-performance of the requirement of the road traffic rules to give the road to a transport vehicle enjoying the right of priority of passing the crossroads, shall -

entail a fine in amount of fifteen monthly calculation indices.

3. Violation of the rules for passing the crossroads, with the exception of cases provided by parts one and two of this Article, shall -

entail a fine in amount of five monthly calculation indices.

4. The actions provided by parts one, two and three of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of fifteen monthly calculation indices.

Article 595. Violation of the rules of maneuvering

1. Non-performance of the requirement of the road traffic rules to set a signal before moving, turning or stopping, shall -

entail a fine in amount of five monthly calculation indices.

2. Turning or backing at the places when such maneuvers are prohibited, shall - entail a fine in amount of ten monthly calculation indices.

3. Non-performance of the requirement of the road traffic rules to give the road to a transport vehicle enjoying the right of priority of moving, with the exception of cases provided by a part two of Article 594 and Article 598 of this Code, shall -

entail a fine in amount of fifteen monthly calculation indices.

4. The actions provided by parts one, two and three of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of twenty monthly calculation indices.

Article 596. Violation of the rules of situation of a transport vehicle on a carriage way, opposite pass-by or overdrive

1. Moving on pedestrian footpaths, waysides or sidewalks in violation of the road traffic rules, shall -

entail a fine in amount of fifteen monthly calculation indices.

2. Violation of the rules of situation of a transport vehicle on a carriage way, opposite pass-by or overdrive without driving on the side of the carriage way designated for opposite traffic, and equally crossing the organized transport or pedestrian columns or taking a place in there, shall -

entail a fine in amount of twenty monthly calculation indices.

3. Driving on the side of a carriage way designated for opposite traffic in the cases if it is prohibited by the road traffic rules, shall -

entail deprivation of the right of operation of transport vehicles for the term of one year.

4. The actions provided by parts one and two of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of thirty monthly calculation indices.

5. The action provided by a part three of this Article committed by a person deprived of the right of operation of a transport vehicle, shall -

entail a fine in amount of fifty monthly calculation indices.

Article 597. Violation of the rules for stopping or parking of transport vehicles

1. Violation of the rules for stopping or parking of transport vehicles, with the exception of cases provided by a part one of Article 593, Article 607 of this Code and parts two, three of this Article, shall -

entail a fine in amount of ten monthly calculation indices.

2. Violation of the rules for stopping or parking of transport vehicle on a sidewalk, as well as stopping or parking of transport vehicles on garden beds, children's playgrounds and sports grounds, shall -

entail a fine in amount of fifteen monthly calculation indices.

3. Violation of the rules for stopping or parking of transport vehicles on a carriage way that entailed creation of the obstacles for moving of other transport vehicles, shall -

entail a fine in amount of twenty monthly calculation indices.

4. Violation of the rules for stopping or parking of transport vehicles at the places allocated for stopping or packing of the transport vehicles for disabled persons, shall -

entail a fine in amount of fifty monthly calculation indices.

4-1. Avoidance from payment for parking at the places equipped by the special certified devices designated for taking payment for parking and recording time of parking of transport vehicles determined by the local executive bodies of oblasts, cities of republican significance and the capital, shall -

entail a fine in amount of three monthly calculation indices.

4-2. The action provided by a part 4-1 of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of five monthly calculation indices.

5. The actions provided by parts one, two and three of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of thirty monthly calculation indices.

6. The action provided by a part four of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of seventy five monthly calculation indices.

Footnote. Article 597 as amended by the Law of the Republic of Kazakhstan dated 05.05.2015 No. 312-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Article 598. Non-provision of a priority while moving to the transport vehicle of operative and special services with the turned on special light and audit alarms

1. Non-provision of a priority while moving to the transport vehicle of operative and special services with the rotating beacon and special audio alarm turned on at the same time, shall -

entail a fine in amount of seven monthly calculation indices.

2. Non-provision of a priority while moving to the transport vehicle of operative and special services having special colour schemes, signatures and designations marked on the exterior surface, with the rotating beacon and special audio alarm turned on at the same time, shall -

entail a fine in amount of ten monthly calculation indices.

3. The actions provided by parts one and two of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of fifteen monthly calculation indices.

Article 599. Driving through red traffic light or through restricted gesture of a traffic-controller

1. Driving through red traffic light or through restricted gesture of a traffic-controller, with the exception of cases provided by a part one of Article 607 of this Code, shall -

entail a fine in amount of ten monthly calculation indices.

2. The action provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of twenty monthly calculation indices.

Article 600. Non-provision of a priority while moving to pedestrians or other road traffic participants

1. Non-fulfillment of the requirements of the road traffic rules to give the road to pedestrians or other road traffic participants, with the exception of the drivers of transport vehicles taking priority while moving, shall -

entail a fine in amount of ten monthly calculation indices.

2. The action provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of twenty monthly calculation indices.

Article 601. Non-compliance with the requirements prescribed by road signs or marking of a carriage way

1. Non-compliance with the requirements prescribed by road signs or marking of a carriage way, with the exception of cases provided by the other Articles of this chapter, shall -

entail a fine in amount of five monthly calculation indices.

2. The action provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of ten monthly calculation indices.

Article 602. Violation of the rules for conduct of driving lessons, use of external lights and (or) audio alarms, application of alarm signaling by drivers of transport vehicles

1. Violation of the rules for conduct of driving lessons, use of external lights and (or) audio alarms, application of alarm signaling and breakdown triangle by drivers of transport vehicles, shall -

entail a fine in amount of five monthly calculation indices.

2. The action provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of seven monthly calculation indices.

Article 603. Violation of the rules for installation of devices on a transport vehicle for giving special light and (or) audio alarms or illegal marking of the special colour schemes of the automobiles of operative and special services

1. Installation of the lights with red colour or reflective arrangements of red color on a front element of a transport vehicle, and equally the lights the colour and work regime of which do not conform to the requirements of admission of the transport vehicles to operation, shall -

entail a fine on individuals in amount of fifteen, on subjects of small entrepreneurship or non-profit organizations - in amount of seventy, on subjects of medium entrepreneurship - in amount of one hundred fifty, on subjects of large entrepreneurship - in amount of one thousand five hundred monthly calculation indices, with the confiscation of the mentioned devices and arrangements.

2. Installation of devices for giving special light and (or) audio alarms (with the exception of security alarm) on a transport vehicle without the relevant permit, shall -

entail a fine on individuals in amount of twenty five, on subjects of small entrepreneurship or non-profit organizations - in amount of one hundred, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of two thousand hundred monthly calculation indices, with the confiscation of the mentioned devices.

3. Illegal marking of the special color schemes of the automobiles of operative

and special services on exterior surface of a transport vehicle, shall -
entail a fine on individuals in amount of twenty five, on subjects of small entrepreneurship or non-profit organizations - in amount of one hundred, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of two thousand hundred monthly calculation indices.

Article 604. Violation of the rules for training of drivers of transport vehicles

1. Violation of the rules for training of drivers of transport vehicles, shall -
entail a fine on individuals in amount of ten, on subjects of small entrepreneurship - in amount of thirty, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

2. The action provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -
entail deprivation of the qualifying certificate of an individual, fine on subjects of small entrepreneurship in amount of sixty, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of one hundred fifty monthly calculation indices, with the exclusion of educational organizations on training of the drivers of transport vehicles from register.

Article 605. Breach of the legislation of the Republic of Kazakhstan in the scope of road traffic

1. Non-fulfillment of the obligations by the professional associations on training of drivers of transport vehicles provided by the Law of the Republic of Kazakhstan "On road traffic", shall -

entail a fine in amount of one hundred monthly calculation indices.

2. Non-fulfillment and (or) improper fulfillment of written prescription of the authorized body on ensuring the road traffic safety on elimination of the violation of legality within established term by the professional associations, shall -

entail a fine in amount of one hundred fifty monthly calculation indices with the suspension of certificate on accreditation of the professional association on training of drivers of transport vehicles.

3. Failure to eliminate the reasons by which the authorized body on ensuring the road traffic safety suspended the validity term of the accreditation certificate of a professional association on training of drivers of transport vehicles, shall -

entail deprivation of the accreditation certificate of the professional associations on training of drivers of transport vehicles.

4. Violation of the requirements of the Law of the Republic of Kazakhstan "On road traffic" by the professional association on training of drivers of transport vehicles, that are the grounds for deprivation of the accreditation certificate, shall -

entail the deprivation of the accreditation certificate of the professional associations on training of drivers of transport vehicles.

5. Non-fulfillment of the obligations provided by the Law of the Republic of Kazakhstan "On road traffic" by the educational organization on training of drivers of transport vehicles, shall -

entail a fine on subjects of small entrepreneurship in amount of thirty, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

6. The action provided by a part five of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine on subjects of small entrepreneurship in amount of sixty, on

subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices, with the exclusion of educational organizations on training of drivers of transport vehicles from register.

7. Non-fulfillment of a written prescription of the authorized body on ensuring the road traffic safety on elimination of the violation of legality by the educational organization on training of drivers of transport vehicles within established term, shall -

entail a fine on subjects of small entrepreneurship in amount of thirty, on subjects of medium entrepreneurship - in amount of five hundred, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

Article 606. Violation of the traffic rules by a road traffic participant that entailed creation of emergency situation

1. Violation of the traffic rules by a road traffic participant that entailed creation of emergency situation, i.e. that forced the other road traffic participants to change speed, direction of movement dramatically, shall -

entail a fine in amount of ten monthly calculation indices.

2. The action provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail the deprivation of the right of operation of transport vehicle for the term of six months.

Article 607. Violation of the rules for transit of railroad crossing

1. Crossing of railway lines outside a railroad crossing, driving on the railroad crossing upon closed or closing barrier or upon restricted traffic light or signal of a duty attendant on crossing, and equally stopping or parking on the railroad crossing, shall -

entail a fine in amount of ten monthly calculation indices.

2. The actions provided by a part one of this article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail the deprivation of the right of operation of transport vehicle for the term of six months.

Article 608. Operation of a transport vehicle by the driver being in a state of alcohol, narcotic and (or) substance abuse intoxication, and equally transfer of operation of the transport vehicle to the person being in a state of alcohol, narcotic and (or) substance abuse intoxication

1. Operation of a transport vehicle by the driver being in a state of alcohol, narcotic and (or) substance abuse intoxication, and equally transfer of operation of the transport vehicle to the person being in a state of alcohol, narcotic and (or) substance abuse intoxication, shall -

entail the deprivation of the right of operation of transport vehicle for the term of three years.

2. The actions provided by a part one of this Article that entailed creation of emergency situation, shall -

entail the deprivation of the right of operation of transport vehicle for the term of four years.

3. The actions provided by a part one of this Article that entailed infliction of harm to health to an injured party that do not have the signs of a criminally punishable act, or damage of the transport vehicles, cargo, road and other structures or another property, shall -

entail the deprivation of the right of operation of transport vehicle for the term of five years.

4. The actions provided by parts one, two and three of this Article committed repeatedly second time within a year after expiration of the term of the administrative sanction, shall -

entail the administrative arrest for fifteen days and deprivation of the right of operation of transport vehicle for the term of six years.

5. The actions provided by a part four of this Article committed repeatedly second time within a year after expiration of the term of administrative sanction provided by a part four of this Article, shall -

entail the administrative arrest for a term of thirty days and deprivation of the right of operation of transport vehicles for the term up to ten years.

6. The actions provided by parts one, two and three of this Article committed by the persons that do not have the rights of operation of transport vehicles, shall -

entail the administrative arrest for the term up to twenty days.

7. The actions provided by a part six of this Article committed repeatedly second time within a year after expiration of the term of the administrative sanction provided by a part six of this Article, shall -

entail the administrative arrest for the term up to thirty days.

8. The actions provided by parts six and seven of this Article committed by the persons to which the administrative arrest in accordance with a part two of Article 50 of this Code is not applied, shall -

entail a fine in amount of two hundred monthly calculation indices.

Article 609. Carrying out of regular automobile carriage of passengers and luggage without the relevant certificate confirming the right to service the routes of mentioned carriage

1. Carrying out of regular automobile carriage of passengers and luggage without the relevant certificate confirming the right to service the routes of mentioned carriage, shall -

entail a fine on individuals in amount of five, on subjects of small entrepreneurship - in amount of ten, on subjects of medium entrepreneurship - in amount of fifteen, on subjects of large entrepreneurship - in amount of twenty five monthly calculation indices.

2. The action provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine on individuals in amount of ten, on subjects of small entrepreneurship - in amount of fifteen, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

Article 610. Violation of the established road traffic safety rules by drivers of transport vehicles that entailed infliction of harm to health of the people, damage of transport vehicles or another property

1. Violation of the established road traffic safety rules by drivers of transport vehicles that entailed damage of transport vehicles, cargo, roads, road and other structures or another property, that inflicted material damage, shall -

entail a fine in amount of ten monthly calculation indices or deprivation of the right of operation of transport vehicle for the term of nine months.

2. The same action that entailed infliction of light harm to health of an injured party, shall -

entail a fine in amount of fifteen monthly calculation indices and deprivation of the right of operation of transport vehicle for the term of one year.

3. The actions provided by parts one and two of this Article committed by a person that do not have the right of operation of transport vehicles, shall -
entail a fine in amount of twenty monthly calculation indices.

Article 611. Non-fulfillment of the obligations by a driver due to traffic accident

1. Non-fulfillment of the obligations provided by the legislation of the Republic of Kazakhstan in the scope of road traffic by a driver due to traffic accident the participant of which he (she) is, with the exception of the cases provided by a part two of this Article, shall -

entail a fine in amount of five monthly calculation indices.

2. Leaving the place of the traffic accident in violation of the road traffic rules by a driver the participant of which he (she) was, shall -
entail the deprivation of the right of operation of transport vehicles for a term of one year.

3. The action provided by a part two of this Article committed by the person being deprived of the right of operation of transport vehicle or that did not have the right of operation of transport vehicles, shall -

entail a fine in amount of one hundred monthly calculation indices or administrative arrest for the term of thirty days.

Note. The person that left the place of traffic accident due to rendering of medical assistance to an injured party shall be released from the liability in accordance with this Article.

Articled 612. Operation of transport vehicle without the documents and that do not have the rights of operation

1. Operation of transport vehicle by the driver that does not have the driving license or temporary certificate issued instead of the driving license for the right of operation, insurance policy on compulsory insurance of civil liability of the owners of transport vehicles and (or) on compulsory insurance of civil liability of a carrier before a passenger, registering and another documents for the transport vehicle established by the legislation, shall -

entail a fine in amount of five monthly calculation indices.

2. Operation of transport vehicle by the person that does not have the right of its operation (except for driving lessons), and equally operation of transport vehicle by the driver that does not have the right of operation of the relevant category of transport, shall -

entail a fine in amount of fifteen monthly calculation indices.

3. Operation of transport vehicle by a driver being deprived of the right of operation of transport vehicle, shall -

entail a fine in amount of ten monthly calculation indices.

4. The actions provided by parts two and three of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of thirty monthly calculation indices.

5. Transfer of operation of the transport vehicle to the person that does not have the right of operation (with the exception of cases of driving instruction in accordance with the established rules), or to the person being deprived of the right of operation of transport vehicle, shall -

entail a fine in amount of fifty monthly calculation indices.

6. The action provided by a part five of this Article committed repeatedly second

time within a year after imposition of the administrative sanction, shall -
entail a fine in amount of seventy monthly calculation indices.

Article 613. Non-performance of the requirements of an employee of the bodies of internal affairs (police), transport control on the checkpoints of mechanical transport vehicles through the State Border of the Republic of Kazakhstan and on the posts of transport control in a territory of the Republic of Kazakhstan, military police, avoidance from passing certification of the state of alcohol, drug and (or) substance abuse intoxication

1. Non-performance of the legal requirement of an employee of the bodies of internal affairs (police), military police (exceptionally by the person that operates the transport vehicle of the national security bodies, Armed Forces of the Republic of Kazakhstan, other forces and military formations of the Republic of Kazakhstan) on stopping of the transport vehicle, shall -

entail the deprivation of the right of operation of transport vehicles for the term of one year, and in respect of the persons that do not have or deprived of such right - fine in amount of twenty monthly calculation indices.

2. Non-performance of the legal requirement of an employee of the bodies of transport control on the posts of the transport control in a territory of the Republic of Kazakhstan on stopping the transport vehicle, shall -

entail a fine in amount of ten monthly calculation indices or deprivation of the right of operation of transport vehicles for the term from six months to one year.

3. The action provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of thirty monthly calculation indices.

4. Non-performance of the legal requirement of an employee of the bodies of internal affairs (police), military police (exceptionally by the person that operates the transport vehicle of the national security bodies, Armed Forces of the Republic of Kazakhstan, other forces and military formations of the Republic of Kazakhstan) on passing certification of the state of alcohol, drug and (or) substance abuse intoxication in accordance with the established procedure, shall -

entail the deprivation of the right of operation of transport vehicles for the term of two years.

5. The action provided by a part four of this Article committed repeatedly second time within a year after expiration of the term of administrative sanction, shall -

entail the administrative arrest for the term of fifteen days and deprivation of the right of operation of transport vehicle for the term of six years.

6. The action provided by a part five of this Article committed repeatedly second time within a year after expiration of the term of the administrative sanction provided by a part five of this Article, shall -

entail the administrative arrest for the term of thirty days and deprivation of the right of operation of transport vehicles for the term of ten years.

7. The action provided by parts four, five and six of this Article committed by the person being deprived of the right of operation of transport vehicle, shall -

entail the administrative arrest for the term of twenty days.

8. The actions provided by a part seven of this Article committed repeatedly second time within a year after expiration of the term of administrative sanction provided by a part seven of this Article, shall -

entail the administrative arrest for the term of thirty days.

9. The action provided by a part four of this Article committed by the persons that do not have the right of operation of transport vehicles, shall -

entail the administrative arrest for the term of twenty days.

10. the action provided by a part nine of this Article committed repeatedly second time within a year after expiration of the term of the administrative sanction provided by a part nine of this Article, shall -

entail the administrative arrest for the term of thirty days.

11. The actions provided by parts seven, eight, nine and ten of this Article committed by the persons to which the administrative arrest in accordance with a part two of Article 50 of this Code is not applied, shall -

entail a fine in amount of two hundred monthly calculation indices.

12. Leaving a cab (passenger compartment) of the transport vehicle by a driver and passengers (passenger) in case of its stopping by an employee of the bodies of internal affairs (police), military police (exceptionally by the person that operates the military transport vehicle) without his (her) permission, as well as non-performance of the requirements by them on stepping out from the cab (passenger compartment) of the transport vehicle, shall -

entail a fine on the driver and passengers (passenger) in amount of five monthly calculation indices.

13. The actions provided by a part twelve of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine on the driver and passengers (passenger) in amount of ten monthly calculation indices.

Note. The requirement of employees of the bodies of internal affairs (police), transport control, military police in the official uniform on stopping of the transport vehicle shall be expressed by signalling with a gesture of hand or traffic baton with the simultaneous whistle signal or with the use of loudspeaker system. The alarms shall be understandable for a driver and set in due time so their performance does not create the emergency situation.

Footnote. Article 613 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 614. Creation of the obstacles for movement of transport vehicles

Intended creation of obstacles for movement of transport vehicles, and equally failure to perform the requirements of the civil servants being authorized to carry out the control of compliance with the traffic rules of transport, on elimination of such obstacles, shall -

entail a fine on individuals in a mount of three, on civil servants - in amount of ten monthly calculation indices.

Article 615. Violation of the traffic rules by pedestrians and other road traffic participants

1. Non-performance of the requirements by pedestrians and other road traffic participants established by the road traffic safety rules, shall -

entail a fine in amount of five monthly calculation indices.

2. The action provided by a part one of this Article that entailed infliction of harm to health of an injured party that does not have the signs of a criminally punishable act or that inflicted material damage, shall -

entail a fine in amount of ten monthly calculation indices.

3. The action provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of fifteen monthly calculation indices.

4. The action provided by a part two of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of twenty monthly calculation indices or administrative arrest for the term of three days.

Note. The other road traffic participants in this Article shall be regarded as the persons operating scooters, bicycles and horse-drawn carriages, drivers leading baggage, riding animals or herd, as well as passengers of the transport vehicles.

Article 616. Violation of the rules of organizing and conducting compulsory technical inspection of motor vehicles and their trailers

1. Violation of the rules of organizing and conducting compulsory technical inspection of motor vehicles and their trailers committed in the form of:

1) issuance of the diagnostic card of technical inspection with the indication of parameters that do not conform to the technical inspection of the motor vehicles and their trailers established upon conduct of the inspection of activity of the operator of technical inspection;

2) unreasonable refusal from conduct of compulsory technical inspection;

3) non-representation of the details to the single informational system of compulsory technical inspection of the motor vehicles and their trailers;

4) failure to notify or untimely notification on changing location of the centre of technical inspection;

5) failure to inform the population on a schedule for conducting compulsory technical inspection in a region of activity;

6) violation of a schedule for conducting compulsory technical inspection;

7) issuance of the diagnostic card of technical inspection by the operator of technical inspection without conducting compulsory technical inspection;

8) conduct of compulsory technical inspection without the use of control and diagnostic equipment or with defective control and diagnostic equipment and (or) that did not pass the adjustment;

9) failure to ensure the archival storage of video files of the daily video recording within six months from the date of conduct of compulsory technical inspection;

10) absence of video recording of the procedure for conduct of compulsory technical inspection or photographic recording of the transport vehicle in a diagnostic card of technical inspection;

11) drawing up and issuance of a diagnostic card of technical inspection that does not conform to the approved form;

12) failure to enter, and equally entering of inaccurate and (or) incomplete details to the single informational system of compulsory technical inspection of the motor vehicles and their trailers;

13) non-conformance of the production premise and territory of a centre of technical inspection to the requirements established by the state standards, shall -

entail a fine on subjects of small entrepreneurship in amount of ten, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of thirty monthly calculation indices.

2. Combination of rendering of the services on conducting compulsory technical inspection and repair, technical maintenance of the motor vehicles and their trailers, shall -

entail a fine on civil servants, subjects of small entrepreneurship in amount of thirty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices, with the exclusion of the operators of technical inspection from register.

3. Rendering of services on repair and technical maintenance of the motor vehicles and their trailers in a territory of the centre of technical inspection, shall -

entail a fine on civil servants, subjects of small entrepreneurship in amount of thirty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

4. Provision of knowingly false information upon entering of the operators of technical inspection into register, shall -

entail a fine on civil servants, subjects of small entrepreneurship in amount of thirty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices, with the exclusion of the operators of technical inspection from register.

5. The acts provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine on civil servants, subjects of small entrepreneurship in amount of thirty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices, with the exclusion of the operators of technical inspection from register.

Article 617. Release of the transport vehicles having technical defects in operation and other violations of the rules of operation

1. Non-performance of the requirements, established road traffic safety rules by the persons being liable for technical condition and operation of the transport vehicles, with the exception of the cases provided by Article 619 of this Code, shall -

entail a fine on civil servants, subjects of small entrepreneurship in amount of ten, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of forty monthly calculation indices.

2. The same actions that entailed the infliction of the light harm to health of an injured party or damage of transport vehicles, cargo, road or other structures or another property, shall -

entail a fine on civil servants, subjects of small entrepreneurship in amount of twenty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

Footnote. Article 617 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 618. Recognition or issuance of certificates or other documents confirming conformance of new transport vehicles in violation of the established standards in the field of ensuring the safety requirements of the transport vehicles

1. Recognition or issuance of certificates or other documents confirming the conformance of transport vehicles in violation of the established standards in the field of ensuring the safety requirements of the transport vehicles being the ground for their admission of participation in road traffic, shall -

entail a fine in amount of two hundred monthly calculation indices with the deprivation of the right of engagement in this activity for the term of one year.

2. The actions provided by a part one of this Article that entailed damage of transport vehicles or another property, shall -

entail a fine in amount of three monthly calculation indices with the deprivation of the right of engagement in this activity for the term of two years.

3. The actions provided by a part one of this Article that entailed infliction of the bodily damage of light and average gravity, shall -

entail a fine in amount of five hundred monthly calculation indices with the deprivation of the right of engagement in this activity for the term of three years.

Footnote. Article 618 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 619. Permit to operation of transport vehicle to the driver that does not have the right of operation of transport vehicles, and equally the relevant category

1. Permit to operation of transport vehicle to the driver that does not have or being deprived of the right of operation of transport vehicle, and equally the relevant category by the person being liable for technical condition and operation of the transport vehicles, shall -

entail a fine on individuals in amount of twenty, on civil servants, subjects of small entrepreneurship or non-profit organizations - in amount of thirty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

2. The same action that entailed infliction of a light harm to health of an injured party or damage of transport vehicles, cargo, road or other structures or another property, shall -

entail a fine on individuals in amount of fifty, on civil servants, subjects of small entrepreneurship or non-profit organizations - in amount of seventy, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of one hundred fifty monthly calculation indices.

Article 620. Violation of other requirements submitted to road traffic participants

Violation of other requirements submitted to the road traffic participants established by the road traffic safety rules not listed in this chapter of the Code, shall -

entail a notification or fine in amount of three monthly calculation indices.

Note. Upon drawing up of a protocol, it shall be stated which rules of the road traffic safety rules is violated.

Article 621. Violation of the rules of carriage of hazardous substances or subjects by transport

1. Violation of the rules of carriage of hazardous substances or hand-luggage subjects by railway transport, shall -

entail a notification or fine in amount of one monthly calculation index.

2. Violation of the rules of carriage of hazardous substances or subjects by marine and river transport, as well as non-fulfillment of the obligations by civil servants on registration of the operations with hazardous substances or subjects in the relevant documents, entering of inaccurate records or unlawful refusal to represent such documents to the relevant civil servants, shall -

entail a notification or fine in amount of ten monthly calculation indices.

3. Violation of the rules of carriage of hazardous substances or subjects in aerial vehicles, shall -

entail a fine in amount of ten monthly calculation indices with the confiscation of mentioned substances and subjects.

4. Carrying of explosive substances or subjects in a bus, tram, trolley, taxi bus, as well as their delivery in luggage or in storage room of automobile transportation, shall -

entail a fine in amount of three monthly calculation indices.

Article 622. Violation of the rules of using public urban and suburban transport

1. Violation of the rules of using tram, trolley, bus of urban and suburban communication or taxi committed in the form of transit on footboards and other

projecting parts of transport vehicle, entering and quit while moving, obstruction of opening and closing doors, carrying of cutting items without the relevant packing, as well as items and things polluting the passenger compartment and clothes of passengers, shall -

entail a fine in amount of one monthly calculation index.

2. Avoidance from paying passenger fare in public transport, shall -

entail a fine in amount of two monthly calculation indices.

Footnote. Article 622 is in the wording of the Law of the Republic of Kazakhstan dated 05.05.2015 No. 312-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Article 623. Ticketless carriage of passengers

Ticketless carriage of passengers:

1) in aerial vehicles performing the flights on international air routes, shall - entail a fine in amount of ten monthly calculation indices;

2) in aerial vehicles performing the flights on internal air routes, shall - entail a fine in amount of eight monthly calculation indices;

3) in trains of international communication, shall - entail a fine in amount of seven monthly calculation indices;

4) in trains of intra-republican communication, shall - entail a fine in amount of five monthly calculation indices;

5) in marine vessels of international communication, shall - entail a fine in amount of seven monthly calculation indices;

6) in marine vessels of intra-republican communication, shall - entail a fine in amount of six monthly calculation indices;

7) in river vessels of international communication, shall - entail a fine in amount of six monthly calculation indices;

8) in river vessels of intra-republican communication, shall - entail a fine in amount of five monthly calculation indices;

9) in a tram, trolley, bus of urban and suburban communication and taxi bus, shall

-

entail a fine in amount of five monthly calculation indices;

10) in a bus of international, inter-city inter-oblast, inter-district (inter-city intra-oblast) and intra-district communication, shall -

entail a fine in amount of seven monthly calculation indices.

Article 624. Violation of the rules for organizing sales, prolongation of the validity term of travel documents (tickets) and work of booking office windows in railway transport

Violation of the rules for organizing sales, prolongation of the validity term of travel documents (tickets) and work of booking office windows in railway transport, shall -

entail a fine on subjects of small entrepreneurship in amount of five, on subjects of medium entrepreneurship - in amount of ten, on subjects of large entrepreneurship - in amount of thirty monthly calculation indices.

Article 625. Violation of the rules of protection of cargo on railway, marine, river and automobile transport

1. Damage of a rolling stock, containers, floating and other transport vehicles designated for carriage of cargo, as well as transportation appliances, shall - entail a fine in amount of five monthly calculation indices.

2. Damage of seals and locking devices of goods wagons, automobiles, automobile trailers, containers, holds and other cargo spaces of the floating crafts, breakage of seals from them, damage of separate cargo items and their packing, packs, fences of

cargo sites, railway stations, cargo automobile stations, container terminals (grounds), ports (berths) and warehouses that are used for performance of the operations linked with cargo operations, as well as staying without the relevant permit in a territory of the cargo sites, container terminals (grounds), cargo districts (fields), ports (berths), locks and warehouses mentioned above, shall -
entail a fine in amount of ten monthly calculation indices.

Article 626. Violation of the rules on protection of cargo on air transport

1. Damage of seals and locking devices of containers, breakage of seals from them, damage of separate cargo items and their packing, packs, fences of warehouses that are used for performance of the operations linked with cargo operations on air transport, shall -

entail a fine in amount of ten monthly calculation indices.

2. Damage of containers and transport vehicles designated for carriage of cargo on air transport, shall -

entail a fine in amount of ten monthly calculation indices.

Article 627. Violation of the rules of operation of tractors, other self-propelled vehicles and equipment

Violation of the rules of operation of tractors, other self-propelled vehicles and equipment, with the exception of the rules provided by Articles 333, 334, 590, 610, 617, 619 of this Code, shall -

entail a fine on individuals in amount of three monthly calculation indices.

Article 628. Untimely payment of passenger fare on toll automobile roads (fields)

Untimely payment of passenger fare on toll automobile roads (fields), shall -

entail a fine on individuals in amount of five, on legal entities - in amount of ten monthly calculation indices.

Article 629. Systematic violation of the rules of operation and road traffic by individuals operating transport vehicles

Footnote. Article 629 is excluded by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 630. Damage of roads, railroad crossings and other road structures

1. Damage of roads, railroad crossings and other structures or technical means of regulating road traffic, including pollution of the road surface or driving of animals outside the special allocated places and through the roads with improved surface, as well as visibility restriction of the means of regulating road traffic due to installation of different structures or planting of green plantings, or their untimely cutting, shall -

entail a fine on individuals in amount of two, on civil servants, subjects of small entrepreneurship - in amount of ten, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of thirty monthly calculation indices.

2. Violations provided by a part one of this Article that entailed traffic accident with infliction of a light harm to health of an injured party, damage of transport vehicles, cargo or another property, shall -

entail a fine on individuals in amount of five, on civil servants, subjects of small entrepreneurship - in amount of thirty, on subjects of medium entrepreneurship - in amount of fifty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

Footnote. Article 630 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 631. Violation of the rules of maintenance of the roads, railroad crossings and other road structures

1. Non-fulfillment of the requirements on performance of works on the roads, maintenance of roads, railroad crossings and road structures, other requirements established by the road traffic safety rules, shall -

entail a fine on civil servants, subjects of small entrepreneurship in amount of ten, on subjects of medium entrepreneurship - in amount of fifteen, on subjects of large entrepreneurship - in amount of thirty monthly calculation indices.

2. The actions provided by a part one of this Article that entailed the traffic accident with infliction of a light harm to health of an injured party, damage of transport vehicles, cargo, roads, road and other structures or another property, shall -

entail a fine on civil servants, subjects of small entrepreneurship in amount of fifteen, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of thirty monthly calculation indices.

Footnote. Article 631 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 632. Violation of the rules of maintenance of the control wells of underground facilities creating a threat to road traffic safety

1. Violation of the rules of maintenance of the control wells of underground facilities being on a carriage way, and equally failure to take measures on elimination of the defects of the underground facilities leading to water, technical fluids, steam outflow on a road surface and demolition of the roadway, creation of icing, visibility restrictions and other obstacles due to this reason, shall -

entail a fine on civil servants, subjects of small entrepreneurship or non-profit organizations in amount of ten, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of thirty monthly calculation indices.

2. The same violations that entailed traffic accident with infliction of a light harm to health of the people, damage of transport vehicles, cargo and another property, shall -

entail a fine on civil servants, subjects of small entrepreneurship or non-profit organizations in amount of fifteen, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of forty monthly calculation indices.

Footnote. Article 632 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 633. Violation of the rules of protection and use of the right of way of automobile roads

1. Plowing land reserves, cutting, grubbing and damage of plantings, turf removal and digging of earth, storage materials and cargo, performance of topographic and other works, equipping of crossroads and entrances, building of structures, underground and above-ground structures or communications, installation of advertising and another information in a right of way of automobile roads without coordination in the established manner, as well as firing, cattle grazing, landfill and snow disposal sites, trade outside the established places within the borders of the right of way, disposal of sewage, commercial, amelioratory and discharge waters in a roadway drainage system or use of the road side ditches as irrigators, shall -

entail a fine on individuals in amount of three, on subjects of small

entrepreneurship or non-profit organizations - in amount of twenty, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

2. The violations provided by a part one of this Article that entailed the traffic accidents with infliction of light bodily damage to the people, damage of transport vehicles or another property or committed repeatedly second time within a year after imposition of the administrative sanction provided by a part one of this Article, shall -

entail a fine on individuals in amount of five, on subjects of small entrepreneurship or non-profit organizations - in amount of twenty five, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

Article 634. Violation of the rules of operation and protection of automobile roads and road structures by land users

Failure to fulfill the obligations on arrangement, repair and regular clearing of pedestrian footpaths and pedestrian (crossing) overpasses, irrigation systems admitting water logging of automobile roads and bogging of the right of way being settled on the fields of land users adjoining to the right of way of automobile roads, as well as the obligations on maintenance of technical working condition and clearance of the egresses from the fields being settled on these users or approaching lines to the public automobile road, including the crossing overpasses, shall -

entail a fine on individuals in amount of three, on subjects of small entrepreneurship or non-profit organizations - in amount of ten, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of thirty monthly calculation indices.

Article 635. Violation of the rules of protection of main pipelines

Violation of the rules of protection of main pipelines, shall -

entail a notification or fine on individuals in amount of one, on subjects of small entrepreneurship or non-profit organizations - in amount of ten, on subjects of medium entrepreneurship - in amount of twenty, on subjects of large entrepreneurship - in amount of thirty monthly calculation indices.

Chapter 31. ADMINISTRATIVE INFRACTIONS IN THE FIELD OF INFORMATIZATION AND COMMUNICATION

Article 636. Illegal connection of terminal units (equipment) to the telecommunication networks

1. Illegal connection of terminal units (equipment) to the telecommunication networks, shall -

entail a notification or fine on individuals in amount of five, on subjects of small entrepreneurship or non-profit organizations - in amount of twenty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

2. The actions provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine on individuals in amount of ten, on subjects of small entrepreneurship or non-profit organizations - in amount of thirty five, on subjects of medium entrepreneurship - in amount of sixty, on subjects of large entrepreneurship - in amount of three hundred monthly calculation indices, with the confiscation of the terminal units (equipment).

Note. The terminal units (equipment) shall be regarded as the technical means of signal forming of electrical and radio communication connected to the lines and being in

use of the subscribers for transfer and receipt of the information set by the subscribers through the channels of communications (radio broadcasting points, telephone apparatuses, telefax machines, data transmission units, terminal units of different telematics services, equipment of the cable television, extenders of telephone link, radio telephones and others).

Article 637. Breach of the legislation of the Republic of Kazakhstan in the field of communications

1. Breach of the legislation of the Republic of Kazakhstan in the field of communications committed in the form of:

1) unreasonable refusal of an incumbent operator from connection of the telecommunication networks to the public telecommunication network, as well as violation of the procedure for traffic transmission;

2) violation of the terms for connection of telecommunication networks to the public communication network provided by the legislation of the Republic of Kazakhstan in the field of communications;

3) violation of the levels of connecting telecommunication networks by communications providers, including traffic transmission and procedure for settlement payments;

4) cutoff and (or) limitation of communications with the numbers of gratuitous connections with emergency medical, law enforcement, fire, accident, reference and other services;

5) non-compliance with the size of tariffication units;

6) limitation of the subscribers' rights by communications providers on own networks on choosing a provider of inter-city and (or) international telephone communications;

7) failure to notify the subscribers about a cost of connecting upon providing the access to intellectual services (lottery, voting, game shows, quiz programs, reference and information services, dating services);

8) rendering of communication services to users that do not conform to the quality standards, technical regulations and quality indices of the communication services;

9) use of the radio frequency spectrum for the purposes other than that intended type of communications and (or) standard, and equally non-conformance of the technical parameters of the radio frequency spectrum and radio electronic means to the data stated in a special permit;

10) non-compliance with the procedure for carrying out the transfer of subscriber's numbers in cellular networks by a communications provider, as well as organizational technical interaction with the data base statement of the subscribers' numbers upon rendering of the services of transferring the subscribers' numbers, shall - entail a fine on civil servants, subjects of small entrepreneurship - in amount of twenty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of one hundred monthly calculation indices.

2. The acts provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine on civil servants, subjects of small entrepreneurship in amount of forty, on subjects of medium entrepreneurship - in amount of eighty, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

3. Violation of the obligation on collection and storage of official information on subscribers, shall -

entail a fine on subjects of small entrepreneurship in amount of fifty, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of five hundred monthly calculation indices.

4. The action provided by a part three of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine on subjects of small entrepreneurship in amount of one hundred, on subjects of medium entrepreneurship - in amount of two hundred, on subjects of large entrepreneurship - in amount of one thousand monthly calculation indices, with the suspension of a separate type of activity or license validity term for a particular type of activity up to three months.

Article 638. Use of the communications means subjected to the compulsory confirmation of conformance, but that did not pass it

1. Use of the technical means of communications in unified telecommunications network of the Republic of Kazakhstan, and equally use of radio electronic means and high frequency devices that are the sources of electromagnetic radiation, technical means of postal communications subjected to the compulsory confirmation of conformance in the field of technical regulation and that did not pass it, shall -

entail a notification or fine on individuals in amount of five, on subjects of small entrepreneurship or non-profit organizations - in amount of sixty, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

2. The action provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a notification or fine on individuals in amount of ten, on subjects of small entrepreneurship or non-profit organizations - in amount of one hundred twenty, on subjects of medium entrepreneurship - in amount of one hundred fifty, on subjects of large entrepreneurship - in amount of three hundred monthly calculation indices, with the confiscation of non-approved communications means.

Article 639. Violation of the requirements on operation of the means of protection of informational resources

Violation of the requirements on operation of the means of protection of informational resources, shall -

entail a notification or fine on individuals in amount of ten, on civil servants, subjects of small entrepreneurship or non-profit organizations - in amount of twenty, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

Article 640. Breach of the legislation of the Republic of Kazakhstan on electronic document and electronic digital signature

1. Non-fulfillment of the obligations provided by the legislative act of the Republic of Kazakhstan on electronic document and electronic digital signature by the certification authority, shall -

entail a fine in amount of two hundred monthly calculation indices.

2. Non-fulfillment of the obligations provided by the legislative act of the Republic of Kazakhstan on electronic document and electronic digital signature by the owner of certification authority, shall -

entail a fine in amount of fifty monthly calculation indices.

3. Unlawful receipt of the privacy key and (or) use of the other's electronic digital signature, shall -

entail a notification or fine on individuals in amount of ten, on civil servants, subjects of small entrepreneurship or non-profit organizations - in amount of twenty, on subjects of medium entrepreneurship - in amount of one hundred, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

4. Non-fulfillment of the obligations provided by the legislative act of the Republic of Kazakhstan on electronic document and electronic digital signature by the participants of the electronic document management system, shall -

entail a fine on individuals in amount of ten, on civil servants, subjects of small entrepreneurship or non-profit organizations - in amount of twenty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

Article 641. Breach of the legislation of the Republic of Kazakhstan on informatization

Use of electronic informational resources containing confidential details on individuals and legal entities, for the purpose of infliction of property and moral damage to them, restriction of exercising the rights and freedoms guaranteed by the legislative acts of the Republic of Kazakhstan, shall -

entail a notification or fine on individuals in amount of ten, on civil servants, subjects of small entrepreneurship or non-profit organizations - in amount of twenty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of two hundred monthly calculation indices.

Chapter 32. ADMINISTRATIVE INFRACTIONS IN THE FIELD OF MILITARY OBLIGATIONS, MILITARY SERVICE AND DEFENCE

Article 642. Non-representation or untimely representation of the lists of citizens to the local body of military administration subjected to primal military registration or assignment to the draft offices

Non-representation or untimely representation of the lists of citizens to the local body of military administration subjected to primal military registration or assignment to the draft offices within established term, shall -

entail a fine on civil servants of organizations, educational organizations, as well as civil servants of the organizations carrying out operation of residential houses, and house owners - in amount of ten, on chief executive officers of organizations, educational organizations - in amount of fifteen, on subjects of small entrepreneurship - in amount of twenty, on subjects of medium entrepreneurship - in amount of thirty, on subjects of large entrepreneurship - in amount of forty monthly calculation indices.

Article 643. Unlawful actions (omission) that entailed non-fulfillment of the measures of civil defence

Unlawful actions (omission) that entailed non-fulfillment of the measures of civil defence, shall -

entail a fine in amount of fifty monthly calculation indices.

Article 644. Non-notification of citizens on calling local body of military administration

Non-notification of citizens on calling local body of military administration by a head or other responsible person of the organization liable for military registration work, and equally non-ensuring the possibility of the well-timed appearance for citizens on calling of the local body of military administration, shall -

entail a fine in amount of ten monthly calculation indices.

Article 645. Untimely representation of the details on changing the composition of resident citizens being liable or obliged to be liable for military duty

Untimely representation of the details on changing the composition of permanently residing citizens being liable or obliged to be liable for military duty to the bodies

imposed by maintenance of the military registration, shall -
entail a fine in amount of ten monthly calculation indices.

Article 646. Non-notification of the details on the persons liable for military service, draftees and citizens

1. Non-notification on recognizing the citizens liable or obliged to be liable for military duty as disabled persons within established term by the civil servant of the body of social protection of population, as well as on the persons liable for military service and draftees being under in-patient treatment and subjected to regular medical check-up by the civil servant of public health organizations to the local body of military administration, shall -

entail a fine in amount of ten monthly calculation indices.

2. Non-notification on amending the registers for acts of civil status of the citizens liable or obliged to be liable for military duty within established term by the civil servant of the civil registry office to the local body of military administration, shall -

entail a fine in amount of ten monthly calculation indices.

3. Non-notification on the employed citizens (admitted to studies) obliged to be registered, but that are not registered for military duty at the place of residence by a head or other civil servants of organization to the body carrying out military registration, shall -

entail a fine in amount of ten monthly calculation indices.

4. Non-notification on the persons liable for military service and draftees in respect of whom the inquest or preliminary investigation is carried out, to the local body of military administration by the civil servants of the bodies of inquiry and preliminary investigation being liable for notifying within the term established by the legislation, shall -

entail a fine in amount of ten monthly calculation indices.

5. Non-notification on the persons liable for military service and draftees in respect of whom the court considers criminal cases, as well as on the verdicts entered into legal force in respect of them by the civil servants of courts being liable for notifying the local body of military administration within the term established by the legislation, shall -

entail a fine in amount of ten monthly calculation indices.

Article 647. Non-fulfillment of the obligations on military registration by citizens

Non-appearance of a citizen being liable or obliged to be liable for military duty on calling of the local body of military administration within the designated term without reasonable excuse or arrival to the inhabited locality (administrative district) for a permanent place of residence or place of temporary stay (for the term more than three months), as well as on official detached service, studies, vacation or treatment (for the term more than three months) being liable to refer to the public service centre at the place of arrival with the application on military registration, shall -

entail a fine in amount of five monthly calculation indices.

Article 648. Avoidance from medical examination or trainings

1. Avoidance from medical certification or examination according to referral of the commission on military registration or draft committee of the citizens, shall -
entail a fine on persons liable for military service in amount of five monthly calculation indices, and on draftees - a notification or fine in amount of three monthly calculation indices.

2. Avoidance of the persons liable for military service from military trainings,

shall -

entail a fine in amount of five monthly calculation indices.

Article 649. Malicious damage or loss of military registration documents

Malicious damage or destruction of the military card or other accounting military documents of a citizen subjected to call to military service, and equally loss of the military card or other accounting military documents of the citizen subjected to call to military service due to the fault of the owner, shall -

entail a notification or fine in amount of five monthly calculation indices.

Article 650. Avoidance from training for military service

Avoidance from training for military service of the draftees on the military technical specialties according to referral of the bodies of military administration or non-attendance of studies of educational organizations without reasonable excuses, shall -

entail a notification or fine in amount of one monthly calculation index.

Article 651. Illegal calling of citizens to compulsory military service and military service under the contract, representation of illegal deferrals

Illegal calling of citizens to compulsory military service and military service under the contract or representation of illegal deferrals, shall -

entail a fine in amount of seventeen monthly calculation indices.

Article 652. Breach of the legislation of the Republic of Kazakhstan in the field of military service

Footnote. The title of Article 652 is in the wording of the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

1. Insult of one military servant by another during fulfillment or due to fulfillment of the obligations of the military service, shall -

entail a fine in amount of twenty five monthly calculation indices or administrative arrest for the term up to ten days.

2. The action provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of fifty monthly calculation indices or administrative arrest for the term up to fifteen days.

3. Willful leaving the military unit or duty areas, and equally non-appearance at service in due time without the reasonable excuses upon dismissal from the unit, appointment, transfer, from detached service, vacation or medical institution lasting more than two days, but no more than ten days committed by the military servant doing military service on call or under contract, in time of peace, shall -

entail a fine in amount of twenty five monthly calculation indices or administrative arrest for the term up to ten days.

4. The actions provided by a part three of this Article lasting more than ten days, but no more than one month, shall -

entail a fine in amount of fifty monthly calculation indices or administrative arrest for the term up to fifteen days.

5. Violation of the rules for service by the person that is the part of the military detail on protection of public order and ensuring the public security, if this action does not contain the signs of a criminally punishable act shall -

entail a fine in amount of ten monthly calculation indices or administrative arrest for the term up to five days.

6. Insubordination, i.e. open refusal from execution of the order of the head, and equally intentional non-execution of the order of the head delivered in established

manner by a subordinate that did not inflict essential damage to service interests shall

-

entail a fine in amount of twenty five monthly calculation indices or administrative arrest for the term up to fifteen days.

Footnote. Article 652 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 652-1. Insubordination or another non-execution of the order

Footnote. Article 652-1 is excluded by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 652-2. Willful leaving the unit or duty area

Footnote. Article 652-2 is excluded by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 652-3. Violation of the rules for service on protection of public order and ensuring the public security

Footnote. Article 652-4 is excluded by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Chapter 33. ADMINISTRATIVE INFRACTIONS ENCROACHING ON THE INSTITUTE OF THE STATE POWER

Article 653. Contempt of court

1. Contempt of court being expressed in the absence from court without the reasonable excuses of participants of the proceeding and other persons by summons, notice, notification or calling in cases when the further consideration of the case in their absence is impossible, insubordination of the regulations of the chairman in a court sitting, violation of the rules established in court, as well as the other actions (omission) obviously indicating contempt of court and (or) judge, shall -

entail a notification or fine in amount of twenty monthly calculation indices or administrative arrest for the term up to five days.

2. The action (omission) provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of thirty monthly calculation indices or administrative arrest for the term up to ten days.

Article 654. Responsibility of participants of the administrative infraction proceeding

Refusal or non-appearance of a participant of a proceeding in the body (civil servant) considering the case on administrative infraction without the reasonable excuse that conditioned postponement of the proceeding on the case, shall -

entail a fine in amount of ten monthly calculation indices.

Article 655. Absence from court for fulfillment of the obligations of a jury

Absence of a citizen from court on calling without the reasonable excuse for fulfillment of the obligations of a jury, shall -

entail a notification or fine on individuals in amount of ten monthly calculation indices.

Article 656. Non-presentation of information for making the lists of candidates for jurors

Non-presentation of information required to the local executive bodies for making the lists of candidates for jurors, and equally representation of inaccurate

information, shall -

entail a notification or fine in amount of fifteen monthly calculation indices.

Article 657. Non-fulfillment of the obligations by a jury, as well as non-compliance with the restrictions linked with consideration of a case in judicial proceeding

1. Non-fulfillment of the obligations by a jury, as well as non-compliance with the restrictions linked with consideration of a case in judicial proceeding established by the Laws of the Republic of Kazakhstan, shall -

entail a fine on individuals in amount of twenty monthly calculation indices.

2. The same actions that entailed removal of a jury from the further participation in consideration of the case, shall -

entail a fine on individuals in amount of two hundred monthly calculation indices.

Article 658. Refusal or avoidance of a witness from testimony

Refusal or non-appearance of the person subjected to inquiry by the body (civil servant) authorized to consider the cases on administrative infraction without reasonable excuses as a witness from testimony, shall -

entail a fine in amount of two monthly calculation indices.

Article 659. Knowingly false testimony of a witness, injured party, expert conclusion or incorrect translation

1. Knowingly false testimony of a witness, injured party, expert conclusion to the body (civil servant) upon consideration of the case on administrative infraction and in the course of conducting examination of medical activity, as well as knowingly incorrect translation made by a translator in the same cases, shall -

entail a fine on individuals in amount of ten, on civil servants - in amount of twenty monthly calculation indices.

2. The same actions committed by the experts upon conducting examination of medical activity repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine on individuals in amount of twenty, on civil servants - in amount of thirty monthly calculation indices.

Note. The witness, injured party, expert or translator shall be released from administrative liability, if in the course of considering the case on administrative infraction they stated on falseness of the testimony, conclusion or incorrect translation on a voluntary basis before rendering of decision on the case by the authorized body (civil servant).

Article 660. Concealment of administrative infraction and falsification of evidences on the cases on administrative infractions

1. Intentional failure to take measures on initiation of the administrative infraction proceeding in existence of the components of the infraction within the term of limitation committed by a civil servant being authorized to draw up a protocol on the administrative infraction, if this action does not contain the signs of a criminally punishable act, shall -

entail a fine in amount of fifty monthly calculation indices.

2. Falsification of evidences on the cases on administrative infractions, if this action did not entail infliction of a harm to human health or essential damage, shall - entail a fine in amount of fifty monthly calculation indices.

Footnote. Article 660 is in the wording of the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 661. Refusal or avoidance of a civil servant from performance of the regulation or instruction on conducting the examination or requirement on calling a specialist

Refusal or non-appearance of the civil servant to whom the regulation or instruction of the body of state supervision and control is directed, from conducting the examination or from requirement on calling a specialist for participation in exercising control, performance of drawing up the documents, the administrative infraction proceeding or its consideration, from their performance without reasonable excuses, shall -

entail a fine in amount of twenty monthly calculation indices.

Article 662. Violation of a personal surety on appearance of an accused (suspected) person

Violation or non-exercise of the written guarantee by the persons that gave it, on appearance of an accused (suspected) person to the person carrying out an inquest, investigator or to the court that entailed avoidance of the accused (suspected) person from investigation or court, shall -

entail a fine in amount of three monthly calculation indices.

Article 663. Violation of the obligation on ensuring the appearance of a minor accused (suspected) person

Violation of the written obligation by parents, guardian, trustee or representative of the administration of a special closed child welfare institution that gave it, on ensuring the appearance of the minor accused (suspected) person placed under their care to the investigator, inquirer or to the court that entailed his (her) avoidance from investigation and court, shall -

entail a fine in amount of one monthly calculation index.

Article 664. Failure to take measures on special ruling, decree of court, recommendation of a procurator, investigator or inquirer

Leaving of a special ruling, decree of court, recommendation of a prosecutor, investigator or inquirer by a civil servant without consideration, or failure to take measures on elimination of the breaches of the law stated in them, and equally untimely respond to the special ruling, decree or recommendation, shall -

entail a fine in amount of eight monthly calculation indices.

Article 665. Non-appearance to a prosecutor, investigator and to the body of inquiry, officer of justice, bailiff

1. Non-appearance on calling of a prosecutor, investigator, body of inquiry for testimony to the officer of justice, bailiff on the issues of execution proceeding, and equally refusal or knowingly false testimony, shall -

entail a fine on individuals in amount of three, on civil servants - in amount of ten monthly calculation indices.

2. Non-performance of the requirements of a prosecutor, investigator, inquirer submitted on the basis and in the manner established by the Law, shall -

entail a fine on individuals in amount of twenty, on civil servants - in amount of fifty monthly calculation indices or administrative arrest for the term up to five days.

Article 666. Non-notification or untimely notification of a prosecutor

Non-notification or untimely notification of a prosecutor on production of the actions by the state body requiring such notification in accordance with the legislative acts, shall -

entail a fine in amount of two hundred monthly calculation indices.

Article 667. Obstruction of legal activity of a prosecutor, investigator, inquirer, bailiff, officer of justice

Obstruction of legal activity of a prosecutor, investigator, inquirer, bailiff, officer of justice being expressed in denying full access to a building, premise or territory of the state body, organization upon representing service certificate, as well as refusal from representing required documents, materials, statistical and other details, conduct of inspections, revisions and examinations, selections of specialists, and equally failure to perform the requirements, shall -

entail a notification or fine on civil servants in amount of twenty monthly calculation indices or administrative arrest for the term up to five days.

Article 668. Obstruction of legal activity of an advocate

Obstruction of carrying out the legal activity of an advocate or bar association, legal advice, legal firm by a civil servant being expressed in non-representation or refusal from representation of required documents, materials or details within the terms established by the legislation upon written request, required for carrying out of their professional obligations, if these actions do not have the signs of a criminally punishable act, shall -

entail a fine in amount of twenty monthly calculation indices.

Article 669. Failure to execute the court verdict, court decision or another judicial act and enforcement document

Failure to execute the court verdict, court decision or another judicial act and enforcement document, shall -

entail a fine on individuals in amount of ten, on civil servants, private notaries, judicial enforcement agent, advocates - in amount of twenty monthly calculation indices or administrative arrest for the term up to five days, on subjects of small entrepreneurship - in amount of thirty, on subjects of medium entrepreneurship - in amount of forty, on subjects of large entrepreneurship - in amount of fifty monthly calculation indices.

Article 670. Non-execution of the decree and other legal requirement of an officer of justice bailiff

1. Non-execution of the decrees and other legal requirements of an officer of justice by civil servants and individuals without reasonable excuses linked with execution of the enforcement document, including on representation of the details within the term appointed by him (her) on a place of work of a debtor and his (her) incomes, performance of deduction according to enforcement document and transmission of the recovered sum to a recoverer, on levy of execution on sums of money and property of the debtor being in possession of other individuals and legal entities, shall -

entail a fine on individuals in amount of ten, on legal entities - in amount of twenty monthly calculation indices.

2. Representation of knowingly inaccurate details to an officer of justice, as well as on incomes and property status of a debtor, shall -

entail a fine on individuals in amount of twenty, on legal entities - in amount of fifty monthly calculation indices.

3. Non-performance of legal requirements of a bailiff, shall -

entail a fine in amount of fifty monthly calculation indices.

Article 671. Failure to report on change of the place of work and residence of the person being a debtor on execution proceeding to an officer of justice

Failure to report on dismissal from work of the person paying payments, as well as on his (her) new place of work and residence within the term of one month by the person

carrying out deduction according to the enforcement document if it is known by him (her) to an officer of justice and the person receiving alimonies without valid excuse, shall

-

entail a fine in amount of ten monthly calculation indices.

Article 672. Loss of enforcement document

Loss of the enforcement document by a civil servant of organization transferred to him (her) for execution or another enforcement document, shall -

entail a fine in amount of thirty monthly calculation indices.

Note. According to this Article, the recoverers shall not be brought to administrative liability.

Article 673. Obstruction of the execution of enforcement documents to an officer of justice

Obstruction of committing the actions of an officer of justice, bailiff by individuals and legal entities on levy of execution on the property (inventory, assessment, arrest, bidding) or refusal from performance of his (her) requirements due to this, shall -

entail a fine on individuals in amount of ten, on civil servants - in amount of twenty monthly calculation indices or administrative arrest for the term up to five days.

Article 674. Illegal wearing the state awards

1. Wearing orders, medals, lapel badges to honorary title, badges of merit of the Republic of Kazakhstan, Kazakh SSR, USSR or ribbons of order, ribbons of medals on the bars by the person that does not have the right, shall -

entail a fine in amount of three monthly calculation indices with the confiscation of the order, medal, lapel badge to honorary title, badge of merit of the Republic of Kazakhstan, Kazakh SSR, USSR or ribbons of order, ribbons of medals on the bars.

2. Establishment or production of the badges having similar name or similarity of appearance with the state awards, shall -

entail a fine on individuals in amount of five, on civil servants - in amount of ten monthly calculation indices with the confiscation of the badges.

Article 675. Illegal wearing (use) of clothes with the rank badges and (or) symbolics of military uniform, as well as official uniform and special outfit

1. Illegal wearing (use) of clothes with the rank badges and (or) symbolics of military uniform, as well as official uniform and special outfit, shall -

entail a fine on individuals in amount of five, on legal entities in amount of twenty five monthly calculation indices, with the confiscation of the clothes with the rank badges and (or) symbolics of military uniform, as well as official uniform and special outfit.

2. The same action committed by a legal entity having a license for carrying out the protection activity, due to carrying out of this activity, shall -

entail a fine on legal entities in amount of thirty monthly calculation indices, with the confiscation of the clothes with the rank badges and (or) symbolics of military uniform, as well as official uniform and special outfit.

Chapter 34. ADMINISTRATIVE CORRUPTION INFRACTIONS

Article 676. Provision of illegal material remuneration to individuals

Provision of illegal material remuneration, gifts, benefits or services by individuals to the persons authorized to perform the state functions, or to the persons equated to them, if these actions do not contain the signs of a criminally punishable

act, shall -

entail a fine in amount of two hundred monthly calculation indices.

Article 677. Receipt of illegal material remuneration by the person authorized to perform the state functions, or by the person equated to him (her)

Receipt of illegal material remuneration, gifts, benefits or services by the person authorized to perform the state functions, or by the person equated to him (her) personally or through intermediary for the actions (omission) in favour of the persons that provided them, if such actions (omission) are included into official powers of the person authorized to perform the state functions, or the person equated to him (her), if these actions do not contain the signs of a criminally punishable act, shall -

entail a fine in amount of six hundred monthly calculation indices.

Article 678. Provision of illegal material remuneration by legal entities

1. Provision of illegal material remuneration, gifts, benefits or services by legal entities to the persons authorized to perform the state functions, or to the persons equated to them, if these actions do not contain the signs of a criminally punishable act, shall -

entail a fine in amount of seven hundred fifty monthly calculation indices.

2. The same actions provided by a part one of this Article committed repeatedly second time within a year after imposition of the administrative sanction, shall -

entail a fine in amount of one thousand five hundred monthly calculation indices.

Article 679. Carrying out of illegal entrepreneurial activity and receipt of illegal incomes by the state bodies and bodies of local self-government

Engagement in entrepreneurial activity by the state bodies, bodies of local self-government outside the functions imposed on them by the legislation or receipt of the material goods and advantages, besides the established sources of financing, shall -

entail a fine on heads of these organizations in amount of six hundred monthly calculation indices.

Article 680. Failure to take measures on fight against corruption by heads of the state bodies

Failure to take measures by heads or executive secretaries or other civil servants determined by the President of the Republic of Kazakhstan, state bodies, Armed Forces of the Republic of Kazakhstan, other forces and military formations of the Republic of Kazakhstan within the scope of powers, in respect of the persons subordinated to them, being guilty of commission of corruption infractions, or taking the mentioned measures with the breach of the legislation on fight against corruption, or non-representation of the relevant information to the state revenues bodies at the place of residence of the guilty persons, shall -

entail a fine in amount of one hundred monthly calculation indices.

Article 681. Employment of the persons that previously committed a corruption crime

Employment of the persons that previously committed a corruption crime by a head of the state bodies, institutions and enterprises or by a head of the national companies, national management holdings, national holdings, national development institute, as well as their branch organizations, shall -

entail a fine in amount of one hundred monthly calculation indices.

SECTION 3. THE BODIES AUTHORIZED TO CONSIDER THE CASES ON ADMINISTRATIVE INFRACTIONS

Chapter 35. GENERAL PROVISIONS

Article 682. The bodies (civil servants) authorized to consider the cases on administrative infractions

The cases on administrative infractions shall be considered by:

- 1) judges of the specialized administrative courts;
- 2) judges of the specialized interdistrict juvenile courts;
- 3) civil servants of the state bodies authorized by this Code.

Note. If there are no the specialized interdistrict administrative court and specialized interdistrict juvenile court in a territory of the relevant administrative territorial entity, the district (city) courts shall have the right to consider the cases related to their court jurisdiction.

Article 683. Differentiation of the competence of the bodies (civil servants) authorized to consider the cases on administrative infractions

1. The judges shall consider the cases on administrative infractions related to their jurisdiction by this Code.

2. The civil servants of the state bodies, authorized to consider the cases on administrative infractions shall consider the cases and impose the administrative sanctions for administrative infractions, with the exception of the cases mentioned in Article 684 of this Code.

3. The cases on administrative infractions, the one of the types of administrative sanction for which provides administrative arrest, administrative expulsion of foreign persons or stateless persons beyond the borders of the Republic of Kazakhstan, confiscation of the subjects that are the tool or subject for commission of administrative infraction, and equally confiscation of incomes (dividends), money and securities received due to commission of the administrative infraction, deprivation of the special right afforded to a particular person (including the right of operating transport vehicle), deprivation of the licenses, special permission, qualification attestation (certificate) for particular type of activity, or commission of particular actions, compulsory demolition of illegally building or built structure, suspension or prohibition of the activity, shall be considered by a judge.

4. In accordance with Article 24 of this Code, upon written application of the person in respect of whom the administrative infraction proceeding is conducted, the case on any infraction provided by the Special part of section 2 of this Code, shall be considered by a judge, if it is filed before consideration of the case on administrative infraction.

5. Upon written application of a legal representative of the person in respect of whom the administrative infraction proceeding is conducted, or of an injured party that are the minors and are deprived of possibility to exercise own rights on an individual basis due to physical or mental condition, the case may be considered in the specialized district courts and administrative courts equated to them, and in the absence of such - in general courts.

Chapter 36. JURISDICTION OF THE CASES ON ADMINISTRATIVE INFRACTIONS, COMPETENCE OF CIVIL SERVANTS ON CONSIDERING THE CASES AND IMPOSITION OF ADMINISTRATIVE SANCTIONS

Article 684. Courts

1. The courts of specialized district and equated to them administrative courts shall consider the cases on administrative infractions provided by Articles 73, 74, 75 (parts one, two, five and six), 76, 77, 78, 79, 80 (part four), 81 (part two), 82 (part two), 82-1, 85, 86 (part four), 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109,

110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 139 (part two), 145, 149, 150, 151 (part two), 153, 154, 158, 159, 160 (part two), 169 (parts two, seven, ten, eleven, twelve, thirteen and fourteen), 170 (parts seven and nine), 171, 173, 174 (part two), 175, 176, 182, 183, 184, 185, 187 (parts two, three, four and five), 189, 190 (parts two, three and four), 191, 193 (parts two and three), 199 (part two), 200, 2011 (part one), 214, 216, 219, 233 (part three), 235, 236, 237, 245, 246, 247 (part six), 251, 252 (part two), 281 (parts four, five and six), 282 (parts three, four, six, seven, nine, eleven and thirteen), 283, 294 (parts one and two), 296 (part two), 299 (part two), 310, 311, 312 (part two), 313, 314, 316 (part two), 317 (part four), 319, 320 (parts one, two, three and four), 326 (parts three and four),

333 (part fourteen), 357, 360 (part one), 382 (parts two and three), 383 (parts two and three), 385 (part two), 389, 392 (part three), 395 (part two), 396 (part two), 397 (part four), 398, 399 (parts two and three), 400 (part two),

401 (parts six and seven), 402 (part four), 404 (part nine), 405 (part one), 407 (parts two and three), 409 (part seven), 410-1, 413, 414, 415 (part two), 416, 417 (parts one and six), 419 (part two), 422, 423 (part two), 424 (parts three and five)

425 (part two), 426 (parts two and three), 427, 433 (part two), 434, 436, 439, 440 (parts four and five), 443 (part two), 444 (part one), 445, 446, 449 (parts two and three), 450, 451, 452 (parts three, four and six and subparagraphs 4), 5) and 6) of part nine), 453, 454 (part two), 455 (part four), 456. 461, 462, 463, 464 (part two), 465, 467, 469 (part two), 470 (part two), 476, 477, 478, 479, 480, 481, 482, 483, 485 (part two), 488, 489 (parts two, three, four, five, six, seven and eight), 490, 495 (part two), 496 (part two), 498, 506, 507, 508, 509, 512 (part two), 513 (part two), 514 (part two), 516, 517 (parts two, four, five, six and seven), 528 (part one),

532, 541, 543 (parts one and three), 544, 545, 548 (part two), 549, 550, 551 (part two), 552 (part two), 563 (part two), 564 (part five), 569 (parts one, two and four), 583 (part two), 590 (part four), 596 (parts three and five), 603 (parts one and two), 604 (part two), 605 (parts three and four), 606 (part two), 607 (part two), 608, 610, 611 (parts two and three), 613 (parts one, two, three, four, five, six, seven, eight, nine, ten and eleven), 615 (part four), 618, 621 (part three), 636 (part two), 637 (part four), 638 (part two), 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 664, 665, 666, 667, 668, 669, 673, 674, 675, 676, 677, 678, 679, 680, 681

of this Code, with the exception of the cases provided by a part three of this Article.

2. The judges of the specialized interdistrict juvenile courts shall consider the cases:

1) on administrative infractions committed by minors provided by Articles 435, 436 (part three), 438 (part three), 440 (parts four and five), 442, 448 of this Code;

2) on administrative infractions provided by Articles 127, 128, 129, 130, 131, 132, 133, 134, 135, 430 (part two), 663 of this Code.

3. The judges of the Supreme Court of oblast, district and equated to them courts shall consider the cases provided by Article 653 of this Code, on the facts of contempt of court from the side of the person attending a procedure, established in the course of the judicial proceeding.

Footnote. Article 684 as amended by the Laws of the Republic of Kazakhstan dated 07.11.2014 No. 248-V (shall be enforced from 01.01.2015); dated 29.12.2014 No. 269-V (shall be enforced from 01.01.2015); dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015); dated 19.05.2015 No. 315-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Article 685. Internal affairs bodies (police)

1. The internal affairs bodies shall consider the cases on administrative infractions provided by Articles 146, 147, 156, 190 (part one), 192, 196, 197, 198, 204, 230 (part two) (in part of infractions committed by the owners of transport vehicles and carriers by automobile transport and city rail transport), 334, 359, 364, 382 (part one), 383 (parts one and two),

386 (part one), 395 (part one), 396 (part one), 408, 420, 421, 423 (part one), 432, 433 (part one), 437, 438 (parts one and two), 440 (parts one, two and three), 441, 443 (part one), 444 (part two), 448, 449 (part one), 458, 464 (part one), 469 (part one), 470 (part one), 484, 485 (part one), 486, 487, 489 (parts one, nine, ten and eleven), 492, 493, 494, 495 (part one), 496 (parts one and three), 505, 510, 512 (part one), 513 (part one), 514 (part one), 515, 517 (parts one and three),

518, 519 (parts one, three, five and six), 559 (parts one, two, four and five), 560, 562, 564 (part four), 566, 572 (part two), 574, 590 (parts one, two, three, five, six, seven, eight, nine and ten), 591, 592, 593 (parts one and eight), 594, 595, 596 (parts one, two and four), 597, 598, 599, 600, 601, 602, 603 (part three), 604 (part one), 605 (parts one, two, five, six and seven), 606 (part one), 607 (part one), 609, 611 (part one), 612, 613 (parts twelve and thirteen), 614, 615 (parts one, two and three),

617, 619, 620, 621 (parts one, two, four), 622, 625 (with the exception of violations of automobile transport), 626, 630, 631, 632, 635 of this Code.

2. The following persons shall have the right to consider the cases on administrative infractions and impose administrative sanctions in behalf of the internal affairs bodies:

1) under all the Articles of this Code related to the jurisdiction of the internal affairs bodies - the heads of the internal affairs bodies and their deputies;

2) for the administrative infractions provided by Articles, 146, 147, 192, 197, 204, 364, 382 (part one), 383 (part one and two), 386, 395 (part one), 396 (part one), 408, 433 (part one), 437, 438 (parts one and two), 440 (parts one, two and three), 441, 443, 444 (part two), 484, 487, 492, 493, 494, 505 (part one), 510, 512 (part one), 513 (part one), 514 (part one), 515, 517 (parts one and three), 518, 519 (parts one, three, five and six) of this Code - the heads of the city, district divisions of the internal affairs bodies;

3) for administrative infractions provided by Articles 196, 197, 204, 382 (part one), 440 (parts one, two and three), 441, 443, 444 (part two), 484, 487, 510, 513 (part one), 514 (part one), 515, 519 (parts one, three, five and six), 559 (parts one, two, four, five), 560, 562, 564 (part four), 566, 621 (part one), 630 (part one) of this Code - the heads of line divisions, line points of the internal affairs bodies;

4) for administrative infractions provided by Articles 146, 204, 230 (part two) (in part of infractions committed by the owners of transport vehicles and carriers by automobile transport and city rail transport), 334, 364, 383 (parts one and two), 386, 408, 437 (part one), 440 (parts one, two and three), 441, 444 (part two), 492, 493, 494, 505, 572, 574, 590 (parts one, two, five, six, seven and nine), 591 (part one), 592 (parts one and two), 593 (part one), 594 (parts one, two and three), 595 (parts one, two and three), 596 (parts one and two), 597 (parts one, two, three and four), 598 (parts one and two), 599 (part one), 600 (part one), 601 (part one), 602 (part one), 607 (part one), 609 (part one), 611 (part one), 612 (parts one, two and there), 613 (part twelve), 615 (parts one and two), 620, 621 (parts one and four), 630 (part one) (in respect of individuals) of this Code - the employees of the internal affairs bodies (police) having the special ranks;

5) for administrative infractions provided by Articles 590 (parts three, eight and ten), 591 (part two), 592 (parts three and four), 593 (part eight), 594 (part four), 595

(part four), 596 (part four), 597 (parts five and six), 598 (part three), 599 (part two), 600 (part two), 601 (part two), 602 (part two), 603 (part three), 606 (part one), 609 (part two), 612 (parts four, five and six), 613 (part thirteen), 614, 615 (part three), 617, 619, 630, 631, 632 of this Code – the chairman of committee, heads of departments, branches, divisions of administrative police of the internal affairs bodies and their deputies;

6) for administrative infractions provided by Articles 364, 382 (part one), 383 (part one and two), 386, 408, 505 of this Code – the heads and their deputies of subdivisions of the environmental police of the internal affairs bodies;

7) for administrative infractions provided by Articles 440 (parts two and three), 443, 444 (part two) of this Code – the employees of the subdivisions on the juvenile cases of the internal affairs bodies;

8) for administrative infractions provided by Articles 383 (parts one and two), 395 (part one), 396 (part one) of this Code – the heads and their deputies of the specialized subdivisions of police of the internal affairs bodies on a struggle with criminal infringements on fish resources;

9) for administrative infractions provided by Articles 492, 495 (part one), 517 (parts one and three), 518, 519 (parts one, three, five and six) of this Code – the heads of departments, branches, divisions of migration police of the internal affairs bodies and their deputies.

Footnote. Article 685 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 686. Authorized body in the scope of civil defence

1. Authorized body in the scope of civil defence shall consider the cases on administrative infractions:

1) in the field of fire security provided by Articles 336, 359, 367, 410, 411, 438 (parts one and two), 589 of this Code;

2) is excluded by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015);

3) in the field of civil defence provided by Articles 412 and 643 of this Code.

2. In behalf of the bodies of the state fire-fighting service, the following persons shall have the right to consider the cases and impose the administrative sanctions in behalf of the authorized body in the scope of civil defence:

1) the state inspector of oblast, city of republican significance, the capital, district, city of oblast significance, district in a city on the state control in the field of fire security – a fine on individuals up to fifteen, on civil servants up to thirty five monthly calculation indices;

2) the state inspector of the Republic of Kazakhstan on the state control in the field of fire security, chief state inspector of oblast, city of republican significance, the capital on the state control in the field of fire security and his (her) deputy – a fine on individuals up to thirty five, on civil servants – up to one hundred, on subjects of entrepreneurship – up to three hundred monthly calculation indices;

3) the chief state inspector of the Republic of Kazakhstan on the state control in the field of fire security and his (her) deputy – a fine on individuals up to two hundred, on civil servants – up to five hundred, on subjects of entrepreneurship, non-profit organizations – up to two thousand monthly calculation indices.

3. Is excluded by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

4. The following persons shall have the right to consider the cases on administrative infractions linked with non-performance of the measures of civil defence,

and to impose the administrative sanctions in the scope of civil defence:

1) the state inspector of oblast, city of republican significance, the capital, district, city of oblast significance, district in a city on the state control in the field of civil defence – a fine on individuals up to three, on civil servants up to ten monthly calculation indices;

2) the state inspector of the Republic of Kazakhstan on the state control in the field of civil defence, the chief state inspector of oblast, city of republican significance, the capital on the state control in the field of civil defence and his (her) deputies – a fine on individuals, civil servants and legal entities – up to forty monthly calculation indices;

3) the chief state inspector of the Republic of Kazakhstan on the state control in the field of civil defence and his (her) deputy – a fine on individuals, civil servants and legal entities – up to fifty monthly calculation indices.

Footnote. Article 686 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 687. Authorized body on study and use of subsoil

1. The authorized body on study and use of subsoil shall consider the cases on administrative infractions provided by Articles 140 (part one), 344, 345, 346, 348, 350, 352, 353, 354, 355, 356 (part one), 391, 392 (parts one and two), 396 (part one) of this Code.

2. The following persons shall have the right to consider the cases on administrative infractions and impose the administrative sanctions:

1) the territorial senior state and territorial state inspectors on study and use of subsoil – a fine up to one hundred fifty monthly calculation indices;

2) the state inspectors of the Republic of Kazakhstan on study and use of subsoil, the deputies of territorial chief state inspectors on study and use of subsoil – a fine up to two hundred fifty monthly calculation indices;

3) the senior state inspectors of the Republic of Kazakhstan on study and use of subsoil, the territorial chief state inspectors on study and use of subsoil – a fine up to five hundred monthly calculation indices;

4) the chief state inspector of the Republic of Kazakhstan on study and use of subsoil and his (her) deputies – a fine up to one thousand monthly calculation indices.

Article 688. Authorized body in the field of oil and gas

1. The authorized body in the field of oil and gas shall consider the cases on administrative infractions provided by Articles 170 (parts one, two, three, four, five, six and eight), 356 (parts three, four, five, six, seven, eight, nine, ten and thirteen), 464 (part one) of this Code.

2. The civil servants of administrative entity and heads of territorial subdivisions of the authorized body in the field of oil and gas shall have the right to consider the cases on administrative infractions and impose the administrative sanctions.

Footnote. Article 688 is in the wording of the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Article 689. The body carrying out the state control in the field of energy saving and increase of energy efficiency

1. The body carrying out the state control in the field of energy saving and increase of energy efficiency shall consider the cases on administrative infractions provided by Articles 289, 290, 291, 292, 293, 294 (parts three and four), 296 (part one) of this Code.

2. The heads of territorial subdivisions of the body carrying out the state

control in the field of energy saving and increase of energy efficiency shall have the right to consider the cases on administrative infractions and impose the administrative sanctions.

Footnote. Article 689 is in the wording of the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 690. The bodies on the state energy supervision and control

1. The bodies on the state energy and control shall consider the cases on administrative infractions provided by Articles 144 (part one (with the exception of operation of thermal and mechanical equipment of the boiler rooms of all capacities and heat supply networks (main, local), technical operation of heat recovery installations of the consumers), 172 (with the exception of operation of thermal and mechanical equipment of the boiler rooms of all capacities and heat supply networks (main, local), technical operation of heat recovery installations of the consumers), 300 (with the exception of the boiler rooms of all capacities and heat supply networks (main, local), 301 (with the exception of the boiler rooms of all capacities and heat supply networks (main, local), 302, 303 (with the exception of the boiler rooms of all capacities), 305 (with the exception in protective zones of the heat supply networks (main, local) of this Code.

2. The heads of territorial subdivisions of the bodies on the state energy supervision and control shall have the right to consider the cases on administrative infractions and impose the administrative sanctions.

Footnote. Article 690 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 691. Authorized body in the field of transport and communications

1. Authorized body in the field of transport and communications shall consider the cases on administrative infractions provided by Articles 230 (part two) (in part of infractions committed by carriers on railway, marine and internal water transport), 464 (part one), 563 (part one), 564 (parts one, two, three and four), 565, 566 (part one), 580, 581 (part one), 582, 583 (part one), 589, 625 (in part of violations on vessels of marine and air transport), 633, 634 of this Code.

The heads of the authorized body in the field of transport and communications, its territorial subdivisions and their deputies shall have the right to consider the cases on administrative infractions and impose the administrative sanctions.

2. The bodies of transport control shall consider the cases on administrative infractions provided by Articles 333 (part one), 441 (parts one and two), 464 (part one), 559, 560, 561, 562, 571, 572 (part one), 573, 575, 576, 577, 578, 579, 580, 581, 582, 583 (parts one, three), 584, 585, 586, 587, 588, 589 (except for the violations on vessels of air transport), 590 (part eight), 593 (parts two, three, four, five, six and seven), 609, 616, 621 (parts one, two, four), 623, 624, 625 (except for the violations on vessels of air transport), 627, 628, 631 (part one) of this Code.

The following persons shall have the right to consider the cases on administrative infractions and impose the administrative sanctions in behalf of the bodies of transport control:

1) under all the Articles of this Code related to the jurisdiction of the bodies of transport control – the head of the body of transport control and his (her) deputies, the heads of territorial bodies of transport control and their deputies;

2) on administrative infractions provided by Articles 441 (part one), 464 (part one), 560, 561, 562, 571, 572 (part one), 573, 575, 576, 582, 583 (parts one, three), 684, 585, 587, 588, 589 (except for the violations on vessels of air transport), 590

(parts two, four and five), 609, 616, 621 (parts one, two, four), 623, 625 (except for the violations on vessels of air transport), 627, 631 (part one) of this Code - the authorized civil servants of the bodies of transport control.

Amount of a fine imposed by the civil servants mentioned in item four of part two of this Article may not exceed twenty monthly calculation indices.

3. The authorized body in the field of the state regulation of civil aviation shall consider the cases on administrative infractions provided by Articles 230 (part two) (in part of infractions committed by carriers by air transport), 564 (with the exception of the cases on violations provided by parts one, three and four of this Article committed on aerodromes that are not related to civil aviation, or in the area of such aerodromes, part five), 565, 566 (part one), 567, 568, 569 (parts three, five, six, seven and eight), 570, 571 (part one), 589, 623 (for commission of violations on air transport), 626 of this Code.

The following persons shall have the right to consider the cases on administrative infractions and impose the administrative sanctions in behalf of the authorized body in the scope of civil aviation:

1) under all the Articles of this Code related to the jurisdiction of the authorized body in the scope of civil aviation, - the head of the authorized body in the scope of civil aviation and his (her) deputies;

2) on administrative infractions provided by Articles 564 (with the exception of cases on violations provided by parts one, three and four of this Article committed on aerodromes that are not related to civil aviation, or in the area of such aerodromes), 565, 569 (parts three, five, six and seven), 589, 623 (for commission of violations on air transport) of this Code, - the authorized civil servants of the authorized body in the scope of civil aviation.

Footnote. Article 691 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 692. Authorized body in the field of communications and informatization

1. The authorized body in the field of communications and informatization shall consider the cases on administrative infractions provided by Articles 464 (part one), 636 (part one), 637 (parts one, two and three), 638 (part one), 639, 640, 641 of this Code.

2. The following persons shall have the right to consider the cases on administrative infractions and impose the administrative sanctions:

1) the head of the authorized body in the field of informatization and communications and his (her) deputies;

2) the heads of territorial bodies of the authorized body in the field of informatization and communications.

Article 693. The bodies carrying out state control in the field of labour legislation of the Republic of Kazakhstan

1. The bodies of state labour inspection shall consider the cases on administrative infractions provided by Articles 83 (in part of infractions committed by employers), 86 (parts one, two and three), 87, 88, 89, 90, 93, 94, 95, 96, 97, 98, 230 (part two in part of infractions committed by employers), 519 (parts one, two, three, five and six), 520 of this Code.

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

3. The following persons shall have the right to consider the cases on administrative infractions and impose the administrative sanctions:

1) state labour inspectors;

2) is excluded by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 269-V (shall be enforced from 01.01.2015).

Footnote. Article 693 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 269-V (shall be enforced from 01.01.2015).

Article 694. Bodies of justice

1. The bodies of justice shall consider the cases on administrative infractions provided by Articles 230 (part two) (when such violations are committed by private notary officers), 457, 459, 460, 468, 670, 671 and 672 of this Code.

2. The head of the authorized body in the field of intellectual property rights, state registration of regulatory legal acts, in the scope of ensuring the execution of enforcement documents and his (her) deputies, the head of the bodies of justice of oblast, cities of Astana and Almaty and his (her) deputies shall have the right to consider the cases on administrative infractions and impose the administrative sanctions.

Footnote. Article 694 is in the wording of the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 695. Authorized body in the scope of state registration of rights to immovable property, legal entities, acts of civil status, regulation of valuation activities

1. The authorized body in the scope of state registration of rights to immovable property, legal entities, acts of civil status, regulation of valuation activities shall consider the cases on administrative infractions provided by Articles 464 (part one), 466 of this Code.

2. The heads of the authorized body in the scope of the state registration of rights to immovable property, legal entities, acts of civil status, regulation of valuation activities, its territorial subdivisions and their deputies shall have the right to consider the cases on administrative infractions and impose the administrative sanctions.

Footnote. Article 695 is in the wording of the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 696. Bodies of migration

1. The bodies of migration shall consider the cases on administrative infractions provided by Article 520 (within the competence) of this Code.

2. The head of the body of migration of the Republic of Kazakhstan, the head of the body of migration of oblast, cities of Astana and Almaty and the body equated to it shall have the right to consider the case on administrative infractions and impose the administrative sanctions.

Article 697. Authorized body in the field of environmental protection

1. Authorized body in the field of environmental protection shall consider the case on administrative infractions provided by Articles 139 (part one), 140 (part two), 230 (part two in part of infractions committed by the persons carrying out environmentally hazardous types of economic and another activity), 297 (part one), 324, 325, 326 (parts one and two), 327, 328, 329, 330, 331, 332, 333 (part one), 334, 335, 336, 337, 344, 346, 347, 351, 352, 353, 356 (part two), 358, 374, 377, 379, 391, 392 (part one), 393 (part one), 394, 395 (part one), 396 (part one), 397 (parts one, two and three), 399 (part one), 464 (part one) of this Code.

2. The following persons shall have the right to consider the cases on administrative infractions and impose the administrative sanctions:

1) the state environmental inspectors and senior state environmental inspectors of oblasts, cities of republican significance, the capital – a fine on individuals up to

twenty, on civil servants - up to fifty, on legal entities - up to two hundred monthly calculation indices;

2) the state environmental inspectors of the Republic of Kazakhstan - a fine on individuals up to twenty, on civil servants - up to seventy, on legal entities - up to two hundred fifty monthly calculation indices;

3) the senior state environmental inspectors of the Republic of Kazakhstan - a fine on individuals up to forty, on civil servants - up to three hundred, on legal entities - up to five hundred monthly calculation indices;

4) the senior state environmental inspectors of oblasts, cities of republican significance, the capital - a fine on individuals up to fifty, on civil servants - up to one hundred fifty, on legal entities - up to two thousand monthly calculation indices, as well as the fine being expressed in percentage from the sum of operation conducted with the breach of the legislation of the Republic of Kazakhstan, or size of damage inflicted to environment;

5) the Chief state environmental inspector of the Republic of Kazakhstan and his (her) deputy - a fine on individuals up to fifty, on civil servants - up to one hundred fifty, on legal entities - up to two thousand monthly calculation indices, as well as the fine being expressed in percentage of the sum of operation conducted with the breach of the legislation of the Republic of Kazakhstan, or size of damage inflicted to environment.

Article 698. Authorized body in the field of industrial safety

1. The authorized body in the field of industrial safety shall consider the cases on administrative infractions provided by Articles 93, 230 (part two) (in part of infractions committed by the owners of objects the activity of which is linked with danger of inflicting the harm to third parties), 297, 298, 299 (part one) (with the exception of safety of dams), 305 (on violations in protective zones of the objects of gas supply systems), 306, 307, 308, 351, 352, 353 (in part of technical safety), 356 (parts eleven and twelve), 464 (part one) of this Code.

2. The following persons shall have the right to consider the cases on administrative infractions in the field of industrial safety and impose the administrative sanctions in behalf of the authorized body in the field of industrial safety:

1) the state inspector of oblast, city of republican significance, the capital, district, city of oblast significance, district in a city on the state supervision in the field of industrial safety - a fine on individuals up to ten, on civil servants - up to fifty monthly calculation indices;

2) the state inspector of the Republic of Kazakhstan on the state supervision in the field of industrial safety, the chief state inspector of oblast, city of republican significance, the capital on the state supervision in the field of industrial safety and his (her) deputy - a fine on individuals up to twenty, on civil servants, individual entrepreneurs - up to one hundred, on legal entities - up to two hundred monthly calculation indices;

3) the chief state inspector of the Republic of Kazakhstan on the state supervision in the field of industrial safety and his (her) deputy - a fine on individuals up to fifty, on civil servants - up to one hundred, on legal entities - up to five hundred monthly calculation indices.

Footnote. Article 698 is in the wording of the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 699. Bodies of the Ministry of Defence of the Republic of Kazakhstan

1. Bodies of the Ministry of Defence of the Republic of Kazakhstan shall consider the cases on administrative infractions provided by Articles 642, 644, 645, 646, 647, 648, 649, 650 of this Code.

2. The heads of local bodies of military administration shall have the right to consider the cases on administrative infractions and impose the administrative sanctions in behalf of the Ministry of Defence of the Republic of Kazakhstan.

Article 700. Public health bodies

1. The state body in the scope of circulation of medical products, medical accessories and medical equipment and its territorial subdivisions shall consider the cases on administrative infractions provided by Articles 424 (part one), 426 (part one), 432, 464 (part one) of this Code within the competence.

The head of the state body in the scope of circulation of medical products, medical accessories and medical equipment, his (her) deputies, the heads of territorial subdivisions and their deputies shall have the right to consider the cases on administrative infractions and impose the administrative sanctions.

2. The state body in the scope of rendering of medical services and its territorial subdivisions shall consider the cases on administrative infractions provided by Articles 80 (parts one, two and three), 81 (part one), 82 (part one), 424 (parts one, two and four), 428, 429, 432, 464 (part one) of this Code within the competence.

The head of the state body in the scope of rendering of medical services, his (her) deputies, the heads of territorial subdivisions and their deputies shall have the right to consider the cases on administrative infractions and impose the administrative sanctions.

Article 701. Authorized body in the scope of sanitary and epidemiological welfare of population

The bodies carrying out the control and supervision in the scope of sanitary epidemiological welfare of population shall consider the cases on administrative infractions provided by Articles 93 (parts two and five), 151 (part one), 203, 324, 327, 344, 351, 358, 425 (part one), 430 (part one), 431, 464 (part one), 621 (parts one, two) of this Code.

The head of the state body in the scope of sanitary and epidemiological welfare of population, his (her) deputies, the heads of territorial subdivisions and their deputies shall have the right to consider the cases on administrative infractions and impose the administrative sanctions.

Article 702. Structural subdivisions of the internal affairs bodies, the National Security Committee of the Republic of Kazakhstan and the Ministry of Defence of the Republic of Kazakhstan carrying out the state sanitary and epidemiological control and supervision

1. Structural subdivisions of the internal affairs bodies, the National Security Committee of the Republic of Kazakhstan and the Ministry of Defence of the Republic of Kazakhstan carrying out the state sanitary and epidemiological control and supervision shall consider the cases on administrative infractions provided by Article 425 (part one) of this Code on the violations of sanitary rules and hygienic standards on objects respectively: subordinated to the internal affairs bodies and the National Security Committee of the Republic of Kazakhstan; located in a territory of military towns and training centres of the Ministry of Defence of the Republic of Kazakhstan.

2. The heads and their deputies or authorized civil servants of the structural subdivisions of the internal affairs bodies, the National Security Committee of the Republic of Kazakhstan, the Ministry of Defence of the Republic of Kazakhstan carrying out the state and epidemiological control and supervision shall have the right to

consider the cases on administrative infractions and impose the administrative sanctions.

Article 703. Authorized body in the field of veterinary medicine

1. The civil servants of the authorized body in the field of veterinary medicine shall consider the cases on administrative infractions provided by Article 406 of this Code.

2. The following persons shall have the right to consider the cases on administrative infractions and impose the administrative sanctions in accordance with Article 406 of this Code:

- 1) the Chief state veterinary and sanitary inspector of the Republic of Kazakhstan and his (her) deputies;
- 2) the state veterinary and sanitary inspectors on veterinary control posts;
- 3) the chief state veterinary and sanitary inspectors of oblasts, cities of republican significance, the capital and their deputies;
- 4) the state veterinary and sanitary inspectors of oblasts, cities of republican significance, the capital;
- 5) the chief state veterinary and sanitary inspectors and their deputies, the state veterinary and sanitary inspectors of districts, cities of oblast significance.

3. The civil servants of the authorized body in the field of veterinary medicine may recover on the spot:

- 1) at places of selling – for violation of the veterinary (veterinary and sanitary) rules upon selling animals, products and raw materials of animal origin;
- 2) on railroad, water and air transport, on roads and cattle-driving routes – for violation of the veterinary (veterinary and sanitary) rules upon carrying out the transportation (movement) of the objects subordinated to the state veterinary and sanitary control and supervision in a territory of the Republic of Kazakhstan, as well as upon cattle driving;
- 3) on the state border – for violation of the veterinary (veterinary and sanitary) rules in part of protection of the territory of the Republic of Kazakhstan from importation and spreading infectious and foreign animal diseases from other states.

Article 704. Authorized body in the field of livestock breeding

1. The civil servants of the authorized body in the field of livestock breeding shall consider the cases on administrative infractions provided by Article 407 (part one) of this Code.

2. The following persons shall have the right to consider the cases on administrative infractions and impose the administrative sanctions:

- 1) the Chief state inspector on livestock breeding of the Republic of Kazakhstan;
- 2) the deputy Chief state inspector on livestock breeding of the Republic of Kazakhstan;
- 3) the chief state inspectors on livestock breeding of oblasts, cities of republican significance, the capital and their deputies;
- 4) the state inspectors on livestock breeding of districts, cities of oblast significance.

Article 705. Authorized body on plant quarantine

1. The authorized body on plant quarantine and its bodies shall consider the cases on the spot on administrative infractions provided by Article 400 (parts one, three and four) of this Code.

2. The following persons shall have the right to consider the cases on administrative infractions and impose the administrative sanctions:

- 1) the Chief state inspector on plant quarantine of the Republic of Kazakhstan and

his (her) deputies;

2) the chief state inspectors on plant quarantine of the relevant oblasts, city of republican significance, the capital;

3) the state inspectors on plant quarantine of the relevant administrative territorial entities of the Republic of Kazakhstan and phytosanitary control posts.

Footnote. Article 705 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 706. Authorized body in the field of seed production and regulation of grain market

1. The authorized body in the field of seed production and regulation of grain market and its territorial bodies shall consider the cases on administrative infractions provided by Articles 401 (parts one and two), 402 (part five) of this Code.

2. The heads of territorial bodies and their deputies shall have the right to consider the cases on administrative infractions and impose the relevant administrative sanctions.

Footnote. Article 706 is in the wording of the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 707. Authorized body in the field of plant protection

1. The authorized body in the field of plant protection and its subdivisions shall consider the cases on the posts on administrative infractions provided by Articles 297, 377, 403 of this Code.

2. The following persons shall have the right to consider the cases on administrative infractions and impose the administrative sanctions:

1) the Chief state inspector on plant protection of the Republic of Kazakhstan;

2) the chief state inspectors on plant protection of the relevant administrative territorial entities of the Republic of Kazakhstan;

3) the state inspectors on plant protection.

Article 708. Authorized bodies in the field of use and protection of water fund

1. The authorized bodies in the field of use and protection of water fund shall consider the cases on administrative infractions provided by Articles 138 (part two), 141, 299 (part one) (with the exception of industrial safety), 358, 359, 360 (part two), 361, 362, 363, 365 of this Code.

2. The following persons shall have the right to consider the cases on administrative infractions and impose the administrative sanctions:

1) the chief state inspector on regulation of use and protection of waters and his (her) deputies, the chief state basin (territorial) inspectors on regulation of use and protection of waters and their deputies - a fine on individuals up to thirty five, on civil servants, subjects of small or medium entrepreneurship or non-profit organizations - up to seventy five, on subjects of large entrepreneurship - up to four hundred monthly calculation indices;

2) the senior state inspectors on regulation of use and protection of waters - a fine on individuals up to thirty, on civil servants, subjects of small or medium entrepreneurship or non-profit organizations - up to sixty five, on subjects of large entrepreneurship - up to two hundred seventy monthly calculation indices;

3) the state inspectors on regulation of use and protection of waters - a fine on individuals up to twenty five, on civil servants, subjects of small or medium entrepreneurship or non-profit organizations - up to sixty, on subjects of large entrepreneurship - up to two hundred sixty monthly calculation indices.

Footnote. Article 708 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 709. Authorized bodies in the field of forest, fish and hunting industry

1. The authorized body in the field of forest, fish and hunting industry shall consider the cases on administrative infractions provided by Articles 138 (part two), 142, 143, 337, 339, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382 (part one), 383 (parts one, two and five), 384, 385 (part one), 386, 387, 388, 390, 394 (part one), 395 (part one), 396 (part one), 464 (part one) of this Code.

2. The following persons shall have the right to consider the cases on administrative infractions and impose the administrative sanctions in behalf of the bodies in the field of forest, fish and hunting industry:

1) for administrative infractions provided by Articles 138 (part two), 142, 143, 337, 339, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382 (part one), 383 (parts one, two and five), 384, 385 (part one), 386, 387, 388, 390, 394 (part one), 395 (part one), 396 (part one), 464 (part one) of this Code - the civil servants of the authorized bodies in the field of forest, fish and hunting industry of the Republic of Kazakhstan and their territorial bodies;

2) for administrative infractions provided by Articles 138, 337, 339, 366, 367, 368, 369, 370, 371, 372, 373, 374, 377, 379, 381, 382 (part one), 387, 388 of this Code - the heads, deputy heads of the state institutions of forest management;

3) for administrative infractions provided by Articles 138, 337, 339, 366, 367, 368, 369, 370, 371, 372, 373, 374, 377, 379, 381, 382 (part one), 387, 388 of this Code - the civil servants of the structural subdivisions of forest and hunting industry of the oblast executive bodies;

4) for administrative infractions provided by Articles 138, 143, 337, 339, 366, 367 (part three), 368 (part two), 369 (part two), 370 (part four), 371, 372 (part four), 373 (part two), 374 (part two), 377 (part two), 379, 380, 381, 382 (part one), 383 (parts one, two and five), 384, 387, 388 of this Code - the heads, deputy heads, the heads of the protective services of especially protected natural territories created in a legal organizational form of the state enterprise.

Article 710. Bodies carrying out the state control of use and protection of lands

1. The central authorized body on management of the land resources shall consider the cases on administrative infractions provided by Articles 137, 341, 342 of this Code.

The authorized body on control of use and protection of lands of the local executive bodies of oblast, city of republican significance, the capital shall consider the cases on administrative infractions provided by Articles 136, 137 (subparagraph 2) of part one), 138 (part one), 337, 338, 339, 340 of this Code.

2. The following persons shall have the right to consider the cases on administrative infractions and impose the administrative sanctions:

1) the chief state inspector on use and protection of the lands of the Republic of Kazakhstan - a fine on individuals up to seventy five, on civil servants, subjects of small or medium entrepreneurship or non-profit organizations - up to one hundred fifty, on subjects of large entrepreneurship - up to seven hundred monthly calculation indices;

2) the chief state inspectors on use and protection of the lands of the relevant administrative territorial entities - a fine on individuals up to seventy five, on civil servants, subjects of small or medium entrepreneurship or non-profit organizations - up to one hundred fifty, on subjects of large entrepreneurship - up to seven hundred monthly calculation indices;

3) the state inspectors on use and protection of the lands - a fine on individuals up to seventy five, on civil servants, subjects of small or medium entrepreneurship or

non-profit organizations – up to one hundred fifty, on subjects of large entrepreneurship – up to three hundred monthly calculation indices.

Footnote. Article 710 is in the wording of the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 711. Authorized body on investments

1. Authorized body on investments shall consider the cases on administrative infractions provided by Articles 148 of this Code.

2. The head of the authorized body on investments and his (her) deputies shall have the right to consider the cases on administrative infractions and impose the administrative sanctions.

Article 712. Bodies carrying out the state control in the field of geodesy and cartography

1. Authorized body in the field of geodesy and cartography shall consider the cases on administrative infractions provided by Articles 138 (part two), 343 of this Code.

2. The civil servants of department of the authorized body in the field of geodesy and cartography shall have the right to consider the cases on administrative infractions and impose the administrative sanctions.

Footnote. Article 712 is in the wording of the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 713. Anti-monopoly body

1. Anti-monopoly body shall consider the cases on administrative infractions provided by Articles 160 (part one), 161, 162, 163, 201 of this Code.

2. The head of anti-monopoly body and his (her) deputies, as well as the heads of territorial body and their deputies shall have the right to consider the cases on administrative infractions and impose the administrative sanctions.

Article 714. Authorized body carrying out management in the scopes of natural monopolies and at regulated markets

1. The authorized body carrying out management in the scopes of natural monopolies and at regulated markets shall consider the cases on administrative infractions provided by Articles 164, 165, 166, 167, 168, 250, 464 (part one) of this Code.

2. The head of the authorized body carrying out management in the scopes of natural monopolies and at regulated markets, and his (her) deputies, as well as the heads of territorial bodies of the authorized body carrying out management in the scopes of natural monopolies and at regulated markets, and their deputies shall have the right to consider the cases on administrative infractions and impose the administrative sanctions.

Article 715. Bodies carrying out the state control in the field of technical regulation and ensuring the uniformity of measurements

1. The bodies carrying out the state control in the field of technical regulation and ensuring the uniformity of measurements shall consider the cases on administrative infractions provided by Articles 193 (part one), 203, 415 (part one), 417 (parts two, three, four and five), 418, 419 (part one), 464 (part one), 638 (part one) of this Code.

2. The Chief state inspector of the Republic of Kazakhstan on the state control and supervision and his (her) deputies, as well as the chief state inspectors of oblasts and cities on state control and supervision and their deputies shall have the right to impose the sanctions.

Article 716. Authorized body on registration of agricultural equipment

1. Authorized body on registration of agricultural equipment shall consider the cases on administrative infractions provided by Articles 590 (parts one, two) (in part of infractions committed by the drivers of tractors, self-propelled agricultural, amelioratory and road-building machines), 612, 617, 618, 627 of this Code, insofar as concerning the tractors, other self-propelled machines and equipment supervised by the authorized bodies on registration of agricultural equipment.

2. The engineers-inspectors of district and oblast authorized bodies on registration of agricultural equipment shall have the right to consider the cases on administrative infractions and impose the administrative sanctions in behalf of the authorized body on registration of agricultural equipment.

Article 717. Authorized state body in the field of plant production

1. Authorized state body in the field of plant production shall consider the cases on administrative infractions provided by Articles 228 (parts three and seven) (in part of infractions committed by mutual insurance companies in plant production), 230 (part two) (in part of infractions committed by producers of the plant production products) of this Code.

2. The head of the authorized state body in the field of plant production and his (her) deputies, the heads of territorial bodies and their deputies shall have the right to consider the cases on administrative infractions and impose the administrative sanctions.

Article 718. Bodies carrying out the state architectural and construction control and supervision of quality of construction of objects

1. The bodies carrying out the state architectural and construction control and supervision of quality of construction of objects shall consider the cases on administrative infractions provided by Articles 309, 312 (part one), 315, 316 (part one), 317 (parts one, two and three), 318, 321, 322, 323, 464 (part one) of this Code.

2. The Chief state building inspector of the Republic of Kazakhstan and his (her) deputies, as well as the chief state building inspectors of oblasts, cities of republican significance, the capital shall have the right to consider the cases on administrative infractions and impose the administrative sanctions.

Article 719. Authorized body in the field of state statistics

1. The authorized body in the field of state statistics shall consider the cases on administrative infractions provided by Articles 497, 499, 500, 501, 502, 503 of this Code.

2. The heads of territorial bodies of the authorized body in the field of state statistics and their deputies shall have the right to consider the cases on administrative infractions and impose the administrative sanctions.

Article 720. State revenues bodies

1. State revenues bodies shall consider the cases on administrative infractions provided by Articles 91 (parts six, seven and eight), 92 (parts two, three and four), 151 (part one), 152, 155, 157, 177, 178, 179, 180, 181, 194, 195, 196, 203, 205, 221, 233 (part one), 239 (parts one and two), 246-1, 266, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281 (parts one, two and three), 282 (parts one, two, five, eight, nine and twelve), 284, 285, 286, 287, 288, 464 (part one), 471, 472, 474, 521, 522, 523, 524, 525, 526, 527, 528 (parts two and three), 529, 530, 531, 533, 534, 535, 536, 537, 538, 539, 540, 542, 543 (part two), 546, 547, 548 (part one), 551 (parts one and three), 522 (part one), 553, 554, 555, 556, 557 and 558 of this Code.

2. State revenues bodies shall also consider the cases on administrative infractions provided by Articles 230 (part two), 297, 324 (part one), 334, 377 (part

one), 400 (part one), 406 (parts one and two), 425 (part one), 571 (part two and three), 572 (part one), 573, 574, 589 (on administrative infractions by automobile transport), 590 (parts one, two, five, six, seven, eight and ten), 593 (parts two, three, four and five), 609, 612 (part three) and 621 (part four) of this Code, when all the infractions listed in this part are committed in automobile checkpoints through the State Border of the Republic of Kazakhstan.

3. The following persons shall have the right to consider the cases on administrative infractions and impose the administrative sanctions in behalf of the state revenues bodies:

under all the Articles of this Code related to the jurisdiction of the state revenues bodies – the heads of the state revenues bodies and their deputies;

on administrative infractions provided by Articles 91 (part six), 92 (part two), 195 (part one), 269 (part one), 270 (parts one and three), 271 (part one), 272 (part one), 276 (part one), 284 (parts one, three, five, seven, nine, eleven, thirteen, fifteen and seventeen), administrative sanction in the form of notification, as well as in the form of fine in the manner provided by Article 897 of this Code – the civil servants of the state revenues bodies authorized by the head.

Footnote. Article 270 is in the wording of the Law of the Republic of Kazakhstan dated 29.12.2014 No. 269-V (shall be enforced from 01.01.2015).

Article 721. Anti-corruption service

1. Anti-corruption service shall consider the cases on administrative infractions provided by Articles 174 (parts one, three and four), 274, 471, 472, 473, 474, 475 of this Code.

2. The head of anti-corruption service and his (her) deputies, the heads of anti-corruption service through oblasts, of city of republican significance, the capital of the Republic of Kazakhstan, inter-regional, district, city, district in cities and special subdivisions of anti-corruption service and their deputies shall have the right to consider the cases on administrative infractions and impose the administrative sanctions.

Footnote. Article 721 is in the wording of the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 722. Bodies of the Ministry of Finance of the Republic of Kazakhstan

1. The bodies of the Ministry of Finance of the Republic of Kazakhstan shall consider the cases on administrative infractions provided by Articles 230 (part two) (when these violations are committed by audit organizations), 233 (part two), 234, 238, 239 (parts one and two), 240, 241, 247 (parts one, two, three, five and seven), 248, 249, 250, 267, 464 (part one (when these violations are committed by audit organizations) of this Code.

2. The head of the authorized state body in the field of state financing control and state procurement and his (her) deputies, the heads of territorial bodies, the head of the authorized state body and his (her) deputies, the heads of territorial bodies carrying out regulation in the field of audit activity shall have the right to consider the cases on administrative infractions and impose the administrative sanctions for the administrative infractions provided by Articles 230 (part two) (when these violations are committed by audit organizations), 233 (part two), 234, 238, 239 (parts one and two), 240, 241, 247 (parts one, two, three, five and seven), 248, 249, 250, 267, 464 (part one (when these violations are committed by audit organizations) of this Code.

Article 723. Authorized body in internal control

1. The authorized body on internal control shall consider the cases on administrative infractions provided by Articles 207, 209 of this Code.

2. The head of the authorized body on internal control and his (her) deputies, the heads of territorial subdivisions shall consider the cases on administrative infractions and impose the administrative sanctions.

Article 724. The National Bank of the Republic of Kazakhstan

1. The National Bank of the Republic of Kazakhstan shall consider the cases on administrative infractions provided by Articles 91 (parts one, two, three, five, nine, ten, eleven and twelve), 186, 206, 208, 210, 211 (parts two, three, four, five and six), 212, 213, 215, 217, 218, 220, 222, 223, 224, 225, 226, 227, 228 (parts one, two, four, five, six, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen and seventeen), 229, 230 (parts one, three and four), 231, 232, 239 (parts three and four), 242, 243, 244, 247 (parts four and eight), 252 (parts one and three), 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 286, 464 (part one), 497 (in part of primary statistics, the collection of which is included into its competence) of this Code.

2. The Chairman of the National bank of the Republic of Kazakhstan, his (her) deputies, the heads of territorial branches shall consider the cases on administrative infractions and impose the administrative sanctions.

3. The powers of the National Bank of the Republic of Kazakhstan, as well as his (her) employees having the right to drawing up the protocol on commission of the administrative infraction shall be determined in accordance with this Code.

Article 725. Social welfare bodies of the Republic of Kazakhstan

1. The social welfare bodies of the Republic of Kazakhstan shall consider the cases on administrative infractions provided by Articles 83 (except for the infractions committed by the employees), 84, 91 (part four), 92 (part one) of this Code.

2. The heads of the social welfare bodies of the Republic of Kazakhstan, their deputies shall have the right to consider the cases on administrative infractions and impose the administrative fines.

Article 726. The National Security Bodies of the Republic of Kazakhstan

1. The National Security Bodies of the Republic of Kazakhstan shall consider the cases on administrative infractions provided by Articles 192, 504 of this Code.

2. The head of department of the National Security Committee and his (her) deputies, the heads of territorial bodies and their deputies shall consider the cases on administrative infractions and impose the established administrative sanctions in accordance with Articles 192, 464 (part one), 504 of this Code.

3. The frontier service of the National Security Committee of the Republic of Kazakhstan shall consider the cases on administrative infractions provided by Articles 382 (part one), 383 (parts one and two), 393 (committed in a frontier space), as well as Articles 394, 395 (part one), 396 (part one), 510, 512 (part one), 513 (part one), 514 (part one), 515, 517 (parts one and three) of this Code.

4. The following persons shall have the right to consider the cases on administrative infractions and impose the administrative sanctions in behalf of the Frontier service of the National Security Committee:

1) the head of the Frontier service of the National Security Committee and his (her) deputies, the heads of the special associations and their deputies - a notification or fine on individuals and civil servants - up to seventy, on subjects of private entrepreneurship - up to two thousand monthly calculation indices;

2) the heads of border detachments, the commanding officers of military units of frontier space, marine military units, the commandants of separate frontier commandants offices and their deputies - a notification or fine on individuals and civil servants -

up to seventy, on subjects of private entrepreneurship – up to two hundred monthly calculation indices;

3) the commandants of frontier commandants officers and the heads of the frontier control departments and their deputies – a notification or fine on individuals up to twenty, on civil servants – up to twenty five monthly calculation indices.

Footnote. Article 726 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 727. Military police bodies

1. Military police bodies shall consider the cases on administrative infractions provided by Articles 511, 590 (parts one, two, three, five, six, seven, nine and ten), 591, 592, 593, 594, 595, 596 (parts one, two and four), 597, 598, 599, 600, 601, 602, 603 (part three), 606 (part one), 607 (part one), 611 (part one), 612, 613 (parts twelve and thirteen), 614, 615 (parts one, two and three), 617, 619, 620, 621 (parts one, two and four) of this Code.

2. The authorized civil servants of the military police bodies shall consider the cases on administrative infractions and impose the administrative sanctions.

3. The competence of the military police bodies of the Armed Forces of the Republic of Kazakhstan on administrative infractions in the scope of transport shall apply to the military servants, persons liable for military service, called on military trainings, as well as to the persons operating military transport vehicles of the Armed Forces of the Republic of Kazakhstan, other forces and military formations of the Republic of Kazakhstan, with the exception of parts four and five of this Article.

4. The competence of the military police bodies of the National Security Committee of the Republic of Kazakhstan on administrative infractions in the scope of transport shall apply to the servants, employees and military servants operating transport vehicles of the special state bodies of the Republic of Kazakhstan.

5. The competence of the military police bodies of the National Guard of the Republic of Kazakhstan on administrative infractions in the scope of transport shall apply to military servants, persons liable for military service, called on military trainings, as well as to the persons operating the military transport vehicles of the National Guard.

6. Materials on the violations committed by drivers of transport vehicles of the Armed Forces of the Republic of Kazakhstan, other forces and military formations of the Republic of Kazakhstan – military servants and persons liable for military service, for which the fine is provided as administrative sanction in established manner, shall be transferred by the military police bodies to the relevant commanding officers (heads) for solution of the issue on bringing to responsibility on Disciplinary charter of the Armed Forces of the Republic of Kazakhstan, other forces and military formations of the Republic of Kazakhstan.

Footnote. Article 727 as amended by the Laws of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015); dated 10.01.2015 No. 275-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Article 728. Bodies on state control of production and turnover of sub-excise products

1. The bodies on state control of production and turnover of sub-excise products shall consider the cases on administrative infractions provided by Articles 281 (parts one, two and three), 282 (parts one, two, five, eight, ten and twelve), 464 (part one) of this Code.

2. The heads (deputies) of the body on state control of production and turnover of sub-excise products shall consider the cases on administrative infractions and impose

the administrative sanctions.

Footnote. Article 728 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 729. Local executive bodies

1. Local executive body of oblast, city of republican significance and the capital, district (city of republican, oblast significance, and the capital) shall consider the cases on administrative infractions provided by Articles 75 (parts three and four), 144 (parts one (in part of heat recovery installations of the consumers) and two), 172 (parts one, three and four) (in part of operation of thermal and mechanical equipment of the boiler rooms of all capacities and heat supply networks (main, local), 199 (parts one, three and four), 202, 204, 250, 301 (in part of boiler rooms of all capacities and heat supply networks (main, local), 303 (in part of boiler rooms of all capacities), 304, 305 (in part of protective zones of the heat supply networks (main, local), 306 (parts one and two), 320 (parts five, six and seven), 401 (parts three, four, five, seven, eight, nine, ten and eleven), 402 (parts one, two and three), 404 (parts one, two, three, four, five, six, seven and eight), 405 (part two), 409 (parts eight, nine, ten and eleven), 452 (parts one, two, five, seven, eight, subparagraphs 1), 2), 3) of parts nine, ten), 454 (part one), 455 (parts one, two and three), 464 (part one), 491 of this Code.

2. Akim of oblast, city of republican significance and the capital, district (city of republican, oblast significance and the capital) and his (her) deputies shall have the right to consider the cases on administrative infractions and impose the administrative sanctions.

3. Akims of cities of district significance, villages, rural settlements, rural districts shall have the right to consider the cases on administrative infractions and impose the administrative sanctions for the administrative infractions provided by Articles 144 (parts one (in part of heat recovery installations of the consumers) and two), 146, 147, 172 (parts one, three and four) (in part of operation of thermal and mechanical equipment of the boiler rooms of all capacities and heat supply networks (main, local), 204, 301 (in part of boiler rooms of all capacities and heat supply networks (main, local), 303 (in part of boiler rooms of all capacities), 304, 305 (in part of protective zones of the heat supply networks (main, local), 320 (parts five, six and seven), 386, 408, 409 (parts eight, nine, ten and eleven), 491 and 505 of this Code committed in a territory of the cities of district significance, villages, rural settlements, rural districts.

Footnote. Article 729 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 730. Authorized body in the field of education

1. The authorized body in the field of education shall consider the cases on administrative infractions provided by Articles 84,409 (parts one, two, three, four, five and six), 464 (part one) of this Code.

2. The head of the authorized body in the field of education and his (her) deputies, the heads of territorial bodies of the authorized body in the field of education and their deputies shall have the right to consider the cases on administrative infractions and impose the administrative sanctions.

Article 731. Authorized body in the field of tourist activity

1. the authorized body in the field of tourist activity shall consider the cases on administrative infractions provided by Articles 187 (part one), 230 (part two) (in part of infractions committed by tour operators and tour agents), 464 (part one) of this Code.

2. The head of the authorized body in the field of tourist activity and his (her)

deputies shall have the right to consider the cases on administrative infractions and impose the administrative sanctions.

Article 732. Authorized body in the scope of gambling industry

1. The authorized body in the scope of gambling industry shall consider the cases on administrative infractions provided by Article 464 (part one) of this Code.

2. The head of the authorized body in the scope of gambling industry and his (her) deputies shall have the right to consider the cases on administrative infractions and impose the administrative sanctions.

Article 733. Authorized body in the field of regulation of trade activity

1. The authorized body in the field of regulation of trade activity shall consider the cases on administrative infractions provided by Articles 268, 464 (part one) of this Code.

2. The head of the authorized body in the field of regulation of trade activity or the person fulfilling his (her) obligations shall have the right to consider the cases on administrative infractions and impose the administrative sanctions.

Article 734. Authorized body in the field of production of biofuel

1. The authorized body in the field of production of biofuel shall consider the cases on administrative infractions provided by Article 169 (parts one, three, six and eight) of this Code.

2. The following persons shall have the right to consider the cases on administrative infractions and impose the administrative sanctions:

1) the head of the authorized body in the field of production of biofuel and his (her) deputies;

2) the heads of territorial bodies of the authorized body in the field of production of biofuel and his (her) deputies.

Article 735. Authorized body in the field of turnover of biofuel

1. The authorized body in the field of turnover of biofuel shall consider the cases on administrative infractions provided by Article 169 (parts four, five and nine) of this Code.

2. The following persons shall have the right to consider the cases on administrative infractions and impose the administrative sanctions:

1) the head of the authorized body in the field of turnover of biofuel and his (her) deputies;

2) the heads of territorial bodies of the authorized body in the field of turnover of biofuel and his (her) deputies.

SECTION 4. ADMINISTRATIVE INFRACTIONS PROCEEDING

Chapter 37. GENERAL PROVISIONS

Article 736. Legislation determining the procedure for the administrative infractions proceeding

1. The procedure for the administrative infractions proceeding shall be determined by this Code.

2. The procedure for imposition of administrative sanctions by a court in the course of considering the criminal or civil case shall be determined by the provisions of this Code and the Criminal Procedure Code of the Republic of Kazakhstan and the Civil Procedure Code of the Republic of Kazakhstan respectively.

Article 737. The tasks of the administrative infractions proceeding

The tasks of the administrative infractions proceeding are:

- 1) timely, comprehensive, full and objective clarification of the circumstances of each case, its solution in accordance with this Code;
- 2) ensuring of exercising the rights and obligations of the participants of proceeding;
- 3) clarification of the reasons and conditions promoting commission of administrative infractions;
- 4) ensuring of executing the regulation on the case on administrative infraction.

Article 738. Language of proceeding

1. The administrative infractions proceeding in the Republic of Kazakhstan shall be conducted in the state language, and when necessary, the Russian or other languages shall be used in proceeding on equal terms with the state language.

2. In case of necessity to change the language of proceeding, the judge, bodies (civil servants) authorized to consider the cases on administrative infractions shall issue the reasoned decree on change of the language of the administrative infraction proceeding.

3. To the persons participating in a case that do not or are not proficient in language in which the proceeding on a case is conducted, the right to make statements, to give explanations and testimony, to present petitions, to make complaints, to familiarize with case materials, to appear in court upon its consideration in native language or another language that they know, to use the services of an interpreter shall be explained and ensured in the manner established by this Code.

4. Translation of case materials that are required to the persons participating in the administrative infractions proceeding by operation of law to the language of the proceeding expressed in another language shall be ensured without payment.

5. Procedural documents subjected to delivery to an offender and injured party shall be translated to their native language or to the language that they can speak.

6. The cost of translation and services of an interpreter shall be paid on account of the state budget.

Article 739. Calculation of terms

1. The terms used upon the administrative infractions proceeding shall be calculated in hours, days, months and years.

2. Upon calculation of terms, the hour or days from which the term starts to run shall not be taken into calculation. This rule shall not relate to calculation of terms upon detention.

3. Upon calculation of terms, it shall include non-working time as well, with the exception of the cases when the term is calculation in days.

4. Upon calculation of terms in days, the term shall be calculated after zero hours of the first days and shall expire in twenty four hours of the last days of the term.

5. Upon calculation of term in months or years, the term shall expire in the relevant number of the last month, and if this month does not have the relevant number, the term shall be terminated on the last date of this month. If termination of the term falls within non-working (day-off, public holiday) day, the last date of the term shall be considered as the first business day next to it, except for the cases of calculating the term upon administrative detention.

Article 740. Petitions

1. The persons participating in the administrative infraction proceeding shall have the right to file petitions subjected to compulsory consideration by a judge, body (civil servant) the proceeding of which includes this case.

2. A petition shall be filed in written form and subject to immediate

consideration. In cases when immediate consideration of the petition is impossible, the decision on it shall be adopted no later than three days from the date of filing.

3. Decision on satisfaction of the petition or its full or partial dismissal shall be issued in the form of ruling that shall be brought to notice of the person filing the petition.

Article 741. The circumstances excluding the administrative infraction proceeding

1. Administrative infractions proceeding may not be initiated, and the initiated shall be subject to termination inexistence at least of one of the following circumstances:

- 1) absence of occurrence of administrative infraction;
- 2) absence of components of administrative infraction;
- 3) repeal of the law or its separate provisions establishing administrative liability;
- 4) if the law or its separate provisions establishing administrative liability, or another legislative legal act subjected to applying in this case on administrative infraction from which the determination of the act as administrative infraction depends on, are recognized unconstitutional by the Constitutional Council of the Republic of Kazakhstan;
- 5) expiration of terms of limitation for bringing to administrative liability;
- 6) existence of the decree of a judge, body (civil servant) on imposition of the administrative sanction or unrepealed decree on termination of a case on administrative infraction on the same fact in respect of the person that is brought to administrative liability, as well as existence of the decree on recognition of a person as suspected on the same fact;
- 7) death of an individual, liquidation of a legal entity in respect of which the proceeding on case is conducted;
- 8) in case of occurrence of technical errors in a program support confirmed by the authorized body carrying out the management in the scope of ensuring the receipt of taxes and other compulsory payments to the budget that lead to non-fulfillment of the tax liability by a tax payer upon representation of the forms of tax reporting in electronic form within the term established by the legislation of the Republic of Kazakhstan;
- 9) the other cases provided by the tax legislation of the Republic of Kazakhstan;
- 10) existence of the document confirming payment of administrative fine in the manner established by Article 897 of this Code;
- 11) the person that is brought to administrative liability is recognized as injured party on a criminal case in the manner established by the Law on the crime linked with human beings traffic.

2. Administrative infraction proceeding shall be terminated on the ground provided by subparagraph 2) of part one of this Article, and in the case when infliction of damage is lawful or the act is committed on occasions that excludes the administrative liability in accordance with chapter 5 of this Code.

Article 742. Circumstances that permitting not to bring to administrative liability

Administrative infraction proceeding may be terminated in the manner provided by this Code in case of transfer of the material to a prosecutor, body of pre-trial proceeding due to existence of the signs of a criminally punishable act provided by the criminal; legislation.

Article 743. Notifications (notices)

1. Participants of the administrative infractions proceeding shall be noticed on time and place for consideration of a case or commission of separate procedural actions and shall be summoned to appear before the court, body (to civil servant) by notifications (notices).

2. The notification (notice) shall be directed by registered letter with notification on its delivery by a telephoned message or telegram, text message to the subscriber's number of cellular communications or by electronic mail or with use of other means of communications ensuring registration of notice or summon.

Upon notifying by a text message on subscriber's number of cellular communications or by electronic mail, the participants of proceeding shall be also notified by the other method stated in this Article.

3. If there is no one residing at the stated address in fact, the notice or summon may be directed to the legal address or at the place of work. The notification (notice) addressed to a legal entity shall be directed at the registered office.

4. Notification (notice) shall be recognized properly delivered in the following cases:

1) existence of signature of the person brought to administrative liability in the relevant section of administrative infraction report;

2) notice of a person by registered letter, telegram that shall be delivered to him (her) in person or to someone of adult family members residing jointly with him (her) against receipt on delivery confirmation subjected to return. The notice being addressed to a legal entity shall be delivered to the head or employee of the legal entity that shall sign for receipt of the notice on delivery confirmation specifying own last name, initials and position;

3) direction of a text message on the subscriber's number of cellular communications or by electronic mail that the informed person stated during proceeding on the case and confirmed by own signature;

4) direction of notification (notice) by the state revenues bodies by electronic methods to the persons registered as electronic tax payers in the manner established by the tax legislation of the Republic of Kazakhstan.

5. The person in respect of whom the administrative infraction proceeding is carried out, shall confirm by signature the familiarization with that the address of the place of residence (location), work place, subscriber's number of cellular communications, electronic address specified by him (her) are trustworthy, and the notification (notice) directed to the stated contacts will be considered proper and sufficient.

6. Upon refusal of an addressee to accept a notification (notice), the person carrying or delivering it shall make the relevant mark on the notification (notice) that will return to the court, body (to civil servant).

7. Refusal of an addressee from acceptance of a notification (notice) is not a bar of consideration of the case or commission of separate procedural actions.

Footnote. Article 743 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Chapter 38. PARTICIPANTS OF ADMINISTRATIVE INFRACTIONS PROCEEDING, THEIR RIGHTS AND OBLIGATIONS

Article 744. The person in respect of whom the administrative infraction proceeding is conducted

1. The person in respect of whom the administrative infraction proceeding is conducted, shall have the right to be familiarized with a protocol and other case materials, to give explanations, to remark on contain and drawing up of the protocol, to represent evidences, to file petitions and to challenge, to use legal assistance of a

defence attorney, to speak in native or the other language that he (she) knows upon consideration of the case, and to use the services of an interpreter without payment, if he (she) does not speak the language in which the proceeding is conducted; to appeal the application of measures to ensure proceeding on the case, protocol on administrative infraction and regulation on the case, to make notes from it and take copies of the documents available in the case, as well as to use the other procedural rights provided to him (her) by this Code.

2. The case on administrative infraction shall be considered with participation of the person in respect of whom the administrative infraction proceeding is conducted. In the absence of the mentioned person, the case may be considered only in cases when there is data on his (her) appropriate notice about place and time for consideration of the case and if there is no petition from him (her) on postponement of consideration of the case.

3. Upon consideration of the case on administrative infraction committed by the person under eighteen years, or the commission of which entails administrative sanction in the form of administrative arrest, as well as administrative expulsion beyond the borders of the Republic of Kazakhstan of foreign person or stateless person or deprivation of the special right (with the exception of the right to operate transport vehicles) provided to the person, the presence of the person that is brought to administrative liability shall be mandatory.

4. In case of avoidance of the persons mentioned in a part three of this Article from appearance on calling of a judge, body (civil servant) considering the case on administrative infraction, the proceeding of which includes this case on administrative infraction, this person may be subjected to bringing.

Ruling of court on bringing shall be executed by an officer of justice or internal affairs body; ruling of body (civil servant) considering the case on administrative infraction - by the internal affairs body (police).

5. The minor person in respect of whom the administrative infraction proceeding is conducted may be removed for a time of consideration of the circumstances of the case the discussion of which may have a negative impact on him (her).

Article 745. Injured party

1. The injured party is an individual or legal entity to which the administrative infraction caused physical, property or moral damage.

2. The injured party shall have the right to familiarize with all material cases, to give explanations, to represent evidences, to file petitions and to challenge, to have a representative, to appeal the protocol on administrative infraction and decree on the case on administrative infraction, to use the other procedural rights provided to him (her) by this Code.

3. The case on administrative infraction shall be considered with the participation of injured party. In his (her) absence, the case may be considered only in cases when there is data on his (her) appropriate notice about place and time for consideration of the case and if there is no petition from him (her) on postponement of consideration of the case.

4. The injured party may be interrogated as a witness in the manner provided by Article 754 of this Code. If the injured party is the legal entity, its representative may be interrogated as a witness.

Article 746. Legal representatives of an individual

1. Protection of rights and legal interests of an individual in respect of whom the administrative infraction proceeding is carried out, or of injured party that are minors or deprived of a possibility to exercise own rights on an individual basis due to physical or mental state, shall be carried out by their legal representatives.

2. Legal representatives of an individual shall be recognized as parents, adopters, trustees, guardians and other persons in care or maintenance of whom he (she) is.

3. The kinship or the relevant powers of the persons that are legal representatives of an individual shall be certified by the documents provided by the legislation of the Republic of Kazakhstan.

4. Legal representative of an individual in respect of whom the administrative infraction proceeding is conducted shall be admitted to participate in the case from the date of administrative detention of the person bringing to administrative liability, or drawing up of protocol on administrative infraction.

5. Legal representatives of an individual in respect of whom the administrative infraction proceeding is conducted, and of injured party, shall have the right and bear the obligations provided by this Code in respect of the persons represented by them.

6. Upon consideration of the case on administrative infraction committed by the person under eighteen years, the participation of his (her) legal representatives is mandatory. In case of avoidance from appearance, the legal representative of a minor may be subjected to bringing carried out by the internal affairs body (police).

Article 747. Representatives of a legal entity

1. Protection of rights and legal interests of a legal entity in respect of which the administrative infraction proceeding is conducted or that is injured party shall be carried out by its representatives.

2. Legal representative of a legal entity is the head of the executive body of legal entity that acts in behalf of the legal entity. The powers of a legal representative of legal entity shall be confirmed by the documents certifying his (her) official position.

The other persons representing the interests of a legal entity are the representatives under a commission, the powers of which are determined by a power of attorney issued in behalf of the legal entity by the executive body of legal entity and signed by the head of the executive body.

3. The representatives of a legal entity in respect of which the administrative infraction proceeding is conducted, and of injured party shall have the rights and bear obligations provided by this Code in respect of the persons represented by them.

4. The case on administrative infraction shall be considered with participation of a representative of legal entity in respect of which the administrative infraction proceeding is conducted. In the absence of the mentioned person, the case may be considered only in the cases when there is data on his (her) appropriate notice about place and time for consideration of the case, if there is no petition from him (her) on postponement of consideration of the case.

5. Upon consideration of the case on administrative infraction the commission of which entails administrative sanction in the form of confiscation of the subject that is the tool or subject for commission of administrative infraction, or confiscation of incomes (dividends), money and securities received due to commission of the administrative infraction, the presence of a representative of legal entity brought to administrative liability is compulsory.

6. In case of avoidance of a representative of legal entity from appearance on call of a judge, body (civil servant) the proceeding of which includes the case, the mentioned person may be subjected to bringing by internal affairs bodies (police) and financial police on the basis of the ruling of judge, body (civil servant) the proceeding of which includes the case.

Article 748. Defence attorney

1. Defence attorney is a person carrying out protection of rights and interests of a person brought to administrative liability in the manner established by the Law, and rendering legal assistance to him (her).

2. Advocates take participation as defence attorneys. Together with advocates, the defence attorneys may be husband (spouse), close relatives or legal representatives of the person brought to administrative liability. Foreign advocates may be admitted to participate in case as defence attorneys, if it is provided by the international treaty of the Republic of Kazakhstan with the relevant state on a reciprocal basis, in the manner determined by the legislation.

3. Defence attorney shall be admitted to participate in case from the date of administrative detention of the person brought to administrative liability, drawing up of a protocol on administrative infraction or issuance of a decree by a prosecutor on administrative infraction, as well as at any stage of the administrative infraction proceeding.

4. One and the same person may not be defence attorney of two participants of the administrative infractions proceeding, if the interests of one of them conflict with the interests of the other.

5. Defence attorney shall not have the right to refuse from participation as defence attorney on the case on administrative infraction, with the exception of cases provided by the legislation of the Republic of Kazakhstan.

Article 749. Compulsory participation of defence attorney

1. Participation of defence attorney in the administrative infraction proceeding shall be compulsory in the cases if:

- 1) the person brought to administrative liability filed a petition about this;
- 2) the person brought to administrative liability may not exercise own right to protection due to physical or mental deficiency on an individual basis;
- 3) the person brought to administrative liability may not speak the language in which the proceeding is conducted;
- 4) the person brought to administrative liability is a minor person.

2. If in existence of the circumstances provided by a part one of this Article, the defence attorney is not engaged by the person himself (herself) brought to administrative liability, his (her) legal representatives, as well as other persons under his (her) commission, the judge, body (civil servant) authorized to consider the cases on administrative infractions shall be obliged to ensure participation of defence attorney at the relevant stage of proceeding, on which they shall issue a decree. The decree shall be directed to the bar association of oblast, city of republican significance, the capital or its structural subdivisions for execution, and shall be subject to execution within the term no more than twenty four hours from the date of its receipt.

Article 750. Engagement, assignment, substitution of defence attorney, payment for his (her) labour

1. Defence attorney shall be engaged by the person in respect of whom the administrative infraction proceeding is conducted, by his (her) representatives, as well as other persons under a commission or with consent of the person in respect of whom the administrative infraction proceeding is conducted. The person in respect of whom the administrative infraction proceeding is conducted, shall have the right to engage several defence attorneys for defence.

2. Upon request of the person in respect of whom the administrative infraction proceeding is conducted, the participation of a defence attorney shall be ensured by a judge, body (civil servant) authorized to consider the cases on administrative infractions.

3. In the cases when participation of elected or assigned defence attorney is impossible within twenty four hours, the judge, body (civil servant) authorized to consider the cases on administrative infractions shall have the right to offer engagement of other defence attorney to the person in respect of whom the administrative infraction proceeding is conducted or to take measures for assignment of defence attorney through the bar association or its structural subdivisions. The judge, body (civil servant) authorized to consider the cases on administrative infractions shall not have the right to recommend engagement of a special person as defence attorney to the person in respect of whom the administrative infraction proceeding is conducted.

4. In case of administrative detention, if the appearance of a defence attorney being elected by the person in respect of whom the administrative infraction proceeding is conducted is impossible within three hours, the judge, body (civil servant) authorized to consider the cases on administrative infractions shall offer to engage the other defence attorney to the person in respect of whom the administrative infraction proceeding is conducted, and in case of refusal, shall take measures for assignment of defence attorney through the bar association or its structural subdivisions.

5. Payment for labour of a defence attorney shall be made in accordance with the legislation of the Republic of Kazakhstan. The judge, body (civil servant) authorized to consider the cases on administrative infractions shall be obliged to release the person in respect of whom the administrative infraction proceeding is conducted from paying legal assistance in existence of the grounds for that. In this case the payment for labour shall be made on account of budget funds.

6. Costs of payment for labour of defence attorneys shall be made on account of budget funds and in case provided by a part two of Article 749 of this Code, when the defence attorney took participation in a proceeding on case upon assignment.

7. The advocate shall be admitted to participate in case on administrative infractions as defence attorney upon representing the certificate of advocate and the warrant certifying his (her) powers for conduct of a case. The other persons mentioned in a part two of Article 748 of this Code shall represent the documents certifying their right to participate in the case as defence attorney (certificate of marriage, as well as documents mentioned in a part three of Article 747 and part three of Article 747 of this Code).

Article 751. Refusal from defence attorney

1. The person in respect of whom the administrative infraction proceeding is conducted shall have the right to refuse from defence attorney at any time of the proceeding that means his (her) intention to exercise own protection on an individual basis. Refusal from defence attorney shall not be admitted on the grounds of absence of the funds for payment of legal assistance. Refusal shall be executed in written form.

2. Refusal from defence attorney shall not deprive the right of the person in respect of whom the administrative infraction proceeding is conducted to file petition in the following on admission of a defence attorney to participate in a case. Intervention of a defence attorney shall not entail review of the actions committed by this time in the course of consideration of the case on administrative infraction.

Article 752. Powers of defence attorney

1. Defence attorney shall have the right to: familiarize with all case materials; participate in consideration of a case; represent evidences; file petitions and objections; put questions to the persons interrogated in the process of consideration of a case upon authorization of a judge, body (civil servant) authorized to consider the case; appeal the application of measures to ensure proceeding on a case; use the other rights provided to him (her) by the Law.

2. Defence attorney shall not have the right to: commit any actions against the

interests of a defendant and impede exercise of the rights belonging to him (her); recognize his (her) belonging administrative infraction and guilt in its commission in spite of position of a defendant, to apply on reconciliation of a defendant with injured party; withdraw complaints and petitions filed by a defendant; disclose the details that became known to him (her) due to applying for legal assistance and its implementation.

Article 753. Representative of injured party

1. The representatives of an injured party may be the persons legally qualified by operation of law to represent the interests of the injured party upon the administrative infraction proceeding.

2. The representatives of an injured party shall have the same procedural rights as individuals and legal entities represented by them within the ambit provided by this Code.

3. The representatives shall not have the right to commit any actions contrary to the interests of the represented person.

4. Personal participation of an injured party in a case shall not deprive his (her) right to have a representative on this case.

Article 754. Witness

1. Any person who may know the circumstances having significance for a case may be called as a witness on a case on administrative infraction, unless otherwise provided by the Law.

2. The witness shall have the right to: refuse from testimony against himself (herself), husband (wife) or close relatives, make statements and remarks regarding the correctness of entering own evidences in the relevant protocol; act in native language upon consideration of a case; enjoy free assistance of an interpreter.

3. The witness shall be obliged to appear on call of a judge, body (civil servant) the proceeding of which includes the case on administrative infraction, to report faithfully about all that is known to him (her) on a case and answer to raised questions, to certify the correctness of entered evidences by his (her) signature in the relevant protocol.

4. The witness shall be informed on administrative liability for avoidance or refusal from testimony, giving of knowingly false testimony to the body (civil servant) authorized to consider the cases on administrative infractions, and on criminal liability for commission of these actions in court.

5. In case of avoidance of a witness from appearance on call of a judge, body (civil servant) the proceeding of which includes the case on administrative infraction, he (she) may be subjected to bringing by the internal affairs body (police) on the basis of the ruling of court, body (civil servant).

6. Upon interrogation of a minor witness under fourteen years, the presence of a pedagogue or psychologist is compulsory. In case of necessity, the interrogation shall be conducted in the presence of a legal representative of such witness.

Article 755. Attesting witness

1. In cases provided by this Code, the adult person that is impartial in outcome of a case, being able to perceive fully and correctly the actions happening in his (her) presence shall be brought as attesting witness.

2. Participation of an attesting witness in the administrative infraction proceeding shall be expressed in protocols of personal inspection, search of a transport vehicle, things, withdrawal of documents and things being in possession of an individual, inspection of territories, premises and property belonged to a legal entity, withdrawal of documents and property belonging to the legal entity.

3. The attesting witness shall be obliged to appear on call of a civil servant, the proceeding of which includes the case on administrative infraction, to take

participation in a proceeding on this case and certify the fact of carrying out the actions performed with his (her) presence, their content and results by his (her) signature in the relevant protocol.

4. The attesting witness shall have the right to make statements and remarks regarding the performed action subjected to entering in protocol.

5. In case of necessity, the attesting witness may be interrogated as a witness in the manner provided by Article 754 of this Code.

Article 756. Specialist

1. Any adult person that is impartial in outcome of a case having special knowledge and skills required for rendering assistance in collection, research and assessment of evidences, as well as in applying special means may be assigned as a specialist for participation in the administrative infraction proceeding.

2. The specialist shall have the right to: know the aim of his (her) call; refuse from participation in a proceeding on case, if he (she) does not possess the relevant special knowledge and skills; familiarize with case materials related to the procedural actions committed with his (her) participation; put questions to the participants of procedural actions upon authorization of a judge, body (civil servant) the proceeding of which includes the case on administrative infraction; conduct research within the procedural actions, with the exception of comparative research, case materials with the reflection of its course and results in the protocol or official document that is a part of the protocol of procedural actions; familiarize with the protocol of procedural actions in which he (she) took participation, and make statements and remarks subjected to entering in the protocol with regard to fullness and correctness of recording the course and results of the actions performed with his (her) participation.

3. The specialist shall be obliged to: appear on call of a judge, body (civil servant) carrying out the administrative infraction proceeding; participate in a procedural action using special knowledge, skills and scientific technical means; give explanations regarding the actions committed by him (her); certify the fact of commission of mentioned actions, their content and results by his (her) signature.

Article 757. Expert

1. The person that is impartial in outcome of a case, having special scientific knowledge may be called as an expert. Performance of forensic examination may be instructed to:

- 1) employees of the bodies of forensic examination;
- 2) individuals carrying out the judicial expert activity on the basis of the license;
- 3) the other persons in accordance with requirements of the Law in exceptional manner.

2. The expert shall have the right to: familiarize with case materials related to the subject of examination; file petitions on representing additional materials required for giving an opinion, to participate in a proceeding of procedural actions upon authorization of the body (civil servant), the proceeding of which includes the case on administrative infraction, and put questions to the persons participating in them related to the subject of examination; familiarize with a protocol of procedural actions in which he (she) took participation, and make remarks subjected to entering in the protocols with regard fullness and correctness of recording his (her) actions and evidences; in coordination with a judge, body (civil servant) that assigned the forensic examination, to give an opinion within the competence on the circumstances having a meaning for the case detected in the course of judicial expert research, that are beyond the scope of the issues contained in a ruling on assignment of the forensic examination; represent the opinion and give evidences in native language or the language that he

(she) can speak; enjoy free assistance of an interpreter; appeal decisions and actions of a court and other persons participating in the proceeding on case derogating from his (her) rights upon performance of the examination; receive compensation of the costs incurred upon performance of the examination, and remuneration for the performed work, if performance of forensic examination is not included into his (her) scope of official duties.

3. The expert shall not have the right to: hold negotiations with participations of the administrative infraction proceeding on the issues linked with performance of the examination, without knowledge of the body carrying out proceeding on a case; collect materials for investigation on an individual basis; conduct investigations that may entail full or partial destruction of the objects or change of their appearance or main properties, if there is no special permit of the body that assigned the examination.

4. The expert shall be obliged to: appear on call of a judge, body (civil servant) the proceeding of which includes the case on administrative infraction; conduct thorough, full and objective investigation of the objects represented to him (her), give reasonable written conclusion on the issues set before him (her); refuse from giving an opinion and draw up substantiated written report on impossibility to give the opinion and direct it to the body (civil servant) that assigned the forensic examination, in the cases provided by a part thirteen of Article 772 of this Code; give evidences on the issues linked with conducted investigation and given opinion; ensure preservation of the investigated objects; not to disclose the details on circumstances of the case and other details that became known to him (her) due to performance of the examination.

5. The expert shall bear criminal liability provided by the Law for giving knowingly false opinion.

6. The expert that is the employee of the body of forensic examination shall be regarded as familiarized with his (her) rights and obligations and warned on a criminal liability for giving knowingly false opinion in court by the nature his (her) business occupation.

Article 758. Interpreter

1. Any adult person that is impartial in outcome of a case that can speak languages (that understands the signs of dumb or deaf people), the knowledge of which are required for interpretation upon the administrative infraction proceeding.

2. The interpreter shall be assigned by a judge, body (civil servant) the proceeding of which includes the case on administrative infraction.

3. The interpreter shall have the right to: refuse from participation in a proceeding on case, if he (she) does not possess knowledge required for interpretation; put questions to the persons attending upon the process of interpretation for clarification of the interpretation; familiarize with a protocol of procedural actions in the proceeding of which he (she) took participation, and make remarks subjected to entering in the protocol in regard with fullness and correctness of recording of interpretation.

4. The interpreter shall be obliged to: appear on call of a judge, body (civil servant) the proceeding of which includes the case on administrative infraction, and to carry out the interpretation instructed to him (her) fully and precisely; certify correctness of interpretation by own signature in the relevant protocol.

5. The interpreter shall be warned on administrative liability for carrying out of knowingly false interpretation upon consideration of a case on administrative infraction by the body (civil servant) authorized to consider the cases on administrative infractions, and on criminal liability for commission of this act in court.

6. The rules of this Article shall apply to the person involved in participation

in a case on administrative infraction that understands the signs of dumb or deaf people.

Article 759. Prosecutor

1. Supreme supervision of precise and uniform application of the Laws in a process of proceeding on the cases on administrative infractions in behalf of the state, shall be carried out by the General Prosecutor of the Republic of Kazakhstan as directly, so through the prosecutors subordinated to him (her).

Upon exercising own procedural powers, the prosecutor shall be independent and shall abide by the Law.

2. For the purpose of realizing own powers provided by Article 760 of this Code, the prosecutor shall: participate in the administrative infractions proceeding; represent evidences and participate in their investigation; set forward own opinion to the court, body (civil servant) considering the case on guilt of the person in respect of whom the administrative infraction proceeding is conducted, as well as on the other issues raising in the process of considering the case; express suggestions to the court, body (civil servant) considering the case on applying the provisions of the Law and imposition of the administrative sanction or release from it.

3. The prosecutor shall be notified in a mandatory manner on place and time for consideration of the case on administrative infraction committed by the minor person, as well as the infraction that entails administrative arrest. In his (her) absence, such case may be considered only in the case when there is data on well-timed notification of the prosecutor and if there is no petition from him (her) on postponement of consideration of the case.

Footnote. Article 759 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 760. Powers of a prosecutor on ensuring legality of the administrative infractions proceeding

1. Based on the results of inspections of the administrative infractions proceeding, the prosecutor shall:

1) introduce a protest in court, body (civil servant) on the decree on the case on administrative infraction;

2) give written instructions to the authorized civil servants and bodies (except for the court) on performance of additional inspection;

3) require conduct of inspection from the authorized bodies in the organizations controlled by them or subordinated to them;

4) terminate the administrative infraction proceeding in the cases established by the Law;

5) suspend the execution of the decree on administrative sanction;

6) issue a decree on release of the person illegally subjected to administrative detention;

7) issue a decree or requirement on release from any measures of prohibitive or restrictive nature imposed by the civil servants of the state bodies due to fulfillment of own obligations in the cases of violation of rights and legal interests of individuals, legal entities and the state;

8) issue a decree on initiation of the administrative infraction proceeding.

2. The acts of a prosecutor stated in subparagraphs 6) and 7) of part one of this Article shall be subject to immediate execution. The civil servants that are guilty in delay of executing the mentioned acts of a prosecutor shall bear liability established by the Law.

Article 761. Liability for non-fulfillment of procedural obligations

1. Non-fulfillment of the procedural obligations provided by Articles 754, 756, 757, 758 of this Code by a witness, specialist, expert and interpreter shall entail administrative liability established in Articles 658, 659, 661 of this Code.

2. In case of commission of the actions mentioned in a part one of this Article, upon consideration of the case on administrative infraction, complaint or protest on a decree on the case in protocols of consideration of the complaint or protest on the decree on the case, the relevant record shall be made.

Article 762. Circumstances excluding the possibility of participation in the administrative infraction proceeding

1. The persons that are employees of the state bodies carrying out supervision and control of compliance with the rules, the violation of which is the ground for initiation of this case, or if they previously acted as other participants of the proceeding on this case shall not be admitted to participate in the administrative infraction proceeding as defence attorney and representative.

2. The expert and interpreter shall not be admitted to participate in the administrative infraction proceeding if: they are incompetent; they are in blood relationship with the person brought to administrative liability, the injured party, their representatives, defence attorney, representative, prosecutor, judge, civil servant, the proceeding of which includes this case, or if they previously acted as other participants of the proceeding on this case, and equally if there are grounds to regard these persons as having interest in this case directly or indirectly.

3. Preceding participation of a person in the case as an expert is the circumstance that excludes his (her) instructing to perform the examination in cases when then it is assigned repeatedly second time after the examination performed with his (her) participation.

Article 763. Challenges of persons the participation of which in the proceeding on case is not admitted

1. In existence of the circumstances provided by Article 762 of this Code excluding a possibility for participation of defence attorney, representative, prosecutor, expert and interpreter in the administrative infraction proceeding, the mentioned persons shall be subject to challenge.

2. The application on recusation or challenge shall be filed to a judge, body (civil servant) the proceeding of which includes the case on administrative infraction.

3. the application on recusation or challenge shall be considered within three days from the date of filing the application.

4. After consideration of the application on recusation or challenge, the judge, body (civil servant) shall issue a ruling on satisfying the application or on refusal from its satisfaction.

Article 764. Compensation of expenses to injured party, witness, expert, specialist, interpreter or attesting witness

1. Injured party, witness, expert, specialist, interpreter and attesting witness shall be compensated for expenses incurred by them due to appearance in court, body (civil servant) the proceeding of which includes the case on administrative infraction in the manner established by the civil procedure legislation, including the cost of travelling of the mentioned persons from the place of residence or staying to the place of proceeding and return, and in cases when it is linked with staying at the other place - the cost of lease of a residential premise, as well as daily allowance.

2. The average earnings on the work place of the person called as injured party, witness, expert, specialist, interpreter and attesting witness shall be preserved in established manner for a time of their absence due to appearance in court, body (civil servant) the proceeding and consideration of which includes the case on administrative

infraction.

3. Labour of an expert, specialist and interpreter shall be paid in the manner established by the legislation.

Chapter 39. EVIDENCES AND PROOF

Article 765. Evidences

1. Evidences on the case on administrative infraction are legally received actual data on the basis of which, the judge or body (civil servant) the proceeding of which includes the case on administrative infraction establishes existence or absence of the act containing all the signs of administrative infraction components, commission or non-commission of this act by the person in respect of whom the administrative infraction proceeding is conducted, guilt or guiltlessness of this person, as well as the other circumstances having significance for a proper solution of the case in the manner established by this Code.

2. Actual data mentioned in a part one of this Article, shall be established by: explanations of a person brought to administrative liability; testimony of an injured party, witnesses; opinions and testimony of an expert specialist; material evidences; other documents; protocols on administrative infraction and protocols of procedural actions provided by this Code.

Upon consideration of materials on administrative infractions, the data received with use of scientific technical means may be used as evidences.

3. Actual data shall be recognized inadmissible as the evidences, if they are received with violations of the requirements of this Code that affected or may affect a credibility of the received actual data by means of deprivation or restriction of the rights of the participants of proceeding guaranteed by the Law or violation of the other rules of process, as well as:

- 1) with use of force, threat, fraud, and equally the other illegal actions;
- 2) with use of wrong beliefs of a person participating in a process with regard of his (her) rights and obligations occurred due to non-clarification, incomplete or improper clarification of them;
- 3) due to conduct of a procedural action by a person that does not have the right to carry out the proceeding on this case;
- 4) due to participation of a person subjected to challenge in a procedural action;
- 5) with violation of the procedure for proceeding of a procedural action;
- 6) from unknown source;
- 7) with use of methods in the course of proving contradicting to modern scientific knowledge.

4. Inadmissibility of using actual data as evidences shall be established by a judge or body (civil servant) carrying out the administrative infraction proceeding at own initiative or upon petition of participants of the process.

5. The evidences received with breach of the Law shall be recognized invalid and may not be taken as basis of case decision, as well as may not be used upon proving any circumstance on the case, with the exception of the fact of the relevant violations and guilt of the persons that committed them.

Article 766. Circumstances subjected to proving on the case on administrative infraction

It shall be subject to proving on the case on administrative infraction as follows:

- 1) the fact and signs of administrative infraction components provided by this Code;
- 2) the person that committed wrongful act (action or omission) for which the administrative liability is provided by this Code;

- 3) guilt of an individual in commission of administrative infraction;
- 4) circumstances mitigating or aggravating administrative liability;
- 5) character and size of damage inflicted by administrative infraction;
- 6) circumstances entailing release from administrative liability;
- 7) reasons and conditions promoting commission of administrative infraction, as well as the other circumstances having significance for a proper solution of the case.

Article 767. Explanations of a person in respect of which the administrative infraction proceeding is conducted, the testimony of an injured party and witness

1. The explanations of a person in respect of which the proceeding on case is conducted, the testimony of an injured party and witness represent the details having relevance to the case given by the mentioned persons in oral or written form.

2. The explanations of a person in respect of whom the proceeding on case is conducted shall be reflected in a protocol on administrative infraction or on applying the measures on ensuring the proceeding on case, and when necessary – shall be drawn up as polling protocol and attached to the case.

3. The explanations of a person in respect of whom the administrative infraction proceeding is conducted, the testimony of witnesses shall be incorporated in protocol on administrative infraction only after its full filling and clarification of rights and obligations provided by this Code to the mentioned persons.

4. In case of failure to comply with the requirements provided by a part three of this Article, the explanations of a person in respect of whom the administrative infraction proceeding, the testimony of a witness shall not be considered as having the force of evidences and may not be recognized as evidences.

Article 768. Representation of evidences

1. The evidences may be represented by parties and other participants of administrative proceeding.

2. If the represented evidences are insufficient, the court or body considering a case may suggest to represent additional evidences to participants of a process or to collect them at own initiative.

Article 769. Grounds for release from evidence

1. The circumstances recognized as commonly known by a court, body (civil servant) authorized to consider administrative infraction, shall not be subject to proving.

2. The circumstances established by the court decision on a civil case or the court decree on another case on administrative infraction entered into force shall not be subject to proving upon consideration of the other cases on administrative infractions in which the same persons take participation.

3. The following circumstances shall be considered as established without evidences, unless the contrary is established within the due process of law:

- 1) correctness of the methods for investigation being generally accepted in modern science, technology, arts, craft;
- 2) knowledge of the law by a person;
- 3) knowledge of own official and professional obligations by a person;
- 4) absence of special training or education of a person that did not represent a document for their certification and that did not state the educational organization or another institution where he (she) obtained special training or education.

Article 770. Securing of evidence

1. The parties that have a reason to be worried that the representation of necessary evidences for them will be impossible or difficult, may ask a judge, body (civil servant) considering a case on administrative infraction on securing of these evidences.

2. Securing of evidences shall be carried out by demanding representation of documents, details and conclusions, performance of examinations, survey on the spot and by other methods from organizations independently from their participation in the case.

Article 771. Application on securing of evidences

1. The application on securing of evidences shall include: the evidences that are required to be secured; the evidences the confirmation of which requires these evidences; the reasons inducing an applicant to make a request on securing, as well as the case for which these evidences are required.

2. The application shall be directed to court, body (civil servant) considering a case on administrative infraction.

Article 772. Assignment and performance of examination

1. The examination shall be assigned by a judge, body (civil servant) the proceeding of which includes a case on administrative infraction, when the circumstances having significance for the case may be received in a result of investigation of the case materials conducted by an expert on the basis of special scientific knowledge.

2. Existence of certificates of audit, inspection, conclusions of departmental inspections, as well as official documents drawn up according to results of investigations conducted by specialists in the course of procedural actions shall not exclude a possibility to conduct an examination on the same issues.

3. The judge, body (civil servant) the proceeding of which includes a case on administrative infraction may assign an examination upon petition of parties or at own initiative.

4. Performance of an examination may be instructed to employees of the examination bodies or to other persons satisfying requirements of Articles 757 of this Code. Performance of an examination may be instructed to a person from among those proposed by the parties. The requirements of a judge, civil servant on call of the person that is instructed by performance of the examination shall be compulsory for the head of the organization where the mentioned person works.

5. On assignment of an examination, the judge, body (civil servant) the proceeding of which includes a case on administrative infraction shall issue a ruling in which he (she) states:

- 1) last name, initials of a judge, civil servant, name of a court, body;
- 2) time, place of assignment of an examination;
- 3) grounds for assignment of an examination;
- 4) last name, first name, patronymic (when available) of an expert or name of an examination body in which it shall be performed;
- 5) issues set before an expert;
- 6) list of materials represented in disposal of an expert.

The ruling shall also contain records on explanation of the rights and obligations to an expert and on the warning on liability for giving knowingly false opinion.

6. The single-discipline expert panel may be assigned for performance of complex expert investigations that shall be performed by no less than two experts of one specialty.

7. The comprehensive examination shall be assigned if for establishment of the circumstance having significance for a case it is required investigation on the basis of different branches of knowledge that shall be performed by experts of different specialties within own competence.

8. Before direction of a ruling on assignment of an examination for execution, the judge, body (civil servant) that assigned the forensic examination shall be obliged to familiarize the person in respect of whom the administrative infraction proceeding is conducted, the injured party with it, to explain the rights to them:

1) challenge an expert or file petition on dismissal from performance of an examination of the body of forensic examination;

2) file petitions on assignment of the persons or employees of particular bodies of forensic examination specified by them as experts, as well as on performance of an examination by the committee of experts;

3) file petition on raising additional questions before an expert or on clarification of the raised questions;

4) attend during performance of an examination, to give explanations to an expert upon authorization of a judge or body (civil servant) that assigned the forensic examination, with the exception of cases precluding performance of the examination;

5) familiarize with expert's opinion or report on impossibility to give an opinion after its delivery to a judge or body (civil servant) that assigned the forensic examination, to represent own remarks, to file petitions on assignment of additional or repeated examination, assignment of new examinations.

The examination of injured parties shall be performed only with their written agreement. If these persons did not attain majority age or recognized incapable by court, he written agreement for performance of the examination shall be given by their legal representatives.

9. Based on the results of performance of an examination, the expert (experts) shall give an opinion in his (her) own name, drawn up in accordance with the requirements of Article 773 of this Code and shall direct it to a judge, body (civil servant) that assigned the examination.

10. Upon insufficient clarity and completeness, as well as in case of necessity of solution of additional issues linked with the previous investigation, the additional examination the performance of which is instructed to the same or another expert (experts) shall be assigned.

11. If the opinion of the expert is substantiated insufficiently or his (her) conclusions raise doubts or the procedural rules on assignment and performance of an examination were essentially violated, the repeated examination, the performance of which is instructed to the committee of experts which does not include the expert (experts) that performed the previous examination, may be assigned for investigation the same objects and solution of the same issues.

12. Ruling of a judge, body (civil servant) on assignment of additional and repeated examinations shall be substantiated. Upon instructing of additional and repeated examinations to an expert (experts), the opinions drawn up based on the results of the previous examinations shall be represented.

13. If before conduct of investigation, the expert is assured that the issues set before him (her) are beyond his (her) special knowledge or the materials provided to him (her) are unsuitable or insufficient for giving an opinion and may not be performed, or the state of science and expert practice does not allow to answer to the raised issues, he (she) shall draw up a substantiated report on impossibility to give the opinion and direct it to a judge, body (civil servant).

Article 773. Opinion and testimony of an expert and specialist

1. Expert's opinion - the conclusions represented in written form on the issues set before him (her) by a judge, body (civil servant) the proceeding of which includes a case on administrative infraction, based on the results of investigation of case materials, including material evidences and samples, performed with the use of special scientific knowledge. The opinion shall also include the methods applied by an expert during investigation, the substantiation of answers to the raised issues and circumstances having significance for a case established at the initiative of the expert himself (herself).

2. The opinion shall be drawn up by an expert (experts) after performance of investigations considering its results in his (her) own name, shall certify it (them) by signature and personal seal. In case of performance of an examination by the body of examination, the signature of an expert shall be certified by seal of the mentioned body.

3. The opinion of an expert shall include: date of its drawing up, terms and place of the examination; grounds for performance of forensic examination; details on a judge, body (civil servant) the proceeding of which includes a case on administrative infraction; details on a body of forensic examination and (or) expert (experts) being instructed to perform the examination (last name, first name, patronymic (when available), education, specialty, work experience with a relevant degree, academic degree and academic rank, current position); mark certified by the signature of an expert that he (she) is informed on criminal liability for giving knowingly false opinions in court; issues set before an expert (experts); details on participants of a process attending during performance of an examination and the explanations given by them; objects; content and results of investigations with specification of used methods; assessment of results of performed investigations, substantiation and formulation of the conclusions on the issues set before an expert (experts).

4. The opinion shall contain substantiation of impossibility to answer to all or several of the raised issues, if the circumstances mentioned in a part thirteen of Article 772 of this Code are detected in the course of investigation.

5. Expert testimony - the details reported by him (her) in the course of consideration of a case on administrative infraction for the purpose of clarification or specification of the opinion represented to them in accordance with requirements of Article 757 of this Code.

6. Specialist's opinion - judgement represented in written form on the issues raised before a specialist by the authorized body carrying out administrative infraction proceeding, or by parties upon answers to which, the conduct of the relevant investigation is not required.

7. The opinion of a specialist consists of introductory, descriptive parts and opinions. The introductory part shall contain: date, place, time for giving an opinion; civil servant that instructed performance of the special investigation; details on a specialist (last name, first name, patronymic (when available), education, specialty, work experience, academic rank, current position. The descriptive part shall contain the issues raised before a specialist, objects, materials, documents represented to a specialist for giving an opinion, the persons attending during investigation. Conclusions shall reflect answers of a specialist to raised issues and their scientific rationale.

8. Specialist evidence - the details reported by him (her) in the course of consideration of a case on administrative infraction, on circumstances requiring special knowledge, as well as clarification of own opinion in accordance with requirements of Article 756 of this Code.

9. Materials illustrating opinion of an expert, specialist (photo board, schemes, schedules, tables and other materials) certified in the manner provided by a part two of this Article shall be accompanied to the opinion and constitute its component part. The opinion shall be also accompanied by the objects left after investigation, including samples.

10. The opinion of an expert, specialist is not compulsory for a court, body (civil servant) the proceeding of which includes a case on administrative infraction, however their disagreement with the opinion shall be substantiated.

Article 774. Sample acquisition

1. The judge shall have the right to obtain samples, as well as those representing properties of human, animal, substance, subject, if their investigation has significance for a case.

2. The samples shall also include test samples of materials, substances, raw materials, finished products.

3. The reasoned ruling shall be issued on sample acquisition, that shall include: a person that will obtain samples; a person (organization) from which it is required to obtain samples; which exactly samples and in which quantity should be obtained; when and to whom shall person come for obtainment of samples from him (her); when and to whom the samples should be represented after their obtainment.

4. The samples may be obtained by a judge in person, and in case of necessity - with participation of a doctor or the other specialist, if it is not linked with uncovering of the opposite sex from whom the samples are obtained, and if it does not require special professional skills. In other cases, the samples may be obtained by a doctor or the other specialist under a commission of a judge.

5. A judge, expert, doctor or the other specialist shall have the right to obtain samples.

6. In cases when sample acquisition is a part of expert investigation, it may be performed by an expert.

7. The samples may be obtained from parties, as well as from third parties.

8. The judge shall summon a person, familiarize him (her) with a ruling on sample acquisition against receipt, explain the rights and obligations to him (her) and other persons participating in this procedural action.

9. A judge shall perform necessary actions, receive samples, pack them and seal in person or with participation of a specialist.

10. The results of sample acquisition shall be recorded in a protocol of procedural action (court sitting) in which the actions taken for obtainment of samples in a sequence in which they were performed, the scientific research and other methods and procedures applied by this, as well as the samples themselves, are described.

Article 775. Sample acquisition by a doctor or other specialist, as well as other expert

1. The judge shall direct the person from whom the samples should be obtained to a doctor or other specialist, as well as ruling with the relevant commission. The ruling shall contain the rights and obligations of all the participants of this procedural action.

2. The doctor or the other specialist shall perform any necessary actions and obtain samples under commission of a judge. Samples shall be packed and sealed, after what they shall be directed to a judge together with official document drawn up by a doctor or other specialist.

3. In a process of investigation, the expert may produce experimental models, on which he (she) shall report in opinion.

4. The judge shall have the right to attend upon production of such samples that should be reflected in a protocol drawn up by them.

5. After conduct of investigation, the expert shall attach the samples to own opinion in a packed and sealed form.

6. If the samples are obtained under a commission of a judge by a specialist or expert, he (she) shall draw up official document that shall be signed by all the participants of procedural action and transferred to the judge for attaching to case materials.

7. The protocol shall be accompanied by obtained samples in a packed and sealed form.

Article 776. Protection of individual rights upon sample acquisition

The methods and scientific technical means of sample acquisition shall be safe for life and health of human. Applying complex medical procedures and methods causing strong pain senses shall be admitted only with written agreement of the person from which the samples should be obtained, and if he (she) is under majority age or suffers from mental diseases, with written agreement of his (her) legal representatives.

Article 777. Material evidences

1. Material evidences on a case on administrative infraction are the subjects that are the tool or subject for commission of infraction or that preserved its traces.

2. In necessary cases, the material evidences shall be photographed or recorded by other method and attached to a case, whereat the entry in a protocol on administrative infraction or another protocol provided by this Code shall be made.

3. The judge, body (civil servant) the proceeding of which includes a case on administrative infraction shall be obliged to take all necessary measures to ensure preservation of material evidences before solution of the case in essence, as well as to adopt decision on them upon completion of consideration of the case.

Article 778. Scientific technical means

1. The court, body (civil servant) and participants of the administrative infraction proceeding shall have the right to use and represent actual data received upon using scientific technical means.

2. Use of scientific technical means shall be recognized admissible, if they:

- 1) explicitly provided by the Law or do not contradict its rules and principles;
- 2) scientifically well-grounded;
- 3) ensure effectiveness of proceeding on a case;
- 4) safe.

3. Actual data received upon use of scientifically technical means shall be reflected in a protocol on administrative infraction or decree on a case on administrative infraction.

Article 779. Documents

1. The documents shall be recognized as evidences on a case, if the details stated or certified in them by organizations, civil servants and individuals, have significance for a case on administrative infraction.

2. The documents may contain details recorded as in written, so in other form. Materials containing computer information, photo survey and cine filming, sound and video recording received, demanded or represented in the manner provided by this Code may be also referred to the documents.

3. Driving license for the right of operation of transport vehicle is a document having significance for a case only in cases of its verification and adoption of a decision on deprivation of the right of an individual to operate transport vehicle.

4. The judge, body (civil servant) the proceeding of which includes a case on administrative infraction shall be obliged to take necessary measures to ensure preservation of documents before solution of the case in essence, as well as adopt decision on them upon completion of consideration of the case.

5. In cases when the documents have the signs mentioned in Article 777 of this Code, they are material evidences.

Article 780. Demand of additional details

1. The judge, body (civil servant) the proceeding of which include a case on administrative infraction shall have the right to issue a ruling on demand of additional details from organizations, public associations, required for solution of the case.

2. In the ruling of a judge, body (civil servant) on demand of additional details,

the brief of the merit of considered case shall be stated, the circumstances subjected to clarification shall be specified. This ruling shall be compulsory for a court to which it is directed, and subjected to execution within the established term.

3. Demanded details shall be directed within three days from the date of receipt of requirement.

4. Upon impossibility to represent the mentioned details, the organization, public association shall be obliged to notify a judge, body (civil servant) that issued the ruling in written form within three days.

Article 781. Proving

1. Proving consists of collection, verification and assessment of evidences for the purpose of establishment of the circumstances having significance for a legal, substantiated and fair consideration of cases on administrative infractions.

2. Burden of proving the existence of the grounds of administrative liability and guilt of infraction shall be imposed on a body (civil servant) authorized to consider the proceeding on cases on administrative infractions.

Article 782. Collection of evidences

1. Collection of evidences shall be carried out in a process of the administrative infraction proceeding by carrying out the actions provided by this Code.

2. Subjects and documents shall be attached to the case after their assessment whereat the relevant record shall be entered in a protocol on administrative infractions or a separate protocol shall be drawn up.

Acceptance of subjects and documents from the persons that are participants of the administrative infractions proceeding shall be carried out on the basis of a petition.

Article 783. Inspection

All the evidences collected on a case on administrative infraction shall be subject to detailed, comprehensive and objective inspection. The inspection includes an analysis of received evidence, its correlation with other evidences, collection of additional evidences, inspection of the sources of evidences.

Article 784. Evaluation of evidences

1. Evaluation of evidences is a logical intellectual activity consisting of analysis and synthesis of evidences and terminating with a summary on relevance, admissibility, credibility and value of separate evidences and sufficiency of their totality for substantiation of adopted decision.

2. The judge, body (civil servant) carrying out the administrative infraction proceeding shall evaluate evidences at own inner conviction based on comprehensive, full and objective consideration of the evidences in their totality, governed by the Law and conscience. No evidences have a predetermined established force.

3. Each evidence shall be subject to evaluation from the point of view of relevance, admissibility, credibility, and all the evidences collected in total - sufficiency for solution of a case.

4. The evidence shall be recognized related to a case if it represents actual data that confirms, deny or challenge the summaries on existence of the circumstances having a significance for a case.

5. The evidence shall be recognized admitted if it is received in the manner provided by this Code.

6. The evidence shall be recognized credible if in results of inspection it is clear that it conforms to actuality.

7. The totality of evidences shall be recognized sufficient for solution of a case, if all the admitted and credible evidences related to the case establishing the issue about all and each of the circumstances subjected to proving without controversy, are collected.

Chapter 40. TAKING MEASURES OF ENSURING THE ADMINISTRATIVE INFRACTIONS PROCEEDING

Article 785. Measures of ensuring the administrative infraction proceeding

1. For the purpose of suppression of administrative infraction, establishment of identity of a person suspected in its commission, drawing up a protocol on administrative infraction, when its drawing up is impossible on location of the administrative infraction, ensuring well-timed and proper consideration of a case and execution of a decree adopted on the case, prevention of a direct danger to life or health of people, threat of accident or technogenic disasters, the authorized civil servant shall have the right to apply the following measures of ensuring the administrative infraction proceeding within the competence in respect of an individual:

- 1) bringing to the place of drawing up of a protocol on administrative infraction;
- 2) administrative detention of an individual;
- 3) bringing;
- 4) personal inspection and search of things being in possession of an individual;
- 5) search of transport vehicles, small size vessels;
- 6) withdrawal of documents and things;
- 7) suspension from operation of transport vehicle or small size vessel and examination of his (her) state of alcohol, drug, substance abuse intoxication;
- 8) detention, bringing and prohibition to operate transport vehicle or small size vessel;
- 9) survey;
- 10) medical certification of an individual of the state of alcohol, drug or substance abuse intoxication;
- 11) suspension or prohibition of the activity or its separate types in order of Article 48 of this Code.

2. In respect of a legal entity, the following measures of ensuring the administrative infraction proceeding may be applied:

- 1) survey of premises, territories, goods located there, transport vehicles and other property belonging to a legal entity, as well as the relevant documents;
- 2) withdrawal of documents belonging to a legal entity;
- 3) arrestment or withdrawal of goods, transport vehicles and another property belonging to a legal entity;
- 4) suspension or prohibition of the activity or its separate types in order of Article 48 of this Code.

3. Measures of ensuring the administrative infraction proceeding may be applied before initiation of a case on administrative infraction (except for personal inspection, search of things being in possession of an individual) during proceeding of the case, as well as at the stage of execution of a decree of the case on administrative infraction.

4. Each of the measures of ensuring the administrative infraction proceeding listed in parts one and two of this Article may be applied separately or together with the other measures, if it is caused by necessity.

5. The civil servant shall bear responsibility for the damage inflicted by illegal application of the measures of ensuring the administrative infraction proceeding.

6. The application of measures of ensuring the administrative infraction proceeding may be appealed in the manner provided by chapter 44 of this Code.

Article 786. Conveying

1. Conveying, i.e. forced transmittal of an individual, representative of legal entity, civil servant, and in cases provided by subparagraphs 1), 3), 4), 5) and 7) of

this Article, transport vehicle and other tools for commission of an infraction for the purpose of suppression of the infraction, establishment of identity of the offender, as well as drawing up of a protocol on administrative infraction or issuing restraining order upon impossibility to draw them up at the place of detection of the administrative infraction, if the drawing up of the protocol is compulsory, shall be carried out upon commission of:

1) violations of the rules of using transport means, the rules on protection of order and traffic safety, the rules oriented to preserve cargo in transport, the rules of fire security, sanitary hygienic and sanitary epidemiological rules in transport - by the authorized person to the internal affairs body (police), if he (she) does not have the documents certifying identity, and there are no witnesses that may tell necessary data about him (her), as well as if he (she) does not have necessary documents relating to transport vehicle;

2) forestry violations or violations of the hunting regulations, fishery regulations and protection of fish resources and other breaches of the legislation on protection and use of animal world - by employees of the state and departmental security service of forest and hunting industry by the authorized civil servants of the bodies carrying out state supervision of compliance with the hunting regulations, bodies of fishery protection by the civil servants of other bodies carrying out state and departmental control of protection and use of animal world, by the civil servants of nature reserves and other especially protected natural areas, as well as by the employees of the internal affairs bodies (police) to the internal affairs body (police) or to the body of local self-government;

3) administrative infractions linked with encroachment on protected objects, the other persons' property - by employees of paramilitary security service to the service building of the paramilitary security service or to the body of internal affairs (police);

4) violation of regime of the State Border of the Republic of Kazakhstan, frontier and customs regimes, regime in checkpoints through the State Border of the Republic of Kazakhstan and customs border of the Customs Union, malicious insubordination to the legal order or requirement of a military servant of the Frontier service of the National Security Committee of the Republic of Kazakhstan, military servants of other forces, military formations, an employee of the internal affairs bodies (police) - by the military servant, employee of the internal affairs bodies (police) or other individual fulfilling the obligations on protection of the State Border of the Republic of Kazakhstan to the unit, military unit, Frontier service of the National Security Committee of the Republic of Kazakhstan, to the internal affairs body (police), body of self-government;

5) infractions in the scope of entrepreneurial activity, trade and finances, tax assessment, customs affairs - by employees of the service of economic investigations;

6) infractions encroaching on established order of management and institutions of the state power, corruption infractions - by employees of anti-corruption service;

7) infractions committed upon conduct of protective measures on safety ensuring of protected persons - by employees of the State Security Service of the Republic of Kazakhstan;

8) other administrative infractions in existence of the relevant orders of a prosecutor or request from the side of civil servants authorized to draw up protocols on administrative infractions - by employees of the internal affairs bodies (police) to the internal affairs body (police) or another state body.

2. Upon commission of infractions on a continental shelf, in territorial waters (sea) and internal waters of the Republic of Kazakhstan, the offender the identity of

whom may not be established on the spot, as well as vessels and tools for commission of the administrative infraction used for carrying out illegal activity on the continental shelf, in territorial waters (sea) and internal waters of the Republic of Kazakhstan, the belonging of which may not be established upon survey, shall be subject to delivery to the port of the Republic of Kazakhstan (foreign vessels – to one of the ports of the Republic of Kazakhstan opened for entry of foreign vessels) for suppression of the infraction, as well as for establishment of the identity of the offender and belonging of detained vessels, tools for commission of the infraction and drawing up of a protocol on administrative infraction.

3. Conveying shall be carried out within a possible short term.

4. The protocol shall be drawn up or the relevant record in a protocol on administrative infraction or administrative detention shall be entered about conveying.

Upon impossibility to carry out the conveying of a person within the terms provided for conveying him (her) to administrative liability, the written notification with specification of the reasons by which the conveying is not carried out shall be directed to address of the referred body (civil servant).

Footnote. Article 786 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 787. Administrative detention

Administrative detention, i.e. short-term restriction of personal freedom of an individual, representative of a legal entity, civil servant for the purpose of suppression of the infraction or ensuring the proceeding, may be carried out by:

1) internal affairs bodies (police) – upon detection of administrative infractions, the cases on which shall be considered by the internal affairs bodies (police), in accordance with Article 685 of this Code, or administrative infractions on the cases on which the protocols on administrative infraction shall be drawn up in accordance with subparagraph 1) of part one of Article 804 of this Code;

2) commandant's office of the place where the state of emergency is declared, and by military patrols – upon violation of regime of emergency situation and actions provoking the violation of legal order in conditions of emergency situation;

3) civil servants participated in anti-terrorist operation within the established competence – upon violation of a legal regime of anti-terrorist operation or non-performance of requirements established due to declaration of anti-terrorist operation;

4) civil servants of the Frontier service of the National Security Committee of the Republic of Kazakhstan – upon detection of administrative infractions considered by them in accordance with a part three of Article 726 of this Code or administrative infractions on the cases of which the protocols on administrative infractions shall be drawn up in accordance with subparagraph 44) of part one of Article 804 of this Code;

5) senior military servant at location of protected object, employee of the internal affairs bodies, special state bodies, civil servant of paramilitary security service – upon commission of infractions linked with encroaching on the protected objects, other persons' property;

6) fishery protection bodies, carrying out state supervision of compliance with the hunting regulations, and bodies of forest and hunting industry – upon violation of the rules, the control of compliance of which is carried out by these bodies;

7) bodies of transport control – upon violation of the rules, the control of compliance of which is carried out by these bodies;

8) civil servants of military police – upon violation of the road traffic rules by drivers or other persons operating transport vehicles of the Armed Forces of the Republic of Kazakhstan, other forces and military formations of the Republic of Kazakhstan;

9) bodies of state control in the field of environmental protection and use of natural resources, natural reserves and other especially protected natural areas – upon breach of the environmental legislation;

10) civil servants of the state revenues bodies – upon commission of infractions in the scopes of entrepreneurial activity, trade and finances, tax assessment, customs cases in accordance with the jurisdiction of cases on administrative infractions;

11) civil servants of anti-corruption service – upon commission of the infractions encroaching on established order of management and institutions of the state power, corruption infractions in accordance with the jurisdiction of cases on administrative infractions;

12) civil servants of the state mining supervision bodies, Frontier service of the National Security Committee of the Republic of Kazakhstan, authorized body on geology and subsoil use, bodies on environmental protection and natural resources, republican body of fishing industry – upon commission of administrative infractions on a continental shelf, territorial waters (sea) and internal waters linked with violation of the license conditions regulating permitted activity on the continental shelf, territorial waters (sea) and internal waters of the Republic of Kazakhstan, violation of the rules of conducting scientific or marine scientific researches, violation of the rules of burial of wastes and other materials, non-performance of legal requirements of civil servants of the bodies of protection of continental shelf, territorial waters (sea) and internal waters of the Republic of Kazakhstan on stopping of the vessel or impeding its carrying out;

13) is excluded by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015);

14) civil servants of the State Security Service of the Republic of Kazakhstan – if the infraction is committed during conduct of protective measures on safety ensuring of protected persons;

15) bailiffs – upon non-performance of requirements on termination of unlawful actions in a room during a court session, as well as in the course of the forced execution of enforcement documents.

Footnote. Article 787 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 788. Procedure for administrative detention

1. Upon administrative detention, the protocol shall be drawn up. The protocol shall contain data, time (to the exact minute) and place of its drawing up, position, last name and initials of a person that drew up the protocol; details on personality of a detained person; time, place and grounds for detention. The protocol shall be signed by a civil servant that drew it up, and by a detained person. In case of refusal of the detained person to sign the protocol, the relevant record shall be made. Copy of protocol on detention shall be delivered to the person detained for commission of administrative infraction.

2. Upon request of a person detained for commission of administrative infraction, his (her) relatives, administration at the place of work or education, as well as defendant shall be notified about his (her) location without delay. Upon detention of a minor person, the notification of his (her) parents or persons substituting them shall be compulsory.

3. Upon administrative detention of a military servant or citizen called to military trainings, the military commandant's office or military unit in which the detained person serves military trainings (military service) shall be notified without delay.

4. The rights and obligations provided by this Code shall be explained to the

detained person, whereat the relevant record shall be made in a protocol of administrative detention.

5. Failure to explain the rights and obligations of a detained person is material violation of the administrative infraction proceeding and shall entail the liability provided by the legislation of the Republic of Kazakhstan.

6. The person detained in the manner established by this Code shall be subject to immediate release upon failure of the circumstances that served as the ground for his (her) detention.

7. The persons subjected to administrative detention shall be detained in premises specially allocated for this, meeting the sanitary requirements and excluding a possibility of their willful leaving.

8. Conditions for detention of persons subjected to administrative detention, food standards and procedure for medical service of such persons shall be determined by the bodies of executive power.

9. The minor persons in respect of whom the administrative detention is applied shall be detained separately from adult persons.

Article 789. Terms of administrative detention

1. Administrative detention shall be carried out within a time required for achievement of the purposes mentioned in Article 785 of this Code, and may last no more than three hours.

Beginning of the term of detention is the hour to the exact minute when restriction of freedom of a detained person became real independently from attribution of any procedural status to the detained person or performance of other formal procedures. The term of administrative detention in respect of a person being in a state of alcohol intoxication - from the time of his (her) detoxication certified by a medical worker. The expiry date of this term is expiration of three hours calculated uninterruptedly from the time of factual detention.

2. The person in respect of whom the proceeding is initiated for illegal entering to protected objects, violation of the State Border regime of the Republic of Kazakhstan, frontier and customs regimes or regime in checkpoint through the State Border of the Republic of Kazakhstan and customs border of the Customs Union, as well as on administrative infraction on continental shelve, territorial waters (sea) and internal waters of the republic of Kazakhstan, may be detained for in necessary cases for establishing identity and clarifying the circumstances of infraction up to forty eight hours with reporting about it to a prosecutor in written within twenty four hours from the date of detention. The persons that committed violation of order established due to introduction of a closing time at the place where emergency situation is declared, may be detained by employees of the internal affairs bodies (police) or military patrols until completion of the closing time, and those from among of them who do not have documents in their possession - until establishment of their identity, no more than forty eight hours.

Article 790. Bringing

1. In cases provided by Article 785 of this Code, bringing of an individual or representative of legal entity in respect of whom the administrative infraction proceeding is conducted, legal representative of a minor person subjected to administrative liability shall be carried out.

2. Bringing shall be carried out by bodies of internal affairs and financial police on the basis of a ruling of a judge, body (civil servant) considering a case on administrative infraction in the manner established by the Ministry of Internal Affairs and the Agency of the Republic of Kazakhstan For Combating Economic And Corruption

Crimes (financial police) respectively on cases on administrative infractions considered by the bodies of financial police.

Article 791. Personal inspection and search of things being in possession of an individual

1. Personal inspection is a forced checkup of human body and his (her) clothes for the purpose of detection and prevention of infarctions, discovery and withdrawal of documents, things and other subjects being a tool for commission or subject of the administrative infraction.

2. The search of things being in possession of an individual - checkup of things being in possession of an individual without violation of their structural integrity.

3. Personal inspection and search of things being in possession of an individual shall be carried out only by the authorized bodies, the list of which is determined in Article 787 of this Code and that is exhaustive. Performance of mentioned measures by other persons shall be prohibited and entail liability provided by the Law.

4. Personal inspection may be carried out by the person of the same sex with inspected person and in presence of two attesting witnesses of the same sex.

5. Personal inspection and search of things being in possession of an individual may be carried out only during the administrative infraction proceeding. The ground for conduct of personal inspection and search of things being in possession of an individual is commission of administrative infraction by the person.

6. The search of things (hand-luggage, luggage, hunting and signing weapons) being in possession of an individual shall be carried out in the presence of the person in possession of which these things are, and with participation of two attesting witnesses.

7. In exceptional cases in existence of grounds to suppose that there are weapons or the other subjects in possession of an individual that may be used for infliction of harm to life and health of surrounding people, the personal inspection, search of things may be carried out without attesting witnesses with notification of a prosecutor about this within twenty four hours.

8. In the absence of a real possibility of participation of attesting witnesses in conduct of personal inspection and survey of things being in possession of an individual (in a hardly accessible location, night time, in conditions of emergency or military situation), they may be carried out without participation of attesting witnesses with compulsory application of technical means for recording its course and results.

9. In necessary cases, photo survey and cine filming, video recording shall be produced, and the other established methods for recording material evidences shall be applied.

10. Upon personal inspection, search of things being in possession of an individual, the protocol shall be drawn up. Copy of protocol on personal inspection shall be delivered to a person in respect of whom the proceeding on case is conducted, to his (her) legal representative. The protocol shall contain data, time and place of its drawing up, position, last name and initials of a person subjected to personal inspection, type, number, other identification characteristics of the things including on type, mark, model, calibre, series, number, signs of weapons, number and type of ammunition, special technical means for conduct of the special operational investigative measures of information protection.

11. Application of photo survey and cine filming, video recording, other methods of recording documents shall be recorded in a protocol of inspection. Materials received upon conduct of survey with application of photo survey and cine filming, video recording, other established methods of recording material evidences shall be enclosed to the relevant protocol.

12. Protocol of personal inspection, search of things shall be signed by a civil

servant that drew it up, by a person subjected to personal inspection, by the owner of things subjected to search, by attesting persons. In case of refusal of a person subjected to personal inspection, owner of things subjected to search from signing protocol, the relevant record shall be made.

Article 792. Search of transport vehicles, small size vessels

1. The search of transport vehicles, small size vessel, i.e. inspection of a transport vehicle, small size vessel conducted without violation of their structural integrity shall be carried out for the purpose of detection and withdrawal of the tools for commission of infraction or subjects of administrative infraction.

2. The search of transport vehicles, small size vessels shall be carried out by the authorized civil servant listed in Article 787 of this Code with participation of two attesting persons.

In exceptional cases (in a hardly accessible location in the absence of proper means of communication or when there is no possibility to involve individuals as attesting witnesses in force of other objective reasons), the search of transport vehicles, small size vessels, i.e. inspection carried out without violation of a structural integrity may be conducted without participation of attesting persons, but with application of technical means for recording its course and results.

3. The grounds for performance of search of transport vehicles, small size vessels are:

- 1) existence of sufficient grounds to assume that there are tools for commission or subjects of administrative infraction in a transport vehicle, small size vessel;
- 2) operation of transport vehicle by a driver being in a state of alcohol, drug, substance abuse intoxication, if the driver maintain disobedience to legal requirements of the authorized civil servants;
- 3) conduct of measures on detention of sought transport vehicles, small size vessels by the authorized civil servants;
- 4) if there are reasonable grounds to assume that the cargo transferred in a transport vehicle, small size vessel does not conform to represented documents;
- 5) necessity of reconciliation of the junctions and aggregates of a transport vehicle, small size vessel with data according to represented documents;
- 6) detection of disorders of a transport vehicles, small size vessels in existence of which the operation is prohibited;
- 7) detention of a transport vehicle, prohibition of its operation.

4. The search of transport vehicles, small size vessels shall be carried out in the presence of a person possessing them, or his (her) representative or a person operating transport vehicle, small size vessel on a legal ground. In exigent cases, they may be subjected to search in the absence of mentioned persons.

5. In necessary cases, for the purpose of recording of the subjects detected during search of transport vehicles and small size vessels, their photo survey, cine filming shall be performed.

6. Upon search of transport vehicles, small size vessels, the protocol shall be drawn up. Copy of this protocol shall be delivered to a person possessing the transport vehicles, small size vessels subjected to search, or to his (her) representative or person operating transport vehicle on a legal basis.

7. The protocol of search of transport vehicles, small size vessels shall contain date and place of its drawing up, last name and initials of a person that drew up the protocol, details on personality of the owner of a transport vehicle, small size vessel subjected to search, details on type, mark, model, state registration number, other identification characteristics of transport vehicles, small size vessel.

8. Application of photo survey and cine filming, video recording, other methods of

recording documents shall be recorded in a protocol of search. Materials received upon conduct of search with application of photo survey and cine filming, video recording, other established methods of recording material evidences shall be enclosed to the relevant protocol.

9. Protocol of search of transport vehicles, small size vessels shall be signed by a civil servant that drew it up, by a person in respect of whom the proceeding on case is conducted, by owner of a transport vehicle, small size vessel subjected to search, or by his (her) representative. In case of refusal of a person in respect of whom the proceeding on a case is conducted, owner of a transport vehicle, small size vessel subjected to search, his (her) representative from signing the protocol, the relevant record shall be made.

Article 793. Survey

1. The survey, i.e. visual checkup of a transport vehicle, location, subjects, documents, living persons shall be carried out in order to detect the traces of administrative infraction, other material infractions, as well as circumstances having significance for drawing up of protocol on administrative infraction.

2. The survey may be carried out before initiation of a case on administrative infraction.

Article 794. General rules of carrying out of surveys

1. The survey, as a rule, shall be carried out without undue delay when it is necessary. In case of necessity, as well as upon request of participants of survey, the protocol shall be drawn up. The protocol shall contain date and place of its drawing up, position, last name and initials of a person that drew up the protocol, details on a person subjected to survey, type, number, other identification characteristics of the things, including on type, mark, model, calibre, series, number, signs of weapons, number and type of ammunition, special technical means for conduct of the special operational investigative measures and encryption-based means of information protection.

The protocol of survey shall be signed by a civil servant that drew it up, by a person subjected to survey, by owner of things subjected to survey, by attesting witnesses. In case of refusal of a person subjected to survey, owner of things subjected to survey from signing the protocol, the relevant record shall be made.

2. The survey of living persons shall be carried out by civil servants listed in Article 787 of this Code. The survey of living persons shall be carried out by a person of the same sex with surveyed person and in the presence of two attesting witnesses of the same sex.

The survey of subjects being in possession of a living person, i.e. checkup carried out without violation of their structural integrity shall be carried out by the authorized civil servants listed in Article 787 of this Code, in the presence of a person that owns or possesses these things with participation of two attesting witnesses.

In exceptional cases in existence of grounds to suppose that there are weapons or the other subjects in possession of a living person that may be used for infliction of harm to life and health of surrounding people, the survey may be carried out without attesting witnesses with notification of a prosecutor about this within twenty four hours.

3. The survey of location, subjects, documents, with the exception of those mentioned in a part two of this Article, shall be carried out with participation of attesting witnesses. In exceptional cases (in a hardly accessible location in the absence of proper means of communication or when there is no possibility to involve individuals as attesting witnesses in force of other objective reasons), the survey may be conducted without participation of attesting witnesses, but with application of

technical means for recording its course and results.

4. In case of necessity, the survey shall be carried out with participation of an offender, injured party, witnesses, as well as specialist.

5. The survey of detected traces and other material objects shall be carried out at the place of administrative infraction. If the survey requires additional time or survey on the spot of detection is essentially obstructed, the objects may be withdrawn and transferred to the other place accessible for survey in a packed, sealed and undamaged form.

6. All that was detected and withdrawn during survey shall be represented to attesting witnesses, other participants of survey, whereat the relevant note shall be made in the protocol.

7. Only those objects related to the case shall be subject to withdrawal. Withdrawn objects shall be packaged, sealed and certified by signatures of the authorized civil servant and attesting witnesses.

8. The persons participating in survey shall have the right to direct attention of the authorized civil servant to all that in their opinion may promote to clarify the circumstances of a case.

9. In necessary cases, the measurements shall be carried out, plans and schemes of surveyed objects shall be drawn up, as well as photography and imprinting by other means, whereat the relevant note shall be made in the protocol to which the mentioned materials shall be attached.

10. Copy of protocol of survey shall be delivered to a person in respect of whom the proceeding on a case is conducted, or to his (her) representative.

Article 795. Withdrawal of things and documents being in possession of an individual

1. Withdrawal of documents and things being a tool or subject of infractions detected at the place of commission of the infraction or during application of the measures of ensuring the administrative infraction proceeding provided by Article 785 of this Code, shall be carried out by civil servants authorized to apply the relevant measures of ensuring the proceeding on case, with participation of two attesting witnesses.

In exceptional cases (in a hardly accessible location in the absence of proper means of communication or when there is no possibility to involve individuals as attesting witnesses in force of other objective reasons), the withdrawal of documents and things being a tool of infractions detected at the place of commission of the infraction or upon applying the measures of ensuring the administrative infraction proceeding provided by Article 785 of this Code may be conducted without participation of attesting persons, but with application of technical means for recording its course and results.

2. Upon withdrawal of things and documents, the protocol shall be drawn up, the copy of which shall be delivered to a person in respect of whom the proceeding on case is conducted, or to his (her) representative, or the relevant record shall be made in a protocol on administrative infraction.

3. The protocol on withdrawal of documents and things (protocol on administrative infraction) shall contain details on a type and requisite elements of documents, type, number, other identification characteristics of withdrawn things, including on type, mark, model, calibre, series, number, other identification characteristics of withdrawn weapon, number and type of ammunition, special technical means for conduct of the special operational investigative measures and encryption-based means of information protection.

4. The protocol of survey shall be signed by a civil servant that drew it up, by a

person from whom the relevant documents and things are withdrawn, by attesting witnesses. In case of refusal of a person from whom the relevant documents and things are withdrawn from signing the protocol, the relevant record shall be made.

5. Before consideration of a case on administrative infraction, the withdrawn things and documents shall be kept at the places determined by a civil servant that carried out withdrawal in the manner determined by the relevant authorized state body.

6. The withdrawn firearms and other weapons, as well as ammunition, special technical means for conduct of the special operational investigative measures and encryption-based means of information protection shall be kept in the manner determined by the Ministry of the Republic of Kazakhstan.

7. After consideration of a case in accordance with the issued decree, the withdrawn documents and things shall be returned to their owner or shall be confiscated, or sold, or kept, or destructed in established manner. On the cases on administrative infractions in the field of road traffic, the withdrawn documents shall be kept before execution of the decree adopted on the case.

8. Driving license for the right of operation of a transport vehicle shall be subject to withdrawal only in the case if this Code provides a sanction for administrative infraction committed by a person in the form of deprivation of the right of operation of a transport vehicle. In other cases, the driving license for the right of operation of a transport vehicle after drawing up of protocol on administrative infraction shall be returned to the owner immediately.

9. Withdrawn driving license or certificate issued instead of a driving license for the right of operation of a transport vehicle shall be returned to a driver according to the decree on referral for testing of knowledge of the road traffic rules in case of passing an exam for testing of knowledge of the road traffic rules by its owner.

Upon failure to pass the exam for testing of knowledge of the road traffic rules by a driver, the civil servant that issued the decree shall take measures provided by the legislation of the Republic of Kazakhstan in the field of road traffic safety within two months from the date of receipt of the decree on referral for exam.

Instead of withdrawn driving license, the driver shall be issued by a temporary certificate in the form established by the authorized body.

10. The state plate numbers of transport vehicles shall be subject to withdrawn only in the presence of two attesting witnesses and (or) owner of a transport vehicle, by this the authorized civil servant that performed withdrawal of state plate numbers shall be obliged to explain the ground for performance of withdrawal to the owner of a transport vehicle. Withdrawal of state plate numbers of transport vehicles for the purpose of recovery of imposed fine shall be prohibited.

11. Withdrawn order, medal, lapel badge to honorary title of the Republic of Kazakhstan, Kazakh SSR, USSR and other states shall be subject to return to their legal owner, and if he (she) is not known, shall be directed to the Executive office of the President of the Republic of Kazakhstan.

12. Withdrawal of things and documents being in possession of an individual shall be performed only in exceptional cases for achievement of the purposes provided by a part one of Article 785 of this Code. Application of this measure for the purpose not provided by this Code shall entail liability provided by the Law.

Article 796. Suspension from operation of a transport vehicle, vessel, including small size vessel, and examination of the state of intoxication

1. The driver, navigator operating a transport vehicle, vessel, including small size vessel, in respect of whom there are reasonable grounds to suppose that they are in

a state of intoxication, shall be subject to suspension from operation of a transport vehicle, vessel, including small size vessel and examination of the state of intoxication.

2. Suspension from operation of a transport vehicle, vessel, including small size vessel, examination and appointment to medical certification of the state of intoxication shall be carried out by employees of the internal affairs bodies, military police respectively - upon commission of infractions by a person operating a transport vehicle of the national security bodies, Armed Forces of the Republic of Kazakhstan, other forces and military formations of the Republic of Kazakhstan and bodies of transport control.

3. Referral to examination of a state of intoxication, examination of the state of intoxication and drawing up of its results shall be carried out in the manner established by the Government of the Republic of Kazakhstan. In case of disagreement of a driver, navigator with the results of examination, they shall be directed to the health care institution for medical certification.

4. Upon substitution from operation of a transport vehicle, vessel, including small size vessel, the relevant note shall be made in a protocol of administrative infraction for the purpose of examination of a state of intoxication.

5. The protocol on administrative infraction shall contain date, time, place, grounds for substitution from operation of a transport vehicle, vessel, including small size vessel for conduct of examination. Copy of protocol shall be delivered to a person in respect of whom the proceeding on a case is conducted, or to his (her) legal representative.

6. Act of examination of a state of intoxication shall be enclosed to the relevant protocol.

Footnote. Article 796 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 797. Detention, conveying and prohibition of operation of a transport vehicle, vessel, including small size vessel

1. Upon commission of violations mentioned in Articles:

1) 367, 368, 370, 372, 381, 382, 383, 392, 393, 394, 395, 396, 506, 510, 511, 512, 513, 514, 515, 516, 517, 571, 572, 573, 574, 575, 581, 582, 586, 589, 590 (part two, three and four), 593 (part two, three, four, five, six and seven), 597 (part three, four), 612 (part one, two, four, five), 613 (part two), 654 (in part of infractions provided by Articles 590, 591, 592, 593, 594, 595, 596, 596, 598, 599, 600, 601, 602, 603, 606, 607, 609, 610, 611, 612, 613) of this Code, the authorized civil servant mentioned in a part two of this Article, shall have the right to detain, convey and prohibit operation of transport vehicles, vessels, including small size vessels by their conveying to special grounds, parking stands or grounds adjacent to the stationary transport control post for temporary storage, as well as with the use of other transport vehicle (tow truck), vessel or small size vessel until elimination of the reasons for detention;

2) 573, 575, 593 (part two, three, four and five) of this Code, the authorized body mentioned in a part two of this Article shall have the right to detain, convey and prohibit operation of transport vehicles belonging to foreign persons or foreign legal persons by their conveying to special grounds, parking stands or grounds adjacent to the stationary transport control post for temporary storage, as well as with the use of other transport vehicle (tow truck) until the execution of a decree on imposition of administrative sanction;

3) 590 (part one, five, six, seven, eight, nine and ten), 597 (part one and two), 610, 611 of this Code, the authorized civil servant mentioned in a part two of this

Article shall have the right to prohibit operation of transport vehicles by withdrawal of the state registration plate numbers until elimination of the reasons of prohibition of operation of a transport vehicle.

Conveying (towing away) of a transport vehicle for its temporary storage on special grounds, parking stands or grounds adjacent to the stationary transport control post may be also applied in cases of violation of the rules of stopping or parking by a driver of transport vehicle in his (her) absence, as well as to transport vehicles left by the drivers on the road without attendance, when it is impossible to establish their location.

2. Detention, conveying and prohibition of operation of a transport vehicle, vessel including small size vessel shall be carried out by the employees of internal affairs bodies, the Frontier service of the National Security Committee during protection and defence of the State Border of the Republic of Kazakhstan, military police upon commission of administrative infraction by a person operating a transport vehicle of the national security bodies, Armed Forces of the Republic of Kazakhstan, other forces and military formations of the Republic of Kazakhstan, bodies of transport control within the competence, bodies of forest and hunting industry, especially protected natural areas, fishery protection (upon breach of the legislation in the field of forest, fishing, hunting industry, especially protected natural areas).

3. Upon detention, conveying and prohibition of operation of a transport vehicle, vessel, including small size vessel, the act of due form shall be drawn up and attached to a protocol on administrative infraction.

Operation of a transport vehicle, small size vessel with defects in existence of which the operation is prohibited, or reequipped without the relevant permit, or not registered in established manner, or that did not pass the state or compulsory technical inspection, and equally without the state registration plate numbers or with hidden, forged plate numbers or that do not conform to the relevant national standard shall be prohibited.

4. Storage of detained transport vehicle, vessel, including small size vessel shall be carried out on special grounds and parking stands created under decision of the local executive bodies and that are the communal property.

Footnote. Article 797 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272 (shall be enforced from 01.01.2015).

Article 798. Survey of territories, premises, goods, other property belonging to a legal entity, as well as of relevant documents

1. The survey of territories, premises, goods, other property belonging to a legal entity, as well as of relevant documents shall be carried out by civil servants authorized to draw up the protocols on administrative infractions of legal entities in accordance with Article 804 of this Code.

2. The survey shall be carried out in presence of a representative of legal entity with participation of two attesting witnesses.

3. Upon conduct of survey, the protocol shall be drawn up. Copy of protocol shall be delivered to a representative of legal entity in respect of whom the proceeding on case is conducted.

4. Protocol of survey of territories, premises, goods, other property belonging to a legal entity, as well as the relevant documents shall contain date and place of its drawing up, position, last name and initials of a person that drew up the protocol, details on the relevant legal entity, as well as on identity of its representatives or another employee, the details on surveyed territories and premises, types, number, other identification characteristics of goods and other things, types and requisite elements

of documents.

5. Application of photo survey and cine filming, video recording, other methods of recording documents shall be recorded in a protocol of survey in the course of its performance. Materials received in result of photo survey and cine filming, video recording, other established methods of recording material evidences shall be enclosed to the relevant protocol.

6. The protocol of survey of territories, premises, goods, other property belonging to a legal entity, as well as the relevant documents shall be signed by a civil servant that drew it up, by a representative or employee of legal entity in exigent cases, as well as by attesting witnesses. In case of refusal of a representative or another employee of mentioned legal entity from signing the protocol, the relevant record shall be made.

Article 799. Withdrawal of documents and property belonging to a legal entity

Withdrawal of documents, goods, other property, subjects being a tool or subject for commission of administrative infraction, belonging to a legal entity detected at the place of commission of the administrative infraction or during conduct of survey of territories, premises, transport vehicles, goods, other property belonging to a legal entity shall be carried out by the civil servants mentioned in Article 804 of this Code, as well as by the authorized civil servants having the right to draw up the protocols on administrative infractions under Articles 235, 236, 237, 416 of this Code. Drawing up of withdrawal of documents, goods, other property belonging to a legal entity, as well as their storage shall be carried out in the manner established by Article 795 of this Code.

Article 800. Arrestment of goods, transport vehicles and other property belonging to a legal entity

1. Arrestment of goods, transport vehicles and other property belonging to a legal entity that are tools or subjects for commission of administrative infraction represents inventory of the mentioned goods, transport vehicles and other property with a declaration to a representative of legal entity, in respect of whom this measure of ensuring the administrative infraction proceeding is applied, on prohibition to dispose (and use in necessary cases) of them and shall be applied in case if it is impossible to withdraw these goods, transport vehicles and other property and (or) their preservation may be ensured without withdrawal. Arrested goods, transport vehicles and other property may be transferred for safe storage of other persons assigned by a civil servant that carried out arrestment.

2. Arrestment on goods, transport vehicles and other property belonging to a legal entity shall be carried out by the authorized persons mentioned in Article 787, part one of Article 804 of this Code, in the presence of the owner of goods, transport vehicle and other property and two attesting witnesses.

In exigent cases, arrestment of goods, transport vehicles and other property may be carried out in the absence of the owner.

3. In necessary cases, photo survey and cine filming, video recording shall be applied.

4. Upon arrestment of goods, transport vehicles and other property belonging to a legal entity, the protocol shall be drawn up. Protocol of arrestment of goods, transport vehicles and other property belonging to a legal entity, shall contain date and place of its drawing up, position, last name and initials of a person that drew up the protocol, details on the legal entity in respect of which this measure of ensuring the administrative infraction proceeding is applied and on a person who possesses arrested goods, transport vehicles and other property, their inventory and identification

characteristics, as well as the application of photo survey and cine filming, video recording shall be recorded. Materials received upon carrying out of arrestment with application of photo survey and cine filming, video recording shall be enclosed to the relevant protocol.

5. In necessary cases, the arrested goods, transport vehicles and other property shall be packaged and (or) sealed.

6. Copy of protocol on arrestment of goods, transport vehicles and other property belonging to a legal entity shall be delivered to a representative of legal entity in respect of whom this measure of ensuring the administrative infraction proceeding is applied.

7. Alienation or concealment of arrested goods, transport vehicles and other property belonging to a legal entity by the legal entity in respect of whom this measure of ensuring the administrative infraction proceeding is applied, or by a person carrying out storage of arrested property, shall entail the liability established by the Laws of the Republic of Kazakhstan.

Article 801. Procedure for suspension or prohibition of activity or its separate types

1. Suspension or prohibition of activity or its separate types shall be carried out by a civil servant authorized to draw up the protocol on administrative infraction in accordance with Article 804 of this Code, the commission of which may entail the application of administrative sanction in the form of suspension or prohibition of activity or its separate types. Suspension or prohibition of activity of its separate types shall be admitted for a term no more than three days. Within the specified term, the body (civil servant) shall be obliged to direct materials on administrative infraction to court.

2. Upon suspension or prohibition of activity or its separate types the act shall be drawn up containing a ground for application of this measure, date and place of its drawing up, position, last name and initials of a civil servant that drew up the act, details on a person in respect of whom the administrative infraction proceeding is conducted, object of activity subjected to temporary prohibition of activity, time of actual termination of activity, explanations of a person and other data required for a proper consideration of the case. By this, the act on suspension or prohibition of activity or its separate types shall be valid until issuance of judicial decision.

3. The act on suspension or prohibition of activity or its separate types shall be signed by a civil servant that drew it up, by an individual or representative of legal entity the activity of which is terminated on a temporary basis. In case if the act is not signed by any of mentioned persons, the civil servant shall make the relevant record.

4. Copy of act on suspension or prohibition of activity or its separate types shall be delivered to a person whose activity if terminated on a temporary basis against receipt.

5. The civil servant that drew up the act on suspension or prohibition of activity of its separate types shall carry out stamping, sealing premises, storage places of goods and other material values, cash registers, as well as the other measures on execution shall be applied by persons mentioned in the act, event, required for temporary termination of activity.

Chapter 41. INITIATION OF CASES ON ADMINISTRATIVE INFRACTIONS

Article 802. Reasons and grounds for initiation of a case on administrative infraction

1. The reasons for initiation of a case on administrative infraction are:

1) indirect detection of a fact of committing administrative infraction by the authorized civil servant in consideration of provisions of part three of this Article;

2) materials received from law enforcement bodies, as well as from other state bodies, bodies of local self-government;

3) notices or applications of individuals and legal entities, as well as notices in mass media;

4) indications of special automated measuring means, as well as of certified special monitoring and testing technical means and observation devices, operating in automated regime and recording commission of administrative infraction in the scope of automobile transport and road traffic safety by photo survey and video recording of traffic situation, determination of speed of a transport vehicle, actions of other participants of road traffic.

2. The ground for initiation of a case on administrative infraction is the existence of sufficient data pointing to the signs of the administrative infraction in the absence of circumstances excluding the proceeding on case provided by Article 741 of this Code.

3. The ground for initiation of a case on administrative infraction is a result of inspection conducted in the manner established by the law of the Republic of Kazakhstan "On state control and supervision in the Republic of Kazakhstan according to subparagraph 1) of paragraph one of this Article.

The force of this Article shall not apply to the cases of detecting the signs of administrative infraction upon carrying out of control and supervision in the scopes provided by paragraphs 3, 4 of Article 3 and paragraph 3 of Article 12 of the Law of the Republic of Kazakhstan "On state control and supervision in the Republic of Kazakhstan", as well as in the field of state statistics and upon carrying out of the other forms of control by tax bodies.

4. The case on administrative infraction shall be considered initiated from the date of drawing up of the first protocol on applying the measures of ensuring the administrative infraction proceeding provided by Article 785 of this Code, drawing up of a protocol on administrative infraction or issuance of the decree by a prosecutor on initiation of a case on administrative infraction, as well as from the date of declaring on establishment of the fact of contempt of court by a judge (court) from the side of a person attending the proceeding in the course of judicial proceeding.

In case if the administrative infraction is recorded by certified special monitoring and testing technical means and devices operating in automated regime, as well as upon commission of administrative infractions, the cases on which are considered by the state revenues bodies, the case on administrative infraction shall be considered initiated from the date of a proper delivery of notification (notice).

Footnote. Article 802 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 803. Protocol on administrative infraction

1. Protocol on administrative infraction shall be drawn up in a written form by the authorized civil servant, with the exception of cases provided by Article 807 of this Code. The electronic form of a protocol on administrative infraction may be used together with written form.

2. The protocol on administrative infraction shall contain:

1) date and place of its drawing up;

2) position, last name and initials of a person that drew it up;

3) details on a person in respect of whom the case is initiated (for individuals - last name, first name, patronymic (when available), date of birth, place of residence,

name and requisite elements of a document certifying identity, identification number, place of work, subscriber's number of phone, fax, cellular communication and (or) electronic mail (if they are available); for legal entities - name, location, number and date of state registration (re-registration) of a legal entity, identification number and banking details, subscriber's number of phone, fax, cellular communication and (or) electronic mail (if they are available);

4) place, time of commission and merits of administrative infraction;

5) Article of the Special part of section 2 of this Code providing administrative liability for this infraction; last names, first names, patronymics (when available), addresses of witnesses and injured parties, if available;

6) explanation of an individual or representative of legal entity in respect of whom the case is initiated; name, number, date of metrological verification, indications of technical means, if they were used upon clarification and recording of an administrative infraction;

7) other details require for solution of a case, as well as the documents confirming the fact of committing administrative infraction shall be enclosed.

3. Upon drawing up of a protocol on administrative infraction, the language of proceeding shall be determined. The person in respect of whom the case is initiated, as well as other participants of the proceeding on case shall be explained about their rights and obligations provided by this Code, whereat the relevant note shall be made in the protocol.

Upon drawing up of a protocol on administrative infraction, the defence attorney or legal representative of a minor person in respect of whom the administrative infraction proceeding is conducted, shall be explained about their right to file a petition on transfer of the case according to court jurisdiction to the specialized administrative court, and in the absence of the specialized administrative court in a territory of the relevant administrative territorial entity - to district (city) court.

4. The protocol on administrative infraction shall be signed by a person that drew it up, and by a person (representative of the person) in respect of whom the administrative infraction proceeding is conducted, with the exception of cases provided by this Article. In existence of injured parties and witnesses, as well as in cases of participation of attesting witnesses, the protocol shall be signed by these persons.

5. In case of absence or non-appearance of a notified person in a proper manner, in respect of whom the case is initiated, the protocol on administrative infraction shall be signed by a person that drew it up, with the note on absence or non-appearance of the person in respect of whom the case is initiated.

6. In case of refusal from accepting a protocol on the case on administrative infraction against receipt by a person, in respect of whom the case on administrative infraction is initiated, the relevant record shall be made in the protocol by the person that drew it up.

7. The individual or representative of legal entity in respect of which the case is initiated shall be provided by a possibility to familiarize with a protocol on administrative infraction. The mentioned persons shall have the right to represent explanations and remarks on contain of the protocol, as well as to state the grounds of own refusal from its signing. In case of refusal of these persons from signing the protocol on administrative infraction, the relevant record shall be made. The fact of signing the protocol by a person in respect of whom the case is initiated shall bear evidence of familiarization of this person with the protocol and shall not constitute a confession of his (her) fault in commission of administrative infraction.

8. Copy of protocol shall be delivered to an individual or representative of legal entity in respect of which the case is initiated, as well as to an injured party against

receipt immediately after its drawing up, with the exception of cases provided by this part.

9. The protocol on administrative infraction in cases of its drawing up in the absence of a person in respect of whom the case is initiated on the grounds provided by subparagraph 4) of part one of Article 802 of this Code, as well as provided by parts five and six of this Article within two days after its drawing up shall be directed by registered mail with notification of the person in respect of whom the case is initiated. The fact of non-return of the protocol within three days from the date of receipt by the person in respect of whom the case is initiated shall be recognized as refusal from its signing, whereat the relevant record shall be made in a copy of protocol.

Footnote. Article 803 as amended by the Law of the Republic of Kazakhstan dated 20.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 804. Civil servants having the right to draw up protocols on administrative infractions

1. The following authorized civil servants shall have the right to draw up the protocols on administrative infractions on the cases on administrative infractions considered by courts:

1) the internal affairs bodies (Articles 73, 85, 100, 127, 128, 129, 130, 131, 132, 133, 134, 135, 149, 150, 154, 160 (part two), 190 (part two, three and four), 191, 200, 282 (parts three and four), 382 (parts two and three), 383 (parts three and four), 398, 416 (on violation of safety requirements to non-military and service weapons and ammunition to them, chemical products linked with a turnover of narcotic drugs, psychotropic substances and precursors, civil pyrotechnical substances and products with their application), 422, 423 (part two), 427, 433 (part two), 434, 435, 436, 438 (part three), 440 (parts four and five), 442, 443 (part two), 444 (part one), 445 (parts one and eleven), 446, 448, 449 (parts two and three), 450, 453, 461, 462, 463, 469 (part two), 470 (part two), 476, 477, 478, 479, 480, 481, 482, 483, 485 (part two), 488, 489 (parts two, three and four), 495 (part two), 496 (part two), 506, 512 (part two), 513 (part two), 514 (part two), 517 (parts two, four, five, six and seven), 590 (part four), 596 (parts three and five), 603 (parts one and two), 604 (part two), 605 (parts three and four), 606 (part two), 607 (part two), 608, 610, 611 (parts two and three), 613 (parts one, two, three, four, five, six, seven, eight, nine, ten and eleven), 615 (part four), 621 (part three), 654 (in part of infractions provided by Articles 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613), 662, 663, 665, 669, 674, 675);

2) authorized body in the scope of civil defence (Articles 299 (part two) (with the exception of security of dams), 312 (part two), 314, 410-1, 416 (on violations of safety requirements to machines and equipment, chemical products in a part of fire and explosion hazards), 462);

3) commandant's offices of separate locations (Articles 476, 478);

4) bodies of military police, Armed Forces of the Republic of Kazakhstan on infractions committed by military servants, persons liable for military service, called on trainings, and by persons operating transport vehicles of the Armed Forces of the Republic of Kazakhstan provided by Articles 73, 154, 434, 436, 440 (parts four and five), 444 (part one), 479, 482, 483, 485 (part two), 488, 506, 590 (part four), 596 (parts three and five), 603 (parts one and two), 606 (part two), 607 (part two), 608, 610, 611 (parts two and three), 613 (parts one, two, three, four, five, six, seven, eight, nine, ten and eleven),

615 (part four), 621 (part three), 651, 652 in respect of commanding officers (heads) of military units (institutions) under Article 680 of this Code, with the

exception of persons mentioned in subparagraphs 5) and 6) of this Article;

5) bodies of military police of the National Security Committee of the Republic of Kazakhstan on infractions committed by persons operating transport vehicles of the special state bodies provided by Articles 590 (part four), 596 (parts three and five), 603 (parts one and two), 606 (part two), 607 (part two), 608, 610, 611 (parts two and three), 613 (parts one, two, three, four, five, six, seven, eight, nine, ten and eleven), 615 (part four), 621 (part three), as well as in respect of other persons under Article 506, 652, commanding officers of military units under Article 680 of this Code;

6) bodies of military police of the National Guard of the Republic of Kazakhstan on infractions committed by military servants and persons liable for military service called on trainings provided by Articles 506, 590 (part four), 596 (parts three and five), 603 (part one and two), 606 (part two), 607 (part two), 608, 610, 611 (parts two and three), 613 (parts one, two, three, four, five, six, seven, eight, nine, ten and eleven), 615 (part four), 621 (part three), 652, as well as in respect of commanding officers of military units under Article 680 of this Code;

7) authorized body in the field of use and protection of water fund (Article 299 (part two) (with the exception of industrial safety), 360 (part one), 462, 463);

8) authorized body in the field of veterinary medicine (Article 416 (on violations of safety requirements to food products subjected to veterinary sanitary control and supervision));

9) bodies in the field of forest, fishery and hunting industry (Article 160 (part two), 382 (part three), 383 (part three and four), 385 (part two), 389, 392 (part three), 395 (part two), 396 (part two), 398, 462, 463);

10) authorized body in the field of environmental protection (Articles 139 (part two), 326 (parts three and four), 333 (part two), 395 (part two), 396 (part two), 397 (part four), 399 (parts two and three), 416 (on violations of safety requirements to chemical products), 462);

11) bodies of state control in the field of exploration and use of subsoil (Articles 416, 462);

12) authorized body in the field of culture (Article 75 (parts one, two, five and six), 145);

13) authorized body in the field of touristic activity (Articles 187 (parts two, three, four and five), 462, 465);

14) authorized body in the scope of gambling business (Articles 214, 444 (part one), 445);

15) bodies on quarantine and plant protection (Article 400 (part two), 416 (on violations of safety requirements to chemical products), 462);

16) bodies in the field of seed production and regulation of grain market (Article 462);

17) authorized body in the field of production of biofuel (Article 169 (parts two, seven, thirteen (in part of production of biofuel)));

18) authorized body in the field of turnover of biofuel (Article 169 (parts ten, eleven, twelve, thirteen (in part of turnover of biofuel), fourteen));

19) authorized body in the field of livestock breeding (Article 407 (parts two and three), 463);

20) authorized body in the field of rural economy (Article 416 (on violations of safety requirements to machines and equipment, chemical products));

21) bodies of state architectural-construction control and supervision (Article 312 (part two), 313, 314, 316 (part two), 317 (part four), 319, 462, 463);

22) bodies of sanitary epidemiological supervision (Article 151 (part two), 193 (parts two and three), 282 (parts three and four), 282 (parts three and four), 312 (part

two), 314, 413, 416 (on violations of safety requirements to food products, toys, chemical products), 425 (part two), 426 (parts two and three), 430 (part two), 462, 476);

23) authorized body in the field of communications and informatization (Article 416 (on violation of safety requirements to communication facilities), 462, 463, 464 (part two), 636 (part two), 637 (part four), 638 (part two);

24) authorized body in the scope of civil aviation (Articles 462, 564 (part five), 569 (parts one, two and four);

25) authorized body in the field of transport and communications (Article 416 (on violations of safety requirements to machines and equipment, chemical products), 462, 463, 563 (part two);

26) bodies of transport control (Articles 462, 463, 464 (part two), 583 (part two), 613 (part two), 618, 629 (except for violations in aerial transport vehicle);

27) bodies of the Ministry of Finance of the Republic of Kazakhstan (Article 185 (when these violations are committed by auditors, audit organizations), 214 (when these violations are committed by auditors, audit organizations), 216, 219, 233 (part three), 235, 236, 237, 245, 246);

28) authorized body on internal control (Article 462);

29) bodies on state control of production and turnover of sub-excite products (Article 282 (part three, four, six, seven, nine, eleven and thirteen), 281 (parts four, five and six), 283, 463, 464 (part two);

30) anti-corruption service (Articles 154, 158, 173, 174 (part two), 357, 465, 654, 658, 659, 660, 661, 662, 665, 667, 676, 677, 678, 679, 681);

31) state revenues bodies (Articles 150, 151 (part two), 153, 154, 158, 174 (part two), 176, 182, 183, 190 (parts three and four), 246 (parts five and six), 281 (parts three, four, six, seven, nine, eleven and thirteen), 283, 357, 398, 462, 463, 464 (part two), 467, 489 (parts five, six, seven and eight), 528 (part one), 532, 541, 543 (parts one and three), 544, 545, 548 (part two), 549, 550, 551 (part two), 552 (part two), 590 (part four), 654, 658, 659, 660, 661, 662, 665, 667, as well as on administrative infractions committed in automobile checkpoints through the State Border of the Republic of Kazakhstan provided by Articles 400 (part two) and 425 (part two);

32) authorized body in the field of industrial safety (Article 305 (on violations in protective zones of gas supply facilities), 306 (parts three, four and five), 307, 308, 312 (part two), 314, 416 (on violations of safety requirements to machines and equipment, chemical products in a part of fire and explosion hazards), 462);

33) bodies of justice (Articles 158, 214, 462, 467, 668);

34) bodies that are licensers in accordance with the legislation (Article 312 (part two), 313, 314, 316 (part two), 319, 392 (part three), 462, 463, 464 (part two), 465, 467, 621 (part three);

35) authorized body carrying out management in the scopes of natural monopolies and at regulated markets (Article 171 (parts one and three (on excess of a limit price of retail trade of oil products), 462);

36) authorized body on entrepreneurial (Articles 175, 462, 465);

37) bodies in the field of technical regulation and ensuring the uniformity of measurements and their territorial bodies (Articles 193 (part two), 415 (part two), 416, 417 (parts one and six), 419 (part two), 445 (parts three, eight and twelve), 462, 463, 638 (part two);

38) bodies on state energy supervision and control (Articles 462, 463);

39) authorized body in the field of regulation of industrial policy (Article 416 (on violation of safety requirements to machines and equipment, chemical products, toys);

40) authorized body in the field of regulation of trade activity (Article 185 (when these violations are committed by stock brokers and (or) stock dealers, as well as employees of goods exchange), 214);

41) authorized state body in the scope of state registration of legal entities, acts of civil status, regulation of valuation activity (Article 184, 185 (in part of breach of the legislation of the Republic of Kazakhstan on valuation activity), 462, 463);

42) authorized body in the field of oil and gas (Articles 170, 171 (parts two and three (on excess of limit prices of wholesale trade of commercial or liquefied petroleum gas), 356 (part fourteen), 463);

43) bodies on nuclear energy (Articles 413, 414, 416 (on violation of safety requirements to machines and equipment));

44) Frontier Service of the National Security Committee of the Republic of Kazakhstan (Article 382 (parts two and three), 383 (parts three and four), 395 (part two), 396 (part two), 506, 512 (part two), 513 (part two), 514 (part two), 516, 517 (part two, four, six and seven));

45) national security bodies (Article 453 (parts two and three) for commission of infractions linked with the state secrets), 462, 477);

46) State Security Service of the Republic of Kazakhstan upon conduct of protection measures (Articles 149, 425 (part two), 436, 477, 482, 485 (part two), 488, 506, 606 (part two));

47) Accounts Committee on control of republican budget execution and review committees of oblasts, cities of republican significance, the capital (Articles 216, 219, 233 (part three), 235, 236, 237, 247 (part six), 405 (part one), 462);

48) bodies of state labour inspection (Article 86 (part four), 416 (on violations of safety requirements to chemical products), 462);

49) authorized body in the field of education (Article 409 (part seven), 462, 463);

50) local executive bodies of oblasts, city of republican significance, the capital, districts, cities of oblast significance (Article 199 (part two), 320 (parts one, two, three and four), 401 (parts six and seven), 402 (part four), 404 (part nine), 451, 452 (parts three, four, six and subparagraphs 4), 5) and 6) of part nine), 453, 454 (part two), 455 (part four), 456, 463, 464 (part two), 490);

51) antimonopoly body (Article 159, 160 (part two));

52) bodies on control in the scope of rendering of medical services (Article 80 (part four), 81 (part two), 82 (part two), 409 (part seven), 424 (parts three and five), 462, 463);

53) body in the scope of turnover of medical products, medical accessories and medical equipment (Article 426 (parts two and three) and 463);

54) authorized body in the field of space activity (Article 310, 311);

55) authorized state body in the scope of religious activity (Article 490 (parts two, six and eight) (when these violations are committed by civil servants of the central state bodies);

56) state officers of justice (Articles 663, 666, 669, 673);

57) bailiffs and other employees of courts authorized by a court chairman or presiding judge in a court session (Articles 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 666, 667, 673);

58) authorized by akims of oblasts (city of republican significance, the capital) (Article 656);

59) authorized body in the field of postal communication (Article 214);

60) authorized body on affairs of state service (Article 99);

61) correctional institutions or detention facilities (Article 481);
62) authorized body in the field of information (Article 451 (part two), 452 (subparagraphs 4), 5) and 6) of part nine), 509);
63) bodies of state control in the field of use and protection of lands (Article 462).

2. The authorized employees of the National Bank of the Republic of Kazakhstan shall also have the right to draw up the protocols on administrative infractions on the cases on administrative infractions considered by courts (Articles 86 (part four), 185, 211 (part one), 214 (parts one, two, three and four), 245, 251, 252 (part two), 462 (parts one, two, three (when these violations are committed by audit organizations), four and five), 463, 464 (part two), 467).

3. The authorized civil servants of the bodies shall have the right to draw up the protocols on the cases on administrative infractions the consideration of which is related to jurisdiction of the bodies mentioned in Articles 685-735 of this Code. Besides, the following persons shall have the right to draw up the protocols on administrative infractions:

1) civil servants of the authorized body in the field of transport and communications (Article 230 (part two) (when these violations are committed by passenger carriers), 581 (part two), 582, 583 (part three), 586, 621 (part four), 622 (part one), 623, 625 (for commission of infraction in automobile transport and urban rail transport);

2) civil servant of the specialized organizations of the authorized bodies in the field of forest, fishing and hunting industry (Articles 138, 142, 143, 337, 339, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 385 (part one), 392 (part two), 394 (parts one and two), 395 (part one), 396 (part one);

3) hunter, director of hunting and fishing industries responsible for the issues of wildlife conservation (Articles 382, 383 (part one, two, three and four);

4) civil servants of the State Security Service of the Republic of Kazakhstan upon conduct of protective measures (Articles 297, 504, 614, 675);

5) civil servants of the bodies of military police of the Armed Forces of the Republic of Kazakhstan in respect of military servants and servants of the Armed Forces of the Republic of Kazakhstan (Articles 437, 440 (parts one, two and three), 441, 444 (part two), 484, 485 (part one).

Footnote. Article 804 as amended by the Laws of the Republic of Kazakhstan dated 07.11.2014 No. 248-V (shall be enforced from 01.01.2015); dated 29.12.2014 No. 269-V (shall be enforced from 01.01.2015); dated 29.12.2014 No. 272-V (the order of enforcement see Article 2); dated 10.01.2015 No. 275-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 24.04.2015 No. 310-V (shall be enforced upon expiry of twenty one calendar days after the date of its first official publication); dated 05.05.2015 No. 312-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Article 805. Initiation of the administrative infraction proceeding by a prosecutor

1. The prosecutor shall issue a decree on initiation of the cases on administrative infractions provided by Articles 74, 75, 76, 77, 78, 79, 80, 81, 82, 82-1, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 129, 130, 173, 189, 214, 361, 362, 363, 439, 451, 452, 453, 455, 456, 457, 465, 490, 498, 507, 508, 653, 660, 666, 675, 680 of this Code.

2. The prosecutor shall have the right to issue a decree on initiation of the case and on other administrative infraction.

3. Decree of a prosecutor on initiation of the administrative infraction proceeding shall contain details provided by Article 803 of this Code.

Footnote. Article 805 as amended by the Laws of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015); dated 19.05.2015 No. 315-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Article 806. Terms for drawing up a protocol on administrative infraction

1. The protocol on administrative infraction shall be drawn up immediately after detection of the fact of commission of administrative infraction.

2. Upon detection of administrative infraction in the course of inspection conducted in the manner established by the Law of the Republic of Kazakhstan "On state control and supervision in the Republic of Kazakhstan", the protocol on administrative infraction shall be drawn up immediately after completion of the relevant inspection.

3. In cases of detection of administrative infraction upon carrying out monopolistic activity, unfair competition, as well as anticompetitive actions of the state and local executive bodies prohibited by the Law of the Republic of Kazakhstan "On competition", the protocol shall be drawn up immediately after adoption of the relevant decision on results of investigation.

4. In cases of detection of administrative infractions in the field of tax assessment or use of budget funds in the scope of technical regulation and ensuring the uniformity of measurements, the protocol shall be drawn up immediately after completion of the relevant inspection.

5. In case of failure to pay a fine in the manner determined by Article 897 of this Code, the protocol shall be drawn up within a day upon expiration of the term established by mentioned Article of this Code.

6. In cases when additional clarification of circumstances of an administrative infraction, identity of an individual or details on a legal entity and identity of a representative of legal entity is required, in respect of which the case is initiated, the protocol on administrative infraction shall be drawn up within three days from the date of establishment of mentioned circumstances, and on administrative infractions provided by Articles 210, 217, 218, 220, 222, 227 (parts one and two), 239 (parts three and four), 243, 244, 251, 252, 464 (part one), 571, 572, 573, 574, 575, 576, 594 (part one when these violations are the violations of the rules of carriage of passengers and cargo, parts two, three, four, five, six and seven) and 609 of this Code, as well as upon transfer of materials on administrative infraction to territorial branches within ten days from the date of detection of infraction or a person that committed it.

7. In case when carrying out examination is required, the protocol on administrative infraction shall be drawn up within two days from the date of receipt of opinion of the examination.

8. In cases when on administrative infractions provided by Articles 324 (part one), 337 (part one), 344, 347, 394 (part two) of this Code, the establishment of the extent of damage to environment is required, the protocol on administrative infraction shall be drawn up within a day from the date of establishment of the extent of damage to environment.

9. In cases when the requirements mentioned in a part six of this Article may not be executed by the reason of failure to establish an individual, the protocol on administrative infraction shall be drawn up on the fact of commission of administrative infraction within the terms established by this Article.

Article 807. Cases when the protocol on administrative infraction shall not be drawn up

1. The protocol on administrative infraction shall not be drawn up:

1) in cases of commission of an administrative infraction that entails imposition of administrative sanction in the form of notification, if the person admitted the fact of commission of the administrative infraction;

2) if the administrative infraction is recorded by certified special control monitoring and testing technical means and devices operating in automated regime. The fine shall be drawn up in the form of prescription on necessity to pay the fine with attachment of evidences of a special control monitoring and testing technical mean and device, whereat the possessor (owner) of a transport vehicle shall be notified in a proper manner;

3) upon commission of administrative infractions the cases on which shall be considered by the state revenues bodies in case if the person admitted the fact of commission of an administrative infraction and agreed with imposition of a sanction, as well as paid a fine in accordance with Article 897 of this Code;

4) upon address of individuals with application on restoration of violated rights, the cases on administrative infractions provided by Articles 74, 75, 76, 78, 81, 82, 82-1, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 128, 130 and 132 of this Code shall be considered by a court without drawing up of a protocol on infraction;

5) if the administrative infraction proceeding is initiated by a decree of a prosecutor and upon establishment of the fact of contempt of court directly in the course of consideration by court in cases provided by a part three of Article 684 of this Code.

2. Recovery in the form of notification shall be drawn up by the authorized civil servant at the place of commission of administrative infraction, with the exception of the infraction in the field of finance and trade.

The person that committed administrative infraction shall confirm own agreement with imposed sanction by signing of the second copy of the decree on issuance of notification.

Footnote. Article 807 as amended by the Laws of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015); dated 19.05.2015 No. 315-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Article 808. Direction of a protocol (decree of a prosecutor) for consideration of a case

The protocol (decree of a prosecutor) on administrative infraction shall be directed for consideration of a judge, body (civil servant) authorized to consider the case on administrative infraction within three days from the date of drawing up.

The protocol (decree of a prosecutor) on administrative infraction, the responsibility for commission of which may entail application of administrative arrest shall be directed to a judge immediately after its drawing up.

Article 809. Termination of the administrative infraction proceeding before transfer of a case for consideration

In existence of at least one of the circumstances provided by Articles 741 and 742 of this Code, the civil servant the proceeding of which includes a case, shall issue a decree on termination of the administrative infraction proceeding.

Chapter 42. CURTAILED ADMINISTRATIVE INFRACTION PROCEEDING

Article 810. Grounds for curtailed administrative infraction proceeding

1. Curtailed administrative infraction proceeding shall be carried out in cases if the fact of infraction is detected by a civil servant at the place of its commission for which the administrative sanction in the form of fine is provided according to the item of part one of Article 44, the individual that committed it is established admitting his (her) guilt and that is agreed with amount of imposed fine.

2. Curtailed administrative infraction proceeding shall not be applied in the cases:

- 1) when the sanction of Article provides the other types of sanction;
- 2) commission of an infraction by minor persons;
- 3) commission of an infraction by persons having privileges and immunity;
- 4) commission of administrative infractions the cases on which are considered by the state revenues bodies;
- 5) if the administrative infraction is recorded by certified special monitoring testing technical means and devices operating in automated regime.

Footnote. Article 810 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 811. Procedure for curtailed administrative infraction proceeding

1. Upon detection of an administrative infraction and establishment of a person that committed it, the civil servant shall draw up a protocol on administrative infraction at the place of its commission and shall clarify the right of paying the fine to the person in amount of fifty percent of stated sum of the fine within seven days.

The civil servant shall deliver a copy of protocol on administrative infraction with a standard type receipt.

2. In case of payment of a fine in amount of fifty percent of stated sum of the fine within seven days, the case shall be regarded as considered in essence.

Reconsideration of a case considered according to the rules of this chapter shall be carried out in the manner established by chapter 46 of this Code.

3. In case failure to use or improper use of the right provided by a part one of this Article, the administrative infraction proceeding shall be carried out according to the standard procedure.

Footnote. Article 811 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Chapter 43. CONSIDERATION OF CASES ON ADMINISTRATIVE INFRACTIONS

Article 812. Place of consideration of a case on administrative infraction

1. The case on administrative infraction shall be considered at the place of its commission, and in the cases provided by this Code - at location of a civil servant (authorized state body) the jurisdiction of which includes consideration of the case on administrative infraction. Upon petition of a person in respect of whom the administrative infraction proceeding is conducted, the case may be considered at the place of residence of this person.

2. The cases on administrative infractions provided by Articles 333, 334, 571, 572, 574, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631 and 632 of this Code may be considered also at the place of registration of transport vehicles, vessels including small size vessels, or at the place of residence of a person in respect of whom the administrative infraction proceeding is conducted.

3. The cases on administrative infractions provided by Articles 378, 379, 382, 383

and 440 of this Code shall be considered at the place of their commission or at the place of residence of a person in respect of whom the administrative infraction proceeding is conducted.

4. The cases on administrative infractions of minor persons, their parents or persons substituting them shall be considered at the place of residence of a person in respect of whom the administrative infraction proceeding is conducted.

Article 813. Preparation for consideration of a case on administrative infraction

1. The judge, body (civil servant) upon preparation for consideration of a case on administrative infraction shall clarify the following issues:

- 1) if the consideration of this case is related to their competence;
- 2) are there the circumstances excluding the possibility of considering this case by a judge, civil servant;
- 3) are the protocol on administrative infraction and the other protocols provided by this Code drawn up in a proper manner, as well as other case materials;
- 4) are there the circumstances excluding the proceeding on a case, as well as circumstances that allow not to bring a person to administrative liability;
- 5) are there petitions, including on cases with participation of a minor person on consideration of a case in court at the place of residence of the minor person and challenges;
- 6) are the persons mentioned in Articles 744, 745, 746, 747 and 748 of this Code notified on place and time for consideration of a case.

2. Requirements of subparagraphs 1), 3) and 6) of part one of this Article shall not be applied to the cases on facts of contempt of court considered in accordance with a part three of Article 684 of this Code.

Footnote. Article 813 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 814. Circumstances excluding a possibility of considering the cases on administrative infractions by a judge, civil servant

The judge, civil servant for consideration of whom the case on administrative infraction is transferred, may not consider this case in cases if this person:

- 1) is a relative of the person bringing to liability, or of injured party, their representatives, defence attorney;
- 2) is interested in solution of a case in person, directly or indirectly.

Article 815. Recusation and challenge of a judge, civil servant

1. In existence of circumstances provided by Article 814 of this Code, the judge, civil servant shall be obliged to apply on recusation.

2. In existence of circumstances provided by Article 814 of this Code, the person in respect of whom the proceeding on case is conducted, injured party, legal representatives of an individual and representatives of legal entity, defence attorney, prosecutor shall have the right to challenge a judge, civil servant.

3. Applications of recusation, challenge shall be filed to a chairman of the relevant court, superior civil servant.

4. Applications on recusation, challenge shall be considered by a chairman of court, superior civil servant within a day from the date of receipt.

5. Following the results of consideration of applications on recusation, challenge, the ruling on satisfying the applications or on refusal from their satisfaction shall be issued.

Article 816. Decision of a judge, body (civil servant) adopted upon preparation to consideration of a case on administrative infraction

1. The judge, body (civil servant) upon preparation to consideration of a case on administrative infraction, shall adopt the relevant decision:

- 1) on appointment of time and place for consideration of a case;
- 2) on calling of persons, demand of necessary additional case materials, on assignment of examination in case of necessity;
- 3) on postponement of consideration of a case;
- 4) on transfer of a protocol on administrative infraction and other case materials for consideration according to jurisdiction, if the consideration of this case does not relate to its competence or the ruling on challenge of a judge, civil servant is issued;
- 5) on transfer of a case for consideration in essence in accordance with Article 812 of this Code;
- 6) is excluded by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

2. Decisions provided by a part one of this Article shall be issued in the form of ruling.

3. Decision provided by subparagraph 6) of part one of this Article shall be issued in the form of decree.

4. Upon establishment that there are two and more cases initiated in respect of one and the same person, the judge, bodies (civil servants) authorized to consider the cases on administrative infractions shall have the right to consolidate these cases in one proceeding for joint consideration.

5. Upon preparation to repeated consideration of a case on administrative infraction due to non-appearance of a person bringing to liability, his (her) representative, witness without reasonable excuses in cases provided by a part four of Article 744, part six of Article 746 and part five of Article 754 of this Code, the judge, body (civil servant) considering the case shall have the right to issue a ruling on bringing of mentioned persons.

Footnote. Article 816 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 817. Terms for consideration of cases on administrative infractions

1. The cases on administrative infractions shall be considered within fifteen days from the date of receipt of a protocol on administrative infraction and other case materials by a judge, body (civil servant) legally competent to consider a case.

2. In case of receipt of petitions from participants of the proceeding on a case on administrative infraction or upon necessity of additional clarification of the circumstances of a case, the term for consideration of the case may be extended by a judge, body (civil servant) considering the case, but no more than one month. The reasoned ruling shall be issued on extension of a term.

3. The case on administrative infraction the commission of which entails administrative arrest, administrative expulsion beyond the Republic of Kazakhstan, shall be considered on a date of receipt of a protocol on administrative infraction and other case materials, and in respect of a person subjected to administrative detention – no later than forty eight hours from the date of its detention.

4. If the person in respect of whom the case on administrative infraction is initiated, appeals the results of inspection and other circumstances on the basis of which the civil servant initiated the case on administrative infraction, the term for consideration of the case shall be extended by a judge, body (civil servant) considering

the case on administrative infraction, until issuance and entering of the relevant court decision into legal force or expiration of the term for appealing the decision of the body (civil servant) considering a complaint of the person in respect of whom the case on administrative infraction is initiated.

Article 818. Procedure for consideration of cases on administrative infractions

1. Upon beginning of consideration of the cases on administrative infractions, the judge, body (civil servant) shall:

1) declare who considers a case, which case is subject to consideration, who and on the basis of which Article of this Code is brought to liability;

2) be satisfied in appearance of an individual or representative of legal entity bringing to administrative liability, as well as other persons participating in consideration of a case;

3) establish identity of participants of the proceeding on a case and check the powers of legal representatives of an individual or representatives of legal entity, defence attorney;

4) clarify the reasons of non-appearance of participants of the proceeding on a case and adopt decision on consideration of a case in the absence of mentioned persons or on postponement of consideration of the case;

5) issue a ruling in necessary cases on bringing of a person the participation of which is compulsory during consideration of a case, shall appoint an interpreter;

6) explain the rights and obligations to the persons participating in consideration of a case, including the right to receive a gratuitous legal assistance on account of the funds of state budget;

7) determine the language of proceeding, shall explain the right to make statements, to give explanations and testimony, to present petitions, to deliver complaints, to familiarize with case materials, to speak during its consideration in native or other language that is known by the person in respect of whom the proceeding is conducted, to enjoy the services of an interpreter on a free basis;

8) permit the challenges and filed petitions;

9) announce a protocol on administrative infraction, and in case of necessity - other case materials;

10) hear explanations of a person in respect of whom the proceeding on a case is conducted, testimony of other persons participating in the proceeding, clarifications of a specialist and opinion of an expert, shall examine the other evidences, and in case of participation of a prosecutor in consideration of the case, shall hear his (her) opinion;

11) issue a ruling on postponement of consideration of a case due to: application on recusation or challenge of a judge or civil servant considering the case, in case if his (her) challenge precludes consideration of the case in essence; challenge of a defence attorney, authorized representative, expert or interpreter, if the mentioned challenge precludes consideration of the case in essence; necessity of appearance of the persons participating in consideration of the case, or demand of additional case materials, as well as in cases provided by a part two of article 51 of this Code. In case of necessity, the judge or body (civil servant) shall issue a ruling on assignment of examination;

12) issue a ruling on transfer of a case for consideration in essence in cases provided by Article 816 of this Code.

2. Upon establishment of the fact of contempt of court from the side of a person attending the process directly in the course of judicial proceeding, the presiding judge shall have the right to issue a decree after declaring the fact on imposition of

administrative sanction on a guilty person provided by Article 653 of this Code without compliance with the requirements of subparagraphs 2), 4), 9) and 12) of part one of this Article.

The case on the fact of contempt of court from the side of person attending the process established in the course of judicial proceeding shall be considered by a judge (court) directly at the same court session with establishment and recording of this fact in a protocol of a court session.

3. In case of participation of a civil servant that initiated a case on administrative infraction in consideration of the case, or a chairman of the state body whose representatives have the right to initiated cases on administrative infractions, they first shall represent explanations in essence of an infraction and proofs of guiltiness of a person in its commission.

4. In necessary cases, the other procedural actions provided by this Code shall be carried out.

Article 819. Circumstances subjected to clarification upon consideration of a case on administrative infraction

1. Upon consideration of a case on administrative infraction, the judge, body (civil servant) shall be obliged to clarify if the administrative infraction was committed, if this person is guilty of its commission, if it is subjected to administrative liability, are there any circumstances mitigating or aggravating administrative liability, if the material damage is inflicted, as well as to clarify other circumstances having significance for a proper solution of a case.

2. Upon establishment of circumstances mitigating liability, the judge, body (civil servant) shall have the right to reduce a sum of administrative fine imposed on an individual in respect of whom the case on administrative infraction is initiated, but no more than thirty percent of total fine amount.

Article 820. Protocol of a court session

1. The protocol shall be kept in a court session of the court of first instance. If the person in respect of whom the administrative infraction proceeding is conducted, makes full admission of his (her) guiltiness upon consideration of a case on administrative infraction, does not apply on necessity to examine evidences, the keeping of a protocol is not mandatory. By this, upon consideration of a case according to the rules provided for the court of first instance, the court of superior instances shall keep the protocol of a court session in cases of necessity of examining additional materials having significance for a proper solution of the case, received expert opinions, of interrogation of the persons summoned at session, as well as at own initiative or upon petition of a person in respect of whom the administrative infraction proceeding is conducted.

2. The protocol of a court session shall contain:

- 1) place and date of a session, time of its beginning and completion;
- 2) details of a person in respect of whom the case is considered: for individuals - last name, first name, patronymic (when available), date of birth, place of residence, name and requisite elements of a document certifying identity, identification number, details on registration at the place of residence, place of work; for legal entities - name, legal organizational form, location, number and date of the state registration as a legal entity, identification number and bank details;
- 3) language of a proceeding on a considered case;
- 4) event of a considered case on administrative infraction;
- 5) position, last name, initials of a judge, secretary of a court session;
- 6) details on appearance of persons participating in consideration of a case, on notifying absent persons in established manner;

- 7) the course of a court session;
- 8) challenges, petitions and results of their consideration;
- 9) explanation of the rights and obligations to participants of the administrative infraction proceeding;
- 10) content of explanations, questions and answers, speeches of participants of a court session;
- 11) considered materials and documents;
- 12) indication to decrees issued in the course of a court session, court decision on a case on administrative infraction, explanation of the term and procedure for its appealing;
- 13) familiarization with a protocol of a court session and explanation of the term for filing remarks on it.

3. The protocol shall be drawn up, signed by a judge and secretary of a court session no later than five days from the date of consideration of the case.

4. The judge shall be obliged to ensure a possibility to familiarize with a protocol of a court session to a person in respect of whom the administrative infraction proceeding is conducted, to other participants of the administrative infraction proceeding.

5. The participants of the administrative infraction proceeding shall have the right to represent own remarks in respect of fullness and credibility of drawing up the protocol of a court session within five days after its signing.

6. Remarks on the protocol of a court session shall be considered by a judge within five days from the date of their filing.

7. The judge shall issue a reasoned decree on acceptance or denying of remarks on the protocol of a court session. The decree and remarks on the protocol of a court session shall be attached to the protocol of a court session.

Article 821. Types of decisions based on the results of consideration of a case on administrative infraction

1. After consideration of a case on administrative infraction, the judge, body (civil servant) shall issue one of the following decrees:

- 1) on imposition of administrative sanction;
- 2) on termination of the proceeding on a case;
- 3) on transfer of a case for consideration of a judge, body (civil servant)

legally competent to impose a sanction of the same type or amount for this administrative infraction, as well as on transfer of a case for consideration at the place of registration of a transport vehicle (vessel, small size vessel) in the cases provided by Article 812 of this Code.

2. After recognition of a legal evaluation of illegal acts as incorrect in results of consideration of a case, the judge, body (civil servant) shall have the right to change classification of an infraction to Article of the Law providing less severe administrative sanction.

3. Upon referral of a driver of a transport vehicle to pass the exam for testing of knowledge of the road traffic rules, the decree on referral for testing of knowledge of the road traffic rules, the copy of which is issued to a person referred to pass the exam, shall be issued.

4. In case of establishment of signs of administrative infraction in the actions of a person in respect of whom the case is considered, provided by other Article or part of Article of the Special part of section 2 of this Code, the court shall have the right to change a classification of the infraction to Article or part of Article of the Law providing less severe administrative sanction.

5. Decree on termination of the proceeding on a case shall be issued in the cases

of:

- 1) existence of circumstances excluding the proceeding on a case provided by Article 741 of this Code;
- 2) existence of circumstances that allow not to bring to administrative liability provided by Article 742 of this Code;
- 3) transfer of case materials to the relevant bodies for solution of the issue on bringing of a person to disciplinary liability in accordance with Article 32 of this Code.

Article 822. Decree on a case on administrative infraction

1. Decree on a case on administrative infraction shall contain:

- 1) position, last name, initials of a judge, civil servant that issued decree;
- 2) date and place of consideration of a case;
- 3) details on a person in respect of whom the case is considered: for individuals - last name, first name, patronymic (when available), date of birth, place of residence, name and requisite elements of a document certifying identity, identification number, details on registration at the place of residence, place of work; for legal entities - name, legal organizational form, location, number and date of the state registration as a legal entity, identification number and bank details;
- 4) language of a proceeding on a considered case;
- 5) Article of this Code providing liability for administrative infraction;
- 6) circumstances established upon consideration of a case;
- 7) decision on a case;
- 8) procedure and terms for appealing decree;
- 9) terms of voluntary payment of fine or execution of another type of administrative sanction.

2. Decree on a case on administrative infraction shall be lawful and reasoned.

If upon solution of an issue on imposition of sanction for administrative infraction, the judge decides the issue on compensation of property damage by a guilty person, the decree shall contain the extent of damage subjected to recovery, term and procedure for its compensation.

Upon delivery of decision on administrative expulsion beyond the Republic of Kazakhstan, the reasonable term within which a foreign person or stateless person should leave the territory of the Republic of Kazakhstan shall be stated.

3. In decree on a case on administrative infraction, the issues on withdrawn things and documents being in possession of an individual, on withdrawn documents and property belonging to a legal entity shall be resolved, by this:

- 1) the subjects that are the tools or subjects for commission of an administrative infraction and belonging to an individual or legal entity brought to administrative liability, in cases provided by the sanctions of the rules of the Special part of section 2 of this Code shall be confiscated or transferred to the relevant institutions or destructed; in other cases shall be returned to whom it may concern;
- 2) things prohibited to circulation shall be transferred to the relevant institutions or shall be destructed;
- 3) things of no value and that may not be used shall be subject to destruction, and in cases of petitions of interested persons may be issued to them;
- 4) documents that are material evidences shall remain in a case within entire term of its storage or shall be transferred to interested persons.

4. Decree on a case on administrative infraction shall be signed by a judge, civil servant that issued the decree.

Article 823. Announcement of a decree on a case on administrative infraction and delivery of copy of the decree

1. Decree on a case on administrative infraction shall be announced immediately upon completion of consideration of the case.

2. Copy of decree shall be delivered and (or) sent within three days from the date of its announcement to an individual or representative of legal entity in respect of whom the decree is issued on a case on administrative infraction, as well as to an injured party, legal representative of individual, authorized body (civil servant) that initiated the case on administrative infraction.

In case of issuance of a decree on administrative infraction, as well as on termination of the proceeding on a case, the copy of decree shall be directed to a prosecutor without delay.

3. On cases on administrative infractions provided by Article 436 and 484 of this Code, in respect of a person to whom the firearms, as well as ammunition are entrusted due to performance of employment duties or are transferred in temporary use by an organization, the copy of decree shall be directed to the relevant organization.

Footnote. Article 823as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 824. Determination on a case on administrative infraction

Determination on a case on administrative infraction shall contain details provided by a part one of Article 822 of this Code, with the exception of term and procedure for appeal.

Article 825. Correction of slips, clerical mistakes and arithmetic errors

1. The judge, body (civil servant) that issued a decree on a case on administrative infraction, upon application of participants of the proceeding on a case, officer of justice, body (civil servant) executing the decree on a case on administrative infraction, or at own initiative, shall have the right to correct slips, clerical mistakes and arithmetic errors made in a decree without change of content of the decree.

2. Correction of slips, clerical mistakes and arithmetic errors in a decree adopted on the basis of results of consideration of complaints, protests against the decree on a case on administrative infraction shall be carried out in the manner established by this Article.

3. Consideration of an application on correction of slips, clerical mistakes and arithmetic errors shall be carried out within three days from the date of receipt of the application.

4. Correction of a slip, clerical mistake or arithmetic error shall be carried out in the form of a ruling.

5. Copy of a ruling shall be directed to participants of a proceeding on a case, officer of justice, body (civil servant) executing decrees, as well as to body (civil servant) that drew up a protocol on administrative infraction within three days from the date of its issuance.

Article 826. Private decree and representation

1. Upon detection of cases of violation of legality, as well as establishment of the reasons and conditions promoting commission of administrative infractions, the judge shall issue a private decree, as well as the body (civil servant) shall make a submission to the relevant organization and civil servants on taking of measures on their elimination.

Submission of a body (civil servant) may be appealed in a specialized district and equated administrative court within ten days from the date of its receipt. Private decree of court may be appealed within ten days from the date of its receipt in a

superior court, the decision of which is not subject to appeal, protest.

2. Heads of organizations and other civil servants shall be obliged to consider a private decree and submission within a month from the date of its receipt and inform a judge that issued the private decree, or body (civil servant) that issued the submission on taken measures.

**Chapter 44. APPEAL OF ACTIONS (OMISSION) OF A BODY
(CIVIL SERVANT) CARRYING OUT THE ADMINISTRATIVE
INFRACTION PROCEEDING**

Article 827. Procedure for filing a complaint

1. The actions (omission) of a body (civil servant) carrying out the administrative infraction proceeding may be appealed in a superior body (civil servant) and (or) specialized district and equated administrative court. Preliminary referral to a superior body (civil servant) is not compulsory condition for filing an application in court and its acceptance for consideration and solution in essence by the court.

2. Complaints shall be filed to the same body or to the same person that are authorized by the Law to consider the complaints and take decisions according to them.

The instruction to the civil servant to consider a complaint, the action (omission) of which is appealed, shall be prohibited.

3. Complaints may be oral and written. Oral complaints shall be entered in a protocol which shall be signed by an applicant and civil servant that accepted the complaint. Oral complaints set out by persons at reception of the relevant civil servants shall be solved on a common basis with the complaints represented in written form. The complaint may be accompanied by additional materials.

4. The person that does not speak the language in which the proceeding on a case is conducted, shall be ensured by the right to file a complaint in native language or language that he (she) can speak.

5. The person that filed a complaint shall have the right to withdraw it. The person in respect of whom a case is initiated, injured party shall have the right to withdraw a complaint of own defence attorney, representative, except for legal representative. The complaint filed in behalf of a person in respect of whom a case is initiated may be withdrawn only with their written consent. Withdrawal of a complaint shall not preclude its repeated filing.

6. Filing of a complaint shall not suspend proceeding of appealed action and execution of appealed decision.

Note. If there are no specialized interdistrict administrative court in a territory of the relevant administrative territorial entity, the district (city) courts shall have the right to consider the cases related to their jurisdiction.

Article 828. Term for filing a complaint

1. The person shall have the right to refer to superior body (civil servant) and (or) to court with a complaint within two months from the date when he (she) became known on violation of his (her) rights, freedoms and legal interests.

2. Omission of the term for filing of a complaint shall not be the ground for refusal in acceptance of the complaint. The reasons for omission of the term shall be clarified upon consideration of a complaint in essence and may be one of the grounds for refusal in satisfying the complaint.

Article 829. Procedure for consideration of a complaint

1. During consideration of a complaint, the judge or body (civil servant) shall be obliged to check the arguments set out in it comprehensively, upon necessity to demand additional materials, receive explanations from the relevant civil servants, individuals and legal entities in respect of appealed actions.

2. The complaint shall be subject to consideration within ten days from the date

of acceptance. Based on the results of consideration of a complaint, the decree on satisfying the complaint or on refusal from its satisfaction shall be adopted.

Decree on refusal from satisfaction of a complaint shall be subject to appeal within ten days from the date of receipt of a copy of the decree of a body (civil servant in a specialized district and equated administrative court, the decree of a court – in a superior court the decision of which shall not be subject to appeal, protest.

3. Copy of decree shall be delivered to an individual or representative of legal entity without delay, and in case of absence of these persons – shall be delivered to them within one day from the date of issuance of the decree.

4. The body (civil servant) or judge considering a complaint, shall be obliged to take measures within the competence without delay to restore violated rights and legal interests of participants of the administrative infraction proceeding, as well as other persons.

Chapter 45. REVIEW OF DECREES ON CASES ON ADMINISTRATIVE INFRACTIONS THAT DID NOT ENTER INTO LEGAL FORCE UNDER APPEAL PROCEDURE

Article 830. Right to appeal, protest a decree on a case on administrative infraction

1. Decree on a case on administrative infraction may be appealed by persons mentioned in Articles 744, 745, 746, 747 and 748 of this Code, as well as may be protested by a prosecutor.

2. Decree of a judge of specialized district and equated administrative court and juvenile court on imposition of administrative sanction may be appealed, protested in a superior court.

3. Decree on a case of the fact of contempt of court issued by a judge (court) in the procedure of part two of Article 818 of this Code may be appealed, protested in a court of superior instance. The resolutions of the Supreme Court bench issued at the court session on a case of the fact of contempt of court shall not be subject to review.

4. Decree on a case on administrative infraction issued by a body (civil servant) may be appealed, protested in a superior body (civil servant) or in specialized district and equated administrative court and juvenile court at the location of the body (civil servant).

5. Preliminary referral of persons mentioned in Articles 744, 745, 746, 747 and 748 of this Code to a superior body (civil servant) is not compulsory condition for filing a complaint in court and its acceptance by the court for consideration and solution in essence.

Article 831. Procedure for appeal, protest of decree on a case on administrative infraction

1. Complaint to a decree on a case on administrative infraction shall be directed to a judge, body (civil servant) that issued the decree on a case that within three days from the date of receipt of the complaint, protest shall be obliged to direct them with all case materials to the relevant court, superior body (civil servant).

2. In case of appeal, protest of a decree on a case of the fact of contempt of court in accordance with a part three of Article 830 of this Code, the court shall enclose the decree by an extract from the protocol of court session in a part of establishment of the fact.

3. The complaint may be filed, and the protest may be entered directly in a court, superior body (civil servant) that are authorized to consider them.

4. The complaint, protest of a decree of a judge on imposition of sanction in the form of administrative arrest shall be subject to direction to a superior court on a

date of receipt of the complaint, protest.

5. If consideration of a complaint, protest does not relate to the competence of a judge to whom a decree on a case on administrative infraction is appealed, protested, the complaint, protest shall be directed according to jurisdiction.

Article 832. Term for appeal, protest of a decree on a case on administrative infraction

1. Complaint, protest to a decree on a case on administrative infraction may be filed within ten days from the date of delivery of a copy of decree, and in case if the persons mentioned in Articles 744, 745, 746, 747 and 748 of this Code did not participate in consideration of the case - from the date of its receipt.

2. Complaint, protest to a decree on a case on administrative infraction issued due to failure to fulfill or improper fulfillment of tax obligation established by the Tax Code of the Republic of Kazakhstan, or the obligations provided by the legislation of the Republic of Kazakhstan on pension benefits and on compulsory social insurance, detected on the basis of the results of tax inspection, may be filed within thirty days from the date of delivery or receipt of a copy of decree.

3. In case if the decree on a case on administrative infraction is appealed, protested in a superior body (civil servant), the term provided by a part one of this Article shall be calculated from the date of receipt by persons mentioned in Articles 744, 745, 746, 747 and 748 of this Code, the copies of decision with regard to complaint (protest).

4. In case of omission of the term mentioned in a part one of this Article for a valid reason, this term may be restored upon application of a person in respect of whom the decree is issued by a court, body (civil servant) legally competent to consider a complaint.

Article 833. Content of a complaint (protest)

1. The complaint (protest) shall be filed in written form and it shall contain:

1) name of a court, superior body (civil servant) to which the complaint is filed;
2) last name, first name and patronymic (when available) (precise name of a legal entity), place of permanent residence or location (mail address) of an applicant of complaint or protest;

3) name of a body or institution or last name and position of a civil servant to the regulatory act or action of whom the protest is filed;

4) content of appealed or protested regulatory act or action, as well as the reasons by which the applicant of complaint or protest considers the regulatory act or actions violating his (her) rights and freedoms;

5) clearly worded petition of an applicant of complaint or protest.

2. The complaint or protest shall be signed by an applicant. The complaint being filed in behalf of a legal entity shall be signed by his (her) representative or other authorized person.

3. If the complaint or protest is filed in behalf of another person, the first name and last name, place of permanent residence or location (mail address) of a person in behalf of whom the complaint or protest is filed, shall be stated in there. The complaint shall be accompanied by a document certifying the powers.

4. The complaint or protest shall be filed in two copies accompanied by copy of appealed or protested legal act issued by a court, body (civil servant), as well as other documents for substantiation of the arguments raised in the complaint or protest.

5. In case, if delivered complaint or protest do not conform to the requirements provided by a part one of this Article, they shall be considered as delivered, but shall be returned with specification of the term for completion. If within the specified term,

the complaint, protest are not represented in court, body (civil servant) after repeated lodging, they shall be considered unfiled.

Article 834. Suspension of execution of a decree due to filing of a complaint or lodging a protest

1. Filing of a complaint within established term shall suspend the execution of a decree on imposition of administrative infraction until consideration of the complaint.

2. The prosecutor shall have the right to suspend the execution of a decree on imposition of administrative sanction for a period of monitoring of its legality, give written instructions to authorized civil servants and bodies (except for court) on proceeding of additional monitoring. Based on the results of monitoring, the prosecutor shall lodge a protest to the relevant body on repeal or change of the decree or cancel the suspension of execution of the decree.

3. Lodging of a protest by a prosecutor shall suspend the execution of a decree until consideration of the protest.

Article 835. Terms of consideration of a complaint, protest to a decree on a case on administrative infraction

1. The complaint, protest to a decree on a case on administrative infraction shall be subject to consideration within ten days from the date of their receipt.

2. The complaint, protest to a decree on administrative arrest, if the person brought to liability serves administrative arrest, shall be subject to consideration within one day from the date of filing of the complaint or protest.

3. In case of receipt of petitions from participants of the proceeding on a case on administrative infraction or upon necessity of additional clarification of circumstances of the case, the term for consideration of a complaint, protest may be extended by a superior judge, superior body (civil servant) considering the case, but no more than ten days. The court, body (civil servant) shall be obliged to suspend the term for consideration of a complaint (protest) upon impossibility of its consideration until solution of another case considered in a civil, criminal or administrative judicial proceeding. Upon extension of a term, the reasoned ruling shall be issued.

Article 836. Sole consideration of a complaint, protest to a decree on a case on administrative infraction by a judge of superior court, head of superior body or his (her) deputy

The complaint, protest to a decree of a judge of specialized district and equated administrative court and juvenile court, body (civil servant) on a case on administrative infraction shall be considered at sole discretion of a judge of superior body, superior civil servant or head (deputy head) of superior body.

The complaint, protest to a decree of court on a case of the fact of contempt of court issued by a judge (court) in the manner provided by a part two of article 818 of this Code, shall be considered at sole discretion of a judge of superior court, and in case of issuance of such decree by a court of appeal or cassation instance - shall be considered by judicial bench of superior instance.

Article 837. Preparation to consideration of a complaint, protest to a decree on a case on administrative infraction

Upon preparation to consideration of a complaint, protest to a decree on a case on administrative infraction, the judge, superior body (civil servant) shall:

1) clarify, are there circumstances excluding the proceeding on a case;

2) permit petitions, demand additional materials, summon persons the participation of which is recognized necessary for consideration of a complaint, protest; the judge shall assign examination in case of necessity;

3) if consideration of a complaint, protest does not relate to their competence, shall direct them with all case materials according to jurisdiction.

Article 838. Consideration of a complaint, protest to a decree on a case on administrative infraction

1. The judge, superior body (civil servant) after beginning of considering a complaint, protest to a decree on a case on administrative infraction, shall:

1) announce, who considers a complaint, protest; which complaint, protest is subject to consideration; who filed the complaint, protest;

2) be ascertain in attendance of an individual or representative of legal entity in respect of whom the decree on a case is issued, as well as persons summoned for participation in consideration of a complaint, protest;

3) verify the powers of representatives of an individual or legal entity, defence attorney and representative;

4) clarify the reasons of non-appearance of participants of the proceeding on a case and adopt decision on consideration of a complaint, protest in their absence or on postponement of consideration of the complaint, protest;

5) explain the rights and obligations to the persons participating in consideration of a complaint, protest;

6) solve challenges and filed petitions;

7) read a complaint, protest to a decree on a case on administrative infraction, and other case materials in case of necessity.

2. Upon consideration of a complaint, protest to a decree on a case on administrative infraction, the legality and substantiation of the issued decree shall be verified according to available and additionally represented materials. The judge, superior body (civil servant) are not linked with arguments of a complaint, protest and shall verify the case in a full measure, by this, they shall have the right to establish new facts and examine new evidences.

3. The judge, superior body (civil servant) shall have the right to postpone consideration of a complaint, protest due to non-attendance of summoned persons, demand of additional case materials, assignment of examination and in other cases when it is necessary for full, comprehensive and objective consideration of the complaint, protest.

4. If the complaint to a decree on a case on administrative infraction is received by a court and superior body (civil servant) at the same time, the complaint shall be considered by the court.

Article 893. Solution of a complaint, protest to a decree on a case on administrative infraction

1. After consideration of a complain, protest to a decree on a case on administrative infraction, the judge, superior body (civil servant) shall adopt one of the following decisions:

1) on leaving the decree unchanged, and the complaints, protest - without satisfaction;

2) on change of the decree;

3) on repeal of the decree and termination of a case in existence of circumstances provided by Articles 741 and 742 of this Code, as well as in case of lack of evidentiary support of evidences on the basis of which the decree was issued;

4) on repeal of the decree and issuance of new decree on a case;

5) on repeal of the decree and transfer of the case for consideration according to jurisdiction, if during consideration of the complaint, protest it is established that the decree was issued by incompetent judge, body (civil servant).

2. Following the results of consideration of a complaint, protest, the decision shall be issued in the form of a decree on the complaint, protest to a decree on a case. The decree shall contain the details mentioned in a part one of Article 822 of this Code.

3. The decree of a judge of superior court with regard to complaint, protest to a decree of a judge of specialized district and equated administrative court and juvenile court, as well as the decree of a judge issued in case provided by subparagraph 5) of part one of this Article may be protested in the manner provided by chapter 46 of this Code. The decree of superior body (civil servant) with regard to complaint, protest to a decree on a case on administrative infraction may be appealed, protested in court in the manner established by this Code.

Article 840. Grounds for repeal or change of a decree on a case on administrative infraction

The grounds for repeal or change of a decree on a case on administrative infraction and issuance of the decree are:

- 1) non-conformance of summaries of a judge, body (civil servant) on actual circumstances of a case set out in a decree on a case on administrative infraction, examined evidences during consideration of a complaint, protest;
- 2) incorrect application of the Law on administrative liability;
- 3) essential violation of the procedural rules of this Code;
- 4) non-conformance of administrative sanction imposed by the decree to a nature of committed infraction, identity of a guilty person or property status of a legal entity.

Article 841. Non-conformance of summaries of a judge, body (civil servant) on actual circumstances of a case set out in a decree on a case on administrative infraction, examined evidences during consideration of a complaint, protest

1. After establishment that the summaries on actual circumstances of a case set out in a decree on a case on administrative infraction do not conform to the evidences examined during consideration of a complaint, protest, the judge, superior body (civil servant) shall repeal this decree in full or in part and shall issue new decree in accordance with the results of consideration of the complaint, protest.

2. During evaluation of the evidences examined during consideration of a complaint, protest, the judge, superior body (civil servant) shall have the right to recognize the facts proved that were not established by a decree on a case on administrative infraction or were not taken into account by a judge, body (civil servant) that issued the decree.

Article 842. Incorrect application of the Law on administrative liability

1. Incorrect application of the Law on administrative liability is:

- 1) violation of the requirements of section 1 and the Common part of section 2 of this Code;
- 2) application of wrong Article or part of Article of the Special part of section 2 of this Code that were subject to application;
- 3) imposition of more severe administrative sanction than it is provided by a sanction of the relevant Article of the Special part of section 2 of this Code.

2. After recognition of a legal evaluation of illegal acts as incorrect in results of consideration of a complaint, protest, the judge, superior body (civil servant) shall have the right to change classification of an infraction to Article of the Law providing less severe administrative sanction.

3. Based on the results of consideration of a complaint, protest, the judge, superior body (civil servant) shall have the right to apply the Law providing more severe administrative sanction or impose more severe administrative sanction only in case when on these grounds the complaint was filed by an injured party or the protest - by a prosecutor.

Article 843. Substantial violation of procedural rules of this Code

1. Substantial violations of procedural rules of this Code are the violations of principles and other general provisions of this Code during proceeding on a case and its consideration by deprivation or impairment of the rights guaranteed by the Law of the persons participating in the case, non-compliance with the procedure for the administrative infraction proceeding or otherwise impeded comprehensive, full and objective examination of circumstances of a case, influenced or might influence on issuance of legal and reasonable decree.

2. The decree shall be subject to repeal when one-sidedness or incompleteness of the proceeding on a case are the result of wrong exclusion of available evidences from examination or unreasonable refusal in examination of evidences that may have a significance for a case; failure to examine evidences subjected to compulsory examination.

3. The decree shall be subject to repeal at least if:

1) in existence of grounds provided by Articles 741 and 742 of this Code, the proceeding on a case was not terminated;

2) the decree is issued by a judge, body (civil servant) not authorized to consider the cases on administrative infractions;

3) the case is considered without participation of a defence attorney, when his (her) participation is compulsory in accordance with the Law, or the right of a person in respect of whom the proceeding on a case is conducted to have the defence attorney is violated by other means;

4) the right of a person in respect of whom the proceeding on a case is conducted to use native language or language that he (she) can speak, and services of an interpreter is violated;

5) the person in respect of whom the proceeding on a case is conducted is not provided by the right to five explanations on circumstances of a case;

6) the decree is not signed by any of the persons mentioned in a part four of Article 822 of this Code.

4. After establishment that upon consideration of a case on administrative infraction the violation of procedural rules mentioned in subparagraph 1) of part three of this Article is committed, the judge, superior body (civil servant) shall repeal the decree and terminate the proceeding on a case.

5. If upon consideration of a case on administrative infraction, any other substantial violation of procedural rules was committed, the judge, superior body (civil servant) shall conduct consideration of the case taking into account the measures for elimination of committed violation, repeal decree respectively of a judge of the relevant specialized district and equated administrative court and juvenile court, inferior body (civil servant) and shall issue new decree taking into consideration the results of considering the case.

Article 844. Non-conformance of administrative sanction imposed by a decree to the character of committed infraction, identity of a guilty person or property financial status of a legal entity

1. After recognition of administrative sanction imposed by a decree as unfair due to its excessive severity that does not conform to the character of committed infraction, identity of a guilty person or property status of a legal entity, the judge, superior body (civil servant) shall mitigate the sanction being governed by general rules of imposition of the administrative sanction.

2. The judge, superior body (civil servant) may impose more severe sanction on a

guilty person that was determined by the decree on a case on administrative infraction, but only in the cases when the protest of a prosecutor was delivered or when the complaint of an injured party was filed.

Article 845. Repeal or change of a decree on termination of a proceeding on case

1. The decree on termination of a proceeding on case may be repealed by a judge, superior body (civil servant) with issuance of the decree on imposition of administrative sanction not otherwise than according to the complaint of an injured party or according to the protest of a prosecutor to inconsistency of termination of the proceeding on case.

2. The decree on termination of the proceeding on case may be changed in a part of the grounds for termination according to the complaint of a person in respect of whom the proceeding on case is terminated.

Article 846. Announcement of a decree according to complaint, protest to the decree on a case on administrative infraction

1. The decree with regard to complaint, protest to the decree on a case on administrative infraction shall be announced immediately after its issuance.

2. Copy of the decree with regard complaint, protest to the decree on a case on administrative infraction shall be issued or sent to an individual or representative of legal entity in respect of which the decree on a case was issued, to an injured party in case of filing of the complaint by him (her), on upon his (her) request, to a prosecutor that lodged a protest, within the term up to three days after its issuance.

3. The decree with regard to complaint, protest to the decree on a case on administrative arrest shall be brought to the notice of a body (civil servant) executing the decree, as well as of a person in respect of whom it is issued - on a date of issuance of the decree.

Chapter 46. REVIEW OF DECREES ENTERED INTO LEGAL FORCE ON CASES ON ADMINISTRATIVE INFRACTIONS AND DECREES BASED ON RESULTS OF CONSIDERATION OF COMPLAINTS, PROTESTS TO THEM

Article 847. Cassational procedure for review of decrees on cases on administrative infractions entered into legal force and decrees based on results of consideration of complaints, protests to them

1. Regarding the protest or complaint of persons mentioned in parts one and two of Article 849 of this Code, the review of decrees on cases on administrative infractions, decrees of the court on the complaint, protest to them entered into legal force under cassational procedure is possible.

2. Cassational complaint or protest to the decrees on cases on administrative infractions, the decrees with regard to complaint, protest to them may be filed within six months from the date of announcement of the decree to the side aggravating the position of a person brought to administrative liability, or a person in respect of whom the administrative proceeding is terminated. In case of omission of the term by reasonable excuses, this term may be restored by a court legally competent to consider the complaint.

3. Cassational complaint, protest to the decrees on cases on administrative infractions, the decrees of the court with regard to complaint, protest to them shall be considered by oblast and equated court in composition of no less than three judges within ten days from the date of their receipt.

4. Cassational complaint, protest to the decrees on cases on administrative infractions, the decrees of the court with regard to complaint, protest to them shall

conform to the requirements mentioned in Article 833 of this Code.

5. Procedure for preparation for consideration, consideration and adoption of a decision on cassational complaint, protest to the decrees on cases on administrative infractions, the decrees of court with regard to complaint, protest to them shall be carried out in the manner provided by chapter 45 of this Code.

6. Judicial acts of cassational instance shall be issued in the form of decrees and shall contain the details mentioned in a part one of Article 822 of this Code.

7. The court of cassational instance shall verify legality and substantiation of decrees on cases on administrative infractions, decrees with regard to complaints, protests to them.

Article 848. Procedure and arguments for evocation of cases and consideration of petitions on lodging of a protest to judicial acts entered into legal force

1. The case on administrative infraction may be evocated from the relevant court for verification in the manner of supervision by the General Prosecutor of the Republic of Kazakhstan, his (her) deputies, prosecutors of oblasts and equated prosecutors.

2. The arguments for evocation of cases are the petitions of persons mentioned in a part two of Article 849 of this Code, and equally the initiative of prosecutors mentioned in a part one of Article 849 of this Code within the competence.

3. Request of a prosecutor on evocation of a case shall be executed by a court no later than seven days from the date of its receipt in court.

4. In case of evocation of a case, the petition on lodging of a supervisory protest shall be subject to consideration by a prosecutor within thirty days from the date of receipt of the case in a prosecutor's office.

5. The petition on lodging of a supervisory protest issued to the General Prosecutor's office of the Republic of Kazakhstan, shall contain:

1) name of a civil servant to whom the petition is addressed;

2) name of a person lodging the petition; his (her) place of residence or location and procedural position in a case;

3) indication to courts considering a case in the first, appeal and cassational instances, and content of decisions adopted by them;

4) indication to the decree of court that is proposed to be protested;

5) indication on what is the substantial violation of the rules of material or procedural law and that is the request of the person filing the petition.

6. The petition shall be signed by a person filing the petition, or by his (her) representative. The petition signed by a representative shall be accompanied by power of attorney or another document certifying the powers of the representative.

7. The petition shall be accompanied by copies of the decree issued on a case attested by a court.

8. The petition shall be subject to return to persons that filed them in case of its non-conformance to requirements of parts five, six and seven of this Article.

Footnote. Article 848 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 849. Lodging of a protest, filing of complaint to decrees on cases on administrative infractions and decrees on results of consideration of the complaint, protest to them

1. The right of lodging of a protest to decrees that entered into legal force and decrees mentioned in Article 847 of this Code, shall belong to the General Prosecutor, his (her) deputies, prosecutors of oblasts and equated prosecutors.

2. The person brought to administrative liability, the injured party, defence attorneys, legal representatives and representatives of mentioned persons shall have the

right to file a complaint on review of the decrees entered into legal force mentioned in Article 847 of this Code.

Article 850. Suspension of execution of a decree on imposition of administrative sanction

Lodging of a protest to decrees entered into legal force mentioned in Article 849 of this Code shall suspend the execution of these decrees.

Article 851. Exceptional (supervisory) procedure for review of decrees entered into legal force on cases on administrative infractions and decrees based on results of consideration of complaints, protests to them

1. Supervisory judicial board on civil and administrative cases of the Supreme Court of the Republic of Kazakhstan in case of compliance with cassational procedure of appealing on a protest of the General Prosecutor of the Republic of Kazakhstan and his (her) deputies shall have the right to verify legality and substantiation of the decree that entered into legal force on any case on administrative infraction, and equally decrees based on results of consideration of a complaint, protest to the decree and review adopted decision within thirty days from the date of receipt of the protest. The decrees of the board of the Supreme Court shall enter into legal force from the date of their adoption.

2. Review by a court to the side aggravating position of a person brought to administrative liability, or a person in respect of whom the administrative proceeding is terminated, shall be admitted within a year from the date of entering of decree of court or authorized state body into legal force.

3. The protest to decrees on cases on administrative infractions, the decree of court with regard to complaint, protest to them shall conform to requirements mentioned in Article 833 of this Code.

Chapter 47. REVIEW OF DECREES ON CASES ON ADMINISTRATIVE INFRACTIONS THAT ENTERED INTO LEGAL FORCE AND DECREES BASED ON RESULTS OF CONSIDERATION OF COMPLAINTS, PROTESTS TO THEM ON NEWLY DISCOVERED CIRCUMSTANCES

Article 852. Grounds of review

1. The decrees on cases on administrative infractions and the decrees based on results of consideration of complaints, protests may be reviewed on newly discovered circumstances.

2. The grounds for review of decrees on newly discovered circumstances are:

1) circumstances essential for a case that were not and might not be known by an offender, injured party;

2) knowingly false evidences of a witness, knowingly false opinion of an expert, knowingly incorrect interpretation, forgery of a protocol on administrative infraction, of documents or material evidences that entailed issuance of illegal or unreasonable decree, established by the court verdict that entered into legal force;

3) criminal actions of participants of a proceeding on cases on administrative infractions, of other persons participating in a case, or their representatives or criminal actions of judges, authorized bodies (civil servant) committed during consideration of this case, established by the court verdict that entered into legal force;

4) revocation of a decision, verdict, ruling or decree of court or legal act of another state body (civil servant) that served as the ground for issuance of this decree;

5) recognition of the Law or another regulatory legal act as unconstitutional by

the Constitutional Council of the Republic of Kazakhstan that was applied in this case on administrative infraction.

Article 853. Courts, authorized bodies (civil servants) reviewing decrees on cases on administrative infractions and decrees based on results of consideration of complaints, protests to them on newly discovered circumstances

The decree that entered into legal force shall be reviewed on newly discovered circumstances by a court, authorized body (civil servant) that issued this decision.

In case of review of the decree of a body (civil servant) by a court and leaving it unchanged, the review on newly discovered circumstances shall be carried out by the court that issued this decision.

Article 854. Filing of application

1. The application on review of a decree on newly discovered circumstances shall be filed by a person brought to administrative liability, by an injured party or their legal representatives, or a prosecutor in court, body (civil servant) that issued the decree.

2. The persons mentioned in a part one of this Article may file an application on review of decree on newly discovered circumstances within three months from the date of establishment of circumstances serving as the ground for review.

Article 855. Forma and content of application

1. The application on review of decree on newly discovered circumstances shall be filed in written form. The application shall be signed by a person filing the application, or by his (her) authorized representative.

2. The application on review on newly discovered circumstances shall contain:

1) name of a court, body (civil servant) to which the application is filed;

2) details on a person filing the application (for individuals – last name, first name, patronymic (when available), subscriber’s number of phone, fax, cellular communications and (or) electronic mail (if available); for legal entities – name, location, number and date of state registration (reregistration) of a legal entity, subscriber’s number of phone, fax, cellular communications and (or) electronic mail (if available);

3) name of a court, body (civil servant) that adopted the act on review of which the applicant files petition on newly discovered circumstances; date of adoption of this act;

4) requirement of a person filing the application; newly discovered circumstance provided by Article 852 of this Code and that in opinion of an applicant is the ground for raising a question on review of decree on newly discovered circumstances with a reference to the documents certifying opening or establishment of this circumstance;

5) list of attached documents.

3. The application shall be accompanied by:

1) copies of documents certifying newly discovered circumstances;

2) copy of a decree on review of which the applicant files petitions;

3) a document certifying direction of absent copies of an application and documents to the other persons participating in a case;

4) credibility or another document certifying the powers of a person for signing an application.

Article 856. Admission of an application for initiation of proceeding of a court, body (civil servant)

1. The application on review of a decree on newly discovered circumstances filed in compliance with requirements submitted for its form and content shall be admitted for initiation of a proceeding of the relevant court, body (civil servant).

2. Issue on admission of an application for initiation of proceeding shall be solved within three days from the date of its receipt.

3. Upon admission of an application for proceeding, the ruling containing date and place of holding of meeting on consideration of the application, shall be issued.

4. Copies of a ruling shall be directed to persons participating in a case.

Article 857. Return of an application on review of a decree on newly discovered circumstances

1. The judge of the relevant court, civil servant of authorized body shall return an application to an applicant filed by him (her) on review of a decree on newly discovered circumstances, if during solving the issue on its admission for initiation of proceeding it is established that:

1) the application is filed with violation of rules established by Article 855 of this Code;

2) the application is filed after expiration of established term and there is no petition on its restoration or restoration of omitted term for filing of application was refused;

3) the requirements submitted to form and content of the application were not complied.

2. Upon return of an application, the ruling shall be issued.

Copy of the ruling shall be directed to an applicant together with an application and enclosed documents no later than the next day after the date of its issuance.

3. The ruling on return of application may be appealed, protested.

Article 858. Calculation of term for filing of application

The term for filing of application shall be calculated:

1) in cases provided by subparagraph 1) of part two of Article 852 of this Code - from the date of discovery of circumstances having substantial significance for a case;

2) in cases provided by subparagraphs 2) and 3) of part two of Article 852 of this Code - from the date of entering of a court verdict into legal force;

3) cases provided by subparagraph 4) of part two of Article 852 of this Code - from the date of entering of a verdict, decision, ruling, decree of court or legal act of the other state body (civil servant) into legal force, on which the reviewed decree was based;

4) in cases provided by subparagraph 5) of part two of Article 852 of this Code - from the date of adoption of a decree of the Constitutional Council of the Republic of Kazakhstan on recognition of the Law or the other regulatory legal act unconstitutional that was applied in this case on administrative infraction.

Article 859. Consideration of an application

The application on review of a decree on newly discovered circumstances shall be considered at session by a court, body (civil servant).

The applicant and persons participating in a case shall be notified on time and place of session, however their non-appearance is not an obstacle for consideration of the application.

Article 860. Decree of court, authorized body (civil servant) on review of a case

1. After consideration of an application on review of a decree on newly discovered circumstances, the court, body (civil servant) shall certify the application and repeal the decree, or refuse in review.

2. Decisions of courts, bodies (civil servant) on repeal of a decree on newly discovered circumstances and on refusal in satisfaction of an application on review of the decree on newly discovered circumstances may be appealed and protested in established manner.

3. In case of repeal of a decree, the case shall be considered by a court, body (civil servant) according to the rules established by this Code.

**Chapter 48. REHABILITATION, COMPENSATION FOR DAMAGE
INFLECTED BY ILLEGAL ACTIONS OF A BODY (CIVIL SERVANT)**

AUTHORIZED TO CONSIDER CASES ON ADMINISTRATIVE INFRACTIONS

**Article 861. Rehabilitation by recognition of faultlessness of
a person brought to administrative liability**

1. The person in respect of whom the decree of court, body (civil servant) authorized to consider cases on administrative infractions, on termination of a case on the grounds provided by subparagraphs 1) - 7) and 11) of part one of Article 741 of this Code is issued, shall be considered faultless and may not be subjected to any restrictions in rights and freedoms guaranteed by the Constitution and Laws of the Republic of Kazakhstan.

2. The judge, body (civil servant) authorized to consider cases on administrative infractions shall be obliged to take all the measures provided by the Law on recognition of a person mentioned in a part one of this Article as faultless and on restoration of personal non-property and property rights violated in a result of illegal actions of a judge, body (civil servant) authorized to consider cases on administrative infractions.

**Article 862. Persons having the right to compensation of
damage inflicted in a result of illegal actions of a court,
body (civil servant) authorized to consider cases
on administrative infractions**

1. Damage inflicted to a person in a result of illegal application of the measures of ensuring the proceeding on case shall be compensated from republican budget in a full measure independently from guilt of a judge, body (civil servant) authorized to consider cases on administrative infractions.

2. The following persons shall have the right to compensation of damage inflicted in a result of illegal actions, body (civil servant) authorized to consider cases on administrative infractions:

1) persons mentioned in a part one of Article 745 of this Code;

2) persons in respect of whom the proceeding on case should not be initiated, and the initiated proceeding was subject to termination on the grounds provided by subparagraphs 1) - 7) and 11) of part one of Article 741 of this Code, if the proceeding on case was initiated in spite of existence of the circumstances excluding the administrative infraction proceeding, or was not terminated from the date of their detection.

3. In case of death of an individual, the right of compensation of damage in established manner shall be transferred to his (her) legal successors.

4. Damage shall not be subject to compensation to a person if it is proved that during the proceeding on case by voluntary self-accusation, he (she) barred establishment of truth and so promoted occurrence of the consequences mentioned in a part one of this Article.

5. In the absence of circumstances mentioned in subparagraph 2 (of part two of this Article, the rules of this Article shall not apply to the cases when the administrative sanctions imposed on a person and other measures of legal administrative effect are cancelled or changed due to expiration of the terms of limitation, adoption of the Law eliminating administrative liability or mitigating administrative sanction.

Article 863. Damage subjected to compensation

The persons mentioned in Article 862 of this Code shall have the right to compensation of property damage in a full measure, elimination of consequences of moral damage and restoration in all lost or impaired rights.

Article 864. Recognition of the right to compensation of damage

After adoption of a decision on full or partial rehabilitation of a person, the judge or body (civil servant) authorized to consider cases on administrative infractions shall be obliged to recognize his (her) right to compensation of damage. Copy of decree on termination of a case, on repeal or change of other illegal decisions shall be delivered or sent to an interested person by mail. At the same time, the notification with explanation of the procedure for compensation of damage shall be directed to him (her). In the absence of details on place of residence of successors, relatives or dependents of deceased person having the right to compensation of damage, the notification shall be directed to them no later than five days from the date of their apply to the body (civil servant) authorized to consider cases on administrative infractions.

Article 865. Compensation of property damage

1. Property damage inflicted to persons mentioned in Article 862 of this Code shall include the compensation of:

- 1) salary, pension, benefits, other funds and incomes that they are deprived;
- 2) property illegally confiscated on the basis of court decree. Upon impossibility to return the property, its cost shall be returned;
- 3) fines recovered in execution of illegal decree of a body (civil servant) authorized to solve a case; procedural expenditures and other sums paid by a person due to illegal actions;
- 4) sums paid by a person for rendering of legal assistance;
- 5) other expenses incurred in a result of illegal bringing to administrative liability.

2. The sums paid for maintenance of persons mentioned in a part one of Article 603 of this Code at the places of execution of administrative arrest, the procedural expenditures linked with a proceeding on case, and equally earnings for performing any works by these persons during execution of the administrative arrest may not be deducted from the sums subjected to payment as a recompense of damage inflicted in a result of illegal actions of a body (civil servant) authorized to consider cases on administrative infractions.

3. Upon receipt of a copy of documents mentioned in Article 823 of this Code with notification on procedure for compensation of damage, the persons mentioned in parts two and three of Article 862 of this Code shall have the right to refer to the body (civil servant) that issued the decree on termination of a case, revocation or change of other illegal decisions with a demand for compensation of property damage. If the case is terminated by a superior body (civil servant) or a court, the demand for compensation of damage shall be directed to a body (civil servant) that issued illegal decree. If the case being considered by a judge is terminated by a superior court, the demand for compensation of damage shall be directed to the judge that issued illegal decree. In case of rehabilitation of a minor person, the demand for compensation of damage may be applied by his (her) legal representative.

4. No later than one month from the date of receipt of the application, the body (civil servant) mentioned in a part two of this Article shall determine the extent of damage after requesting estimation in necessary cases from financial bodies and bodies of social protection after what shall issue a decree on making payments as a recompense of this damage adjusted for inflation. If the case is terminated by a court, the mentioned actions shall be made by a judge that considered the case.

5. Copy of a decree certified by the common seal shall be delivered or sent to a person for representation in bodies that are obliged to make payment. Procedure for paying shall be determined by the legislation.

Article 866. Elimination of consequences of moral damage

1. The body (civil servant) that adopted decision on rehabilitation of a person, shall be obliged to submit apologies to him (her) in written form for inflicted damage.

2. Claims for compensation for inflicted moral damage in pecuniary terms shall be made in the manner of civil legal proceeding.

3. If the person was illegally brought to administrative liability, and details on this were published in the press, distributed via radio, television or other means of mass media, upon request of this person, and in case of his (her) death - upon request of his (her) relatives or a prosecutor, the relevant mass media shall be obliged to make necessary statement on this within one month.

4. Upon request of the persons mentioned in Article 862 of this Code, the body (civil servant) authorized to consider cases on administrative infractions shall be obliged to direct written statement on revocation of own illegal decisions at the place of their work, education, residence within ten days.

Article 867. Terms for submission of requirements

1. Requirements on making monetary payments as a recompense of property damage may be submitted within one year from the date of receipt of a decree on making such payments by persons mentioned in Article 862.

2. Requirements on restoration of such rights may be submitted within six months from the date of receipt of a notification explaining the procedure for restoration of the rights.

3. In case of omission of these terms by reasonable excuse, they shall be subject to restoration upon application of interested persons by a body (civil servant) authorized to consider cases on administrative infractions.

Article 868. Compensation of damage to legal entities

The damage inflicted to legal entities by illegal actions of a body (civil servant) authorized to consider cases on administrative infractions shall be subject to restoration by the state in a full measure and terms established by this chapter.

Article 869. Restoration of rights in court actions

If the requirement on rehabilitation or compensation of damage is not satisfied or the person is not agreed with adopted decision, he (she) shall have the right to refer in court in the manner of civil legal proceeding.

Chapter 49. SPECIAL ASPECTS OF A PROCEEDING ON CASES OF PERSONS HAVING PRIVILEGES AND IMMUNITY FROM ADMINISTRATIVE LIABILITY

Article 870. Conditions and procedure for the administrative infraction proceeding in respect of a deputy of the Parliament of the Republic of Kazakhstan

1. The deputy of the Parliament of the Republic of Kazakhstan may not be subject to bringing, measures of administrative sanction imposed in a judicial proceeding within the term of own powers without the consent of the relevant Chamber of the Parliament of the Republic of Kazakhstan.

2. For obtainment of the consent to bringing of a deputy to administrative liability entailing imposition of the administrative sanction in a judicial proceeding, bringing, the General Prosecutor of the Republic of Kazakhstan shall submit proposal to the relevant Chamber of the Parliament of the Republic of Kazakhstan the deputy of which is the person that committed administrative infraction. The proposal shall be submitted

before direction of a case on administrative infraction in court, as well as before solution of the issue on necessity of compulsory conveying of a deputy in court, body (civil servant) authorized to consider cases on administrative infractions.

3. Decision of the relevant Chamber of the Parliament of the Republic of Kazakhstan for proposal submitted by the General Prosecutor of the Republic of Kazakhstan shall be issued in terms established by the Constitutional Law of the Republic of Kazakhstan "On Parliament of the Republic of Kazakhstan and status of its deputies".

4. If the relevant Chamber of the Parliament of the Republic of Kazakhstan gives a consent to bringing of a deputy to administrative liability entailing imposition of administrative sanction in a judicial proceeding, the further proceeding on case shall be conducted in the manner established by this Code considering the special aspects provided by this Article.

5. If the relevant Chamber of the Parliament of the Republic of Kazakhstan gives a consent to bringing, the question of application of this measure of ensuring the administrative infraction proceeding shall be solved in the manner established by this Code.

6. In case if the relevant Chamber of the Parliament of the Republic of Kazakhstan did not give a consent to bringing of a deputy to administrative liability entailing imposition of administrative sanction in a judicial proceeding, the proceeding on case shall be subject to termination on this ground.

7. In case if the relevant Chamber of the Parliament of the Republic of Kazakhstan did not give a consent to bringing, the other measures of ensuring the administrative infraction proceeding shall be applied to a deputy in the manner established by this Code.

8. Supervision of legality of considering a case on administrative infraction in a judicial proceeding in respect of a deputy of the Parliament of the Republic of Kazakhstan shall be carried out by the General Prosecutor of the Republic of Kazakhstan.

Article 871. Conditions and procedure for the administrative infraction proceeding in respect of a candidate for President of the Republic of Kazakhstan, candidate for deputy of the Parliament of the Republic of Kazakhstan

1. Candidates for President of the Republic of Kazakhstan, for deputies of the Parliament of the Republic of Kazakhstan from the date of their registration and until publication of election returns, as well as until their registration as the President, deputy of the Parliament may not be subject to bringing, measures of administrative sanction imposed in a judicial proceeding without the consent of the Central Elective Commission of the Republic of Kazakhstan.

2. Proposal on bringing of a candidate for President of the Republic of Kazakhstan, for deputies of the Parliament of the Republic of Kazakhstan to administrative liability shall be submitted to the Central Elective Commission by the General Prosecutor of the Republic of Kazakhstan before direction of a case on administrative infraction in court.

3. Substantiated decision of the Central Elective Commission of the Republic of Kazakhstan to proposal submitted by the General Prosecutor of the Republic of Kazakhstan shall be issued within ten days from the date of its receipt.

4. After receipt of the decision of the Central Elective Commission by the General Prosecutor of the Republic of Kazakhstan, the further proceeding on case shall be conducted in the manner established by Article 813 of this Code.

Article 872. Conditions and procedure for the administrative infraction proceeding in respect of the Chairman or member of the Constitutional Council of the Republic of Kazakhstan

1. The Chairman or members of the Constitutional Council of the Republic of Kazakhstan may not be subjected to bringing, measures of administrative sanction imposed in a judicial proceeding within the entire term of own powers without the consent of the Parliament of the Republic of Kazakhstan.

2. For obtainment of the consent to bringing of the Chairman or members of the Constitutional Council of the Republic of Kazakhstan to administrative liability entailing imposition of administrative sanction in a judicial proceeding, bringing, the General Prosecutor of the Republic of Kazakhstan shall submit a proposal to the Parliament of the Republic of Kazakhstan. The proposal shall be submitted before direction of a case on administrative infraction in court, before solution of the issue on necessity of compulsory conveying of the Chairman or member of the Constitutional Council of the Republic of Kazakhstan in court, body (civil servant) authorized to consider cases on administrative infractions.

3. After receipt of the decision of the Parliament of the Republic of Kazakhstan by the General Prosecutor of the Republic of Kazakhstan, the further proceeding on case shall be conducted in the manner established by Article 813 of this Code.

4. **Is excluded by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).**

Footnote. Article 872 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 873. Conditions and procedure for the administrative infraction proceeding in respect of a judge

1. The judge may not be arrested, subjected to bringing, measures of administrative sanction imposed in a judicial proceeding without the consent of the President of the Republic of Kazakhstan based on conclusion of the Supreme Judicial Council of the Republic, or in case established by subparagraph 3) of Article 55 of the Constitution of the Republic of Kazakhstan without the consent of the Senate of the Parliament of the Republic of Kazakhstan.

2. For obtainment of the consent for bringing of a judge to administrative liability entailing imposition of administrative sanction in a judicial proceeding, bringing, the General Prosecutor of the Republic of Kazakhstan shall submit a proposal to the President of the Republic of Kazakhstan, and in case provided by subparagraph 3) of Article 55 of the Constitution – to the Senate of the Parliament of the Republic of Kazakhstan. The proposal shall be submitted before direction of a case on administrative infraction in court, before solution of the issue on necessity of compulsory conveying of a judge in court, body (civil servant) authorized to consider cases on administrative infractions.

3. After receipt of the decision of the President of the Republic of Kazakhstan, the Senate of the Parliament of the Republic of Kazakhstan by the General Prosecutor of the Republic of Kazakhstan, the further proceeding on case shall be conducted in the manner established by Article 813 of this Code.

4. The case on administrative infraction settled by proceeding in respect of a judge shall be transferred by a body (civil servant) carrying out this proceeding in the manner established by this Code in court through the General Prosecutor of the Republic of Kazakhstan.

Article 874. Conditions and procedure for the administrative infraction proceeding in respect of the General Prosecutor of the Republic of Kazakhstan

1. The General Prosecutor of the Republic of Kazakhstan may not be subjected to bringing, measures of administrative sanction imposed in a judicial proceeding within the entire term of own powers without the consent of the Senate of the Parliament of the Republic of Kazakhstan.

2. For obtainment of the consent for bringing of the General Prosecutor of the Republic of Kazakhstan to administrative liability entailing imposition of administrative sanction in a judicial proceeding, bringing, the first deputy of the General Prosecutor of the Republic of Kazakhstan shall submit a proposal to the Senate of the Parliament of the Republic of Kazakhstan. The proposal shall be submitted before direction of a case on administrative infraction in court, before solution of the issue on necessity of compulsory conveying of the General Prosecutor in court, body (civil servant) authorized to consider cases on administrative infractions.

3. After receipt of the decision of the Senate of the Republic of Kazakhstan by the first deputy of the General Prosecutor of the Republic of Kazakhstan, the further proceeding on case shall be conducted in the manner established by Article 819 of this Code.

4. Is excluded by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

5. Supervision of legality of considering a case on administrative infraction in a judicial proceeding in respect of a deputy of the General Prosecutor of the Republic of Kazakhstan shall be carried out by his (her) first deputy.

6. Is excluded by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Footnote. Article 874 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 875. Consideration of a case on administrative infraction by a judge in respect of a deputy of the Parliament of the Republic of Kazakhstan, the Chairman or members of the Constitutional Council of the Republic of Kazakhstan, judge, General Prosecutor of the Republic of Kazakhstan

1. Consideration of a case shall be carried out in general with special aspects of the proceeding on cases of the persons having privileges and immunity from administrative liability.

2. The judge shall have the right to apply bringing in respect of a deputy of the Parliament of the Republic of Kazakhstan, the Chairman or members of the Constitutional Council of the Republic of Kazakhstan, judge, General Prosecutor of the Republic of Kazakhstan as a measure of ensuring the administrative infraction proceeding after referral with submission on giving a consent to this in the manner provided respectively by a part two of Article 870 of this Code, if before consideration of the case the judge refused in giving a consent to bringing by the state bodies mentioned in paragraph 4 of Article 52, paragraph 5 of Article 71, paragraph 2 of Article 70, paragraph 3 of Article 83 of the Constitution of the Republic of Kazakhstan or such consent was not demanded.

Article 876. Persons having diplomatic immunity from administrative liability

1. In accordance with the legislation of the Republic of Kazakhstan and international treaties ratified by the Republic of Kazakhstan, the following persons shall enjoy immunity from administrative liability in a judicial proceeding in the Republic of Kazakhstan:

1) the heads of diplomatic representatives of foreign states, the members of diplomatic personnel of these representatives and their family members, if they reside jointly with them and are not citizens of the Republic of Kazakhstan;

2) on the basis of mutuality, the employees of service personnel of diplomatic representatives and their family members residing jointly with them, if these employees and their family members are not citizens of the Republic of Kazakhstan or do not reside on a permanent basis in Kazakhstan, heads of consular agencies and other consular civil servant in respect of the acts committed by them upon execution of employment duties, unless otherwise provided by the international treaty of the Republic of Kazakhstan;

3) on the basis of mutuality, the employees of administrative and technical personnel of diplomatic representatives and their family members residing jointly with them, if these employees and their family members are not citizens of the Republic of Kazakhstan or do not reside on a permanent basis in Kazakhstan;

4) the diplomatic couriers;

5) the heads and representatives of foreign states, members of parliamentary and governmental delegations, and on the basis of mutuality - the employees of delegations of foreign states arriving to Kazakhstan for participation in international negotiations, international conferences and meetings or with other official instructions, or travelling through the territory of the Republic of Kazakhstan for the same purposes and family members of the mentioned persons that accompany them, if these family members are not citizens of the Republic of Kazakhstan;

6) the heads, members and personnel of the representatives of foreign states in international organizations, the civil servants of these organizations located in a territory of the Republic of Kazakhstan on the basis of international treaties or generally accepted international customs;

7) the heads of diplomatic representative, members of diplomatic personnel of representatives of foreign states in a third country travelling through the territory of the Republic of Kazakhstan, and their family members that accompany the mentioned persons or that travel separately for joining them or for the purpose of returning to own country;

8) other persons in accordance with an international treaty of the Republic of Kazakhstan.

2. The persons mentioned in subparagraphs 1), 4) - 7) of part one of this Article, as well as the persons in accordance with an international treaty of the Republic of Kazakhstan may be brought to administrative liability only in the case if the foreign state represents formal waiver of immunity from administrative liability. The issue on such waiver shall be solved upon presentation of the General Prosecutor of the Republic of Kazakhstan through the Ministry of foreign Affairs of the Republic of Kazakhstan by diplomatic means. In the absence of waiver of the relevant foreign state of immunity of the mentioned persons, the administrative proceeding in respect of them may not be initiated, and the initiated proceeding - shall be subject to termination.

3. The rules of part two of this Article shall not apply to the persons mentioned in subparagraphs 2) and 3) of part one of this Article, with the exception of cases when the infraction committed by these persons is linked with execution of own employment duties and is not directed against the interests of the Republic of Kazakhstan, unless otherwise provided by the international treaty of the Republic of Kazakhstan.

Article 877. Search, administrative detention and bringing of persons enjoying diplomatic immunity

1. The persons listed in subparagraphs 1), 4) - 7) of part one of Article 876 of this Code, as well as other persons in accordance with international treaties of the Republic of Kazakhstan shall enjoy personal inviolability. In existence of documents being in their possession confirming their status of persons enjoying diplomatic immunity, they may not be subject to personal inspection, detained or subjected to bringing for commission of an administrative infraction. Search of the things being in

their possession also may not be carried out.

2. If the foreign state represents formal waiver of immunity from administrative liability of the persons mentioned in subparagraphs 1), 4) - 7) of part one of Article 876, the proceeding on case shall be carried out according to the standard procedure.

Article 878. Diplomatic immunity from testimony

1. The persons listed in subparagraphs 1), 3) - 6) of part one of Article 876 of this Code, as well as other persons in accordance with the international treaty of the Republic of Kazakhstan may not give testimony as a witness, injured party, and when approved to give such testimony - are not obliged to appear to a judge, body (civil servant) considering a case on administrative infraction. Call for interrogation delivered to mentioned persons shall not contain notifications on a possibility of applying compulsory measures for their non-appearance.

2. In case if these persons gave testimony as injured parties, witnesses in the course of administrative proceeding, and did not appear during consideration of a case, the judge, body (civil servant) considering the case on administrative infraction shall announce their testimony.

3. The persons mentioned in subparagraph 2) of part one of Article 876 of this Code may not refuse from giving testimony as witnesses and injured parties, except for the testimony on the issues linked with execution of their employment duties. In case of refusal of consular civil servants to give witness statements, the measures of ensuring a case on administrative infraction may not be applied to them.

4. The persons enjoying diplomatic immunity shall not be obliged to represent correspondence and other documents related to execution of employment duties by them to a judge, body (civil servant) considering a case on administrative infraction.

Article 879. Diplomatic immunity of premises and documents

1. Residency of a head of diplomatic representative, premise, occupied by diplomatic representatives, living quarters of members of diplomatic personnel and their family members, the property in their possession and means of transportation are inviolable. Access to these premises, their survey, as well as search of means of transportation may be carried out only in the consent of a head of diplomatic representative or a person substituting him (her).

2. On the basis of mutuality, the immunity provided by a part one of this Article shall apply to living quarters occupied by employees of service personnel of a diplomatic representative and their family members that reside jointly with them, if these employees and their family members are not the citizens of the Republic of Kazakhstan.

3. The premise occupied by a consular agency and residency of a head of consular agency shall enjoy inviolability on the basis of mutuality. Access to these premises, their survey may take place only upon request or with the consent of a head of consular agency or diplomatic representative of the relevant foreign state.

4. Archives, official correspondence and other documents of diplomatic representatives and consular agencies are inviolable. They may not be subjected to survey and withdrawal without the consent of a head of diplomatic representative, consular agency. Diplomatic mail shall not be subject to printing and detention.

5. Consent of a head of diplomatic representative or consular agency to access to the premises mentioned by parts one, two and three of this Article, performance of survey, as well as to survey and seizure of documents mentioned in a part four of this Article shall be requested by a prosecutor through the Ministry of Foreign Affairs of the Republic of Kazakhstan.

6. In case of receipt of request or consent of a head of diplomatic representative or consular agency to access to premises, performance of survey, as well as survey and

seizure of documents mentioned in a part four of this Article shall be carried out in the presence of a prosecutor and representative of the Ministry of Foreign Affairs of the Republic of Kazakhstan.

Chapter 50. INTERACTION OF BODIES CARRYING OUT THE ADMINISTRATIVE INFRACTION PROCEEDING, WITH COMPETENT INSTITUTIONS AND CIVIL SERVANTS OF FOREIGN STATES ON CASES ON ADMINISTRATIVE INFRACTIONS

Article 880. General conditions of rendering of legal assistance on cases on administrative infractions

1. In accordance with rendering of legal assistance to courts, bodies (civil servants) of foreign states with which the Republic of Kazakhstan concluded the international treaty on legal assistance, or on the basis of interaction, the actions provided by this Code, as well as the other actions provided by other Laws and international treaties of the Republic of Kazakhstan may be conducted.

2. In case if the provisions of international treaty ratified by the Republic of Kazakhstan contradict this Code, the provisions of the international treaty shall be applied.

3. The costs linked with rendering of legal assistance shall be incurred by requested institution in a territory of own state, unless otherwise provided by the international treaty of the Republic of Kazakhstan.

Article 881. Direction of requests on provision of information and documents and instructions on conduct of separate procedural actions

1. Requests on provision of information and documents, instruction on conduct of separate procedural actions may be directed between courts, bodies (civil servants) in cases provided by international treaties ratified by the Republic of Kazakhstan.

2. In cases when it is impossible to determine to which court, body it is necessary to direct a request on provision of information and documents, instruction on conduct of separate procedural actions, they shall be directed to the central body of Requested Party.

3. Request on provision of information and documents, instruction on conduct of separate procedural actions shall be drawn up in written in a form of a body and shall contain:

- 1) name of requested body of the relevant Party;
- 2) name of requesting body of the relevant Party;
- 3) detailed description of an infraction and other facts related to it, data on costs of goods, on extent of damage, legal qualification of the act in accordance with the legislation of Requesting Party accompanied by a text of applied Law;
- 4) names, patronymics (when available) and last names of persons in respect of whom the administrative infraction proceeding is conducted, witnesses, their place of residence or place of stay, citizenship, occupation, place and date of birth, for legal entities – their full name and location (if there is information on listed details);
- 5) instruction on delivery of a document shall contain exact address of a recipient and name of delivered document;
- 6) list of details and actions subjected to representation or execution (for interrogation it is necessary to state which circumstances should be investigated and clarified, as well as a sequence and wording of the questions that shall be raised to a respondent).

4. Request on provision of information and documents, instruction on conduct of separate procedural actions may also contain:

- 1) specification of a term for execution of required measures;

2) petition on conduct of the measures mentioned in the request in a certain manner;

3) petition on a provision of possibility to representatives of bodies of Requesting Party to attend during performance of the measures mentioned in the request, as well as to participate in their performance if it is not inconsistent with the legislation of Parties;

4) other petitions linked with performance of a request, instruction.

5. The request on provision of information and documents, instruction on conduct of separate procedural actions shall be signed by a head of requesting body or his (her) deputy. The request, instruction shall be accompanied by available copies of documents to which there are references in a text of the request, instruction, copies of the other documents required for their proper execution.

6. Bodies of the Parties may send procedural documents by mail directly to participants of the administrative infraction proceeding being in a territory of the other Party.

7. Direction of repeated request on provision of information and documents, instruction on conduct of separate procedural actions on cases on administrative infractions shall be allowed upon necessity of receiving additional details, clarification of information received within the execution of previous request or instruction.

Article 822. Procedure for execution of requests on provision of information and documents and instructions on conduct of separate procedural actions

1. The court, body (civil servant) shall execute instructions of the relevant institutions and civil servants of foreign states transferred to them in established manner on the proceeding of procedural actions as a general rule of this Code.

2. Upon execution of an instruction, the procedural rules of foreign state may be applied if it is provided by the international treaty of the Republic of Kazakhstan with this state.

3. In cases provided by the international treaty, the representative of a competent institution of the other state may attend upon execution of an instruction.

4. If the request (instruction) may not be executed, the received documents shall be returned to the foreign institution from which the instruction was originated specifying reasons that obstructed its execution. The instruction shall be returned, if its execution may cause damage to sovereignty or security or contradicts the legislation of the Republic of Kazakhstan.

SECTION 5. EXECUTION OF DECREES ON IMPOSITION OF ADMINISTRATIVE SANCTIONS

Chapter 51. GENERAL PROVISIONS

Article 883. Entering of a decree on case on administrative infraction into legal force

The decree on a case on administrative infraction shall enter into legal force:

1) upon expiration of the term established for appealing the decree on case on administrative infraction, if it was not appealed or protested;

2) without delay after issuance of a decree on a complaint, protest, as well as issuance of the decree in case provided by article 339 of this Code;

3) without delay in case provided by a part two of article 811 of this Code.

Article 884. Obligatoriness of decree on imposition of administrative sanction

1. The decree on imposition of administrative sanction shall be compulsory for execution by all the state bodies, bodies of local self-government, civil servants, individuals and their associations, legal entities.

2. The decree on imposition of administrative sanction shall be subject to execution from the date of its entering into legal force

3. The decree on imposition of administrative sanction in the form of deprivation of a special right and administrative arrest shall be subject to execution from the date of issuance.

Article 885. Recourse of decree to execution

Recourse of decree on imposition of administrative sanction to execution shall be assigned on a judge, body (civil servant) that issued the decree. The decree shall be directed to a body (civil servant) authorized to carry it into execution within a day from the date of its entering into legal force. The decree on imposition of administrative infraction in the form of deprivation of the special right shall be directed to bodies authorized to carry it into execution immediately after its issuance.

Article 886. Carrying decree on imposition of administrative sanction into execution

1. The decree on imposition of administrative sanction shall be carried into execution by authorized bodies in the manner established by this Code.

2. In case of issuance of several decrees on imposition of administrative sanctions in respect of one person, each decree shall be carried into execution on an independent basis.

3. Avoidance of a person from administrative sanction shall entail execution of this sanction in a compulsory manner in accordance with the legislation.

Article 887. Solution of issues linked with execution of a decree on imposition of administrative sanction

1. The body (civil servant) that issued a decree on imposition of administrative sanction shall be assigned to solve the issues linked with execution of this decree, and control of its execution.

2. The issues on deferral, installment, suspension or termination of executing a decree on imposition of administrative infraction, as well as on recover of a fine imposed on a minor person from his (her) parents or persons substituting them, shall be considered by a judge, body (civil servant) that issued the decree within three days term from the date of occurrence of the ground for solution of the relevant issue.

3. The persons interested in solution of the issues mentioned in a part two of this Article shall be notified on place and time of their consideration. By this, non-appearance of interested persons without reasonable excuses is not an impediment for solution of the relevant issues. Upon consideration of the issue on avoidance from serving administrative arrest, the appearance of the person subjected to administrative arrest shall be compulsory.

4. Solution on the issues mentioned in a part two of this Article shall be adopted in the form of decree.

5. Copy of a decree shall be delivered immediately to an individual or representative of legal entity in respect of whom it is issued, as well as to an injured person upon his (her) request against receipt. In case of absence of mentioned persons, the copy of a decree shall be sent within three days from the date of its issuance, whereat the relevant record shall be made in a case.

Article 888. Deferral and installment of execution of a decree on imposition of administrative sanction

Inexistence of circumstances making impossible the execution of a decree on imposition of administrative sanction in the form of administrative arrest, deprivation

of the special right or fine (with the exception of recovery of a fine at the place of commission of administrative infraction) within the terms established by the Law, the judge, body (civil servant) that issued the decree may prolong the execution of the decree for the term up to one month upon application of a person in respect of whom the decree is issued. Regarding material status of a person brought to administrative liability, the judge, body (civil servant) that issued the decree may allow payment of the by installments for the term up to three months.

In existence of a court decision that entered into legal force on conduct of restructurisation of a second tier bank and (or) organization included into bank conglomerate as parental organization and that is not the second tier bank, upon their application, the decree on imposition of administrative sanction may be deferred by a judge, body (civil servant) that issued the decree until entering of the court decision into legal force on termination of restructurisation of a second tier bank and (or) organization included into bank conglomerate as parental organization and that is not the second tier bank.

Article 889. Release from execution of administrative sanction

The judge, body (civil servant) that issued a decree on imposition of administrative sanction shall terminate execution of the decree and release from administrative sanction in cases of:

- 1) repeal of the Law or its separate provisions establishing administrative liability;
- 2) provided by a part two of Article 8 of this Code;
- 3) death of a person brought to administrative liability or declaring him (her) decedent in the manner established by the Law;
- 4) expiration of the term of limitation of execution of a decree on imposition of administrative sanction established by Article 890 of this Code;
- 5) provided by the legislative act of the Republic of Kazakhstan on coming of the Code of the Republic of Kazakhstan dated 10 December 2008 "On taxes and other compulsory payments to budget" (Tax Code) into effect.

Article 890. Limitation of execution of a decree on imposition of administrative sanction

1. The decree on imposition of administrative sanction shall not be subject to execution, if it was not carried into execution within a year from the date of entering into legal force, and for infractions in the field of tax assessment and antimonopoly legislation of the Republic of Kazakhstan within five years from the date of its entering into legal force.

2. In case of suspension of the execution of a decree in accordance with Article 834 of this Code, the running of period of limitation shall be suspended until consideration of a complaint or protest.

3. Running of the term of limitation provided in a part one of this Article, shall be revived if the person brought to administrative liability avoids its execution. Calculation of the term of limitation in this case shall be restored from the date of detection of this person.

4. In case of deferral of execution of a decree in accordance with Article 888 of this Code, running of the term of limitation shall be suspended until expiration of the term for deferral, and upon execution of the decree by installments, running of the term of limitation shall be extended for the term of deferral.

Article 891. Completion of the proceeding on execution of a decree on imposition of administrative sanction

1. The decree on imposition of administrative sanction according to which the sanction is collected in full, shall be returned by a body executing the decree to a

judge (body) that issued the decree with a note on collected sanction.

2. The decree on imposition of administrative sanction according to which the execution was not carried out or the execution is carried not in full, shall be returned to a body (civil servant) that issued the decree, drew up a protocol on administrative infraction, in cases and in the manner provided by the Law of the Republic of Kazakhstan "On execution proceeding and status of officers of justice".

Chapter 52. PROCEDURE FOR EXECUTION OF SEPARATE TYPES OF ADMINISTRATIVE INFRACTIONS

Article 892. Execution of a decree on issuance of a notification

The decree on imposition of administrative sanction in the form of a notification shall be executed by a judge, body (civil servant) that issued the decree by delivering or sending copies of the decree in accordance with Article 823 of this Code.

Article 893. Voluntary execution of a decree on imposition of fine

1. Fine shall be subject to payment by a person brought to administrative liability no later than thirty days from the date of entering of the decree into legal force.

In case of deferral provided by Article 888 of this Code, the fine shall be subject to payment by a person brought to administrative liability from the date of expiration of the term for deferral.

2. The fine imposed for commission of administrative infraction shall be entered by an individual or shall be transferred by a legal entity to the state budget in established manner with the following notification in written form of a judge or body (civil servant) that issued the decree on imposition of the fine, issued a prescription on necessity to pay the fine.

Article 894. Compulsory execution of a decree on imposition of a fine on an individual, individual entrepreneur, private notary officer, private officer of justice and advocate

1. The decree on imposition of a fine shall be directed by a court, authorized body (civil servant) to administration of the organization when the person brought to liability works or receives remuneration, pension, scholarship for deduction of the fine amount in compulsory manner from his (her) salary or other incomes. Deduction of the fine shall be carried out within the term not exceeding six months. The priority of recovery of the fine shall be carried out in the manner provided by the Civil Code of the Republic of Kazakhstan.

2. In cases of dismissal of a person brought to administrative liability from work or impossibility to recover a fine from his (her) salary or other incomes, the administration of an organization shall return the decree on imposition of a fine, prescription on necessity to pay the fine to a court, body (civil servant) that issued the decree, within the term of ten days from the date of dismissal or occurrence of the event entailing impossibility of recovery, with specification of new place of work of the person brought to liability (if available), the reasons of impossibility of recovery, as well as with a note on performed deductions (if such were performed).

3. If the individual subjected to fine is not employed or recovery of the fine from salary or other incomes is impossible by other reasons, the decree on imposition of the fine, prescription on necessity to pay the fine shall be directed by a court, authorized body that issued the decree to an officer of justice for compulsory execution in the manner provided by the legislation of the Republic of Kazakhstan.

4. The decree on imposition of a fine on administrative infractions considered by the state revenues bodies, as well as on other administrative infractions in the field

of tax assessment in respect of individual entrepreneurs, private notary officers, judicial enforcement agent and advocates shall be executed by the state revenues bodies in the manner established by the tax legislation of the Republic of Kazakhstan.

Footnote. Article 894 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 895. Compulsory execution of a decree on imposition of a fine on a legal entity

1. The decree on imposition of a fine shall be directed by a court, authorized body (civil servant) to an officer of justice for withdrawal of money from banking account of a legal entity without its consent in the manner established by the civil legislation of the Republic of Kazakhstan, legislation of the Republic of Kazakhstan on payment and money transfers on execution proceeding and status of officers of justice.

The decree on imposition of a fine on administrative infractions considered by the state revenues bodies, as well as on other administrative infractions in the field of tax assessment shall be executed by the state revenues bodies in the manner established by the tax legislation of the Republic of Kazakhstan.

2. The bank or organization carrying out other types of banking operations shall be obliged to transfer fine amount to the budget in established manner.

3. In case of absence of money on accounts of a legal entity, the officer of justice shall levy execution upon other property belonging to a debtor in accordance with the Laws of the Republic of Kazakhstan.

Footnote. Article 895 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 896. Procedure for direction of a decree on imposition of a fine for compulsory execution

1. The decree on imposition of a fine or prescription on necessity to pay the fine shall be directed to officers of justice within ten days after expiration of the term for voluntary execution of the decree on imposition of the fine.

Upon direction of a decree on imposition of a fine or prescription on necessity to pay the fine to an officer of justice, it shall be accompanied by details on non-receipt of the fine amount to the state revenues.

2. The decree on imposition of a fine, prescription on necessity to pay the fine directed for compulsory execution with violation of the requirements of this Code shall be subject to return to the state body that imposed administrative sanction.

3. Return of a decree on imposition of a fine, prescription on necessity to pay the fine to a body that imposed administrative sanction is not an impediment for their repeated direction for compulsory execution with the eliminated shortcomings.

Article 897. Procedure for execution of separate types of administrative sanctions

1. The person that recognized a fact of commission of an infraction and that is agreed with payment of the fine, on the basis of received notification and (or) notice on appearance in the state revenues body directed (delivered) by the state revenues body in accordance with the legislation of the Republic of Kazakhstan, shall pay the fine within ten days from the date next to the date of receipt (delivery) of the notification or notice.

2. The documents mentioned in a part one of this Article shall also contain details on date of issuance, position, last name, initials of a civil servant that imposed the sanction, details on a person brought to administrative liability, Article of this Code providing the liability for this infraction, time and place of commission of the administrative infraction, amount of administrative fine, requisite elements for paying the fine.

3. In case of non-performance of the requirement established by a part one of this Article, the administrative infraction proceeding shall be carried out in the manner provided by this Code.

Footnote. Article 897 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 898. Completion of proceeding on execution of a decree on imposition of a fine

The decree on imposition of a fine on which recovery of fine is carried out in full, shall be returned to a body (civil servant) that issued the decree with a note on execution.

Article 899. Execution of a decree on confiscation of a subject that is a tool or subject for commission of administrative infraction, and equally of property received due to commission of administrative infraction

1. The decree of a judge on confiscation of a subject that is a tool or subject for commission of administrative infraction, as well as property including incomes (dividends), money and securities received due to commission of administrative infraction, shall be executed in the manner provided by the legislation by an officer of justice, and on confiscation of weapons, ammunition, special technical means for conduct of special operational investigative measures and encryption-based means of information protection and narcotic drugs – by the internal affairs body.

2. Selling or further use of confiscated subject that is a tool or subject of commission of administrative infraction shall be carried out in the manner established by the Government of the Republic of Kazakhstan.

Article 900. Bodies executing a decree on deprivation of the special right

1. The decree of judge on deprivation of the right of operating transport vehicles, with the exception of tractors, self-propelled vehicles and other types of technology shall be executed by civil servants of the internal affairs bodies.

2. The decree of judge on deprivation of the right of operating tractors, self-propelled vehicle or other types of technology shall be executed by civil servants of the bodies carrying out state supervision of technical condition of the self-propelled vehicles and other types of technology.

3. The decree of judge on deprivation of the right of operating vessels, including small size vessels shall be executed by civil servants of the bodies carrying out the state supervision of compliance with the rules of using vessels, including small size vessels.

4. The decree of judge on deprivation of the right of operating radio electronics and high frequency means shall be executed by civil servants of the bodies carrying out the state supervision of communications.

5. The decree of judge on deprivation of the right of hunting shall be executed by civil servants of the bodies carrying out the state supervision of compliance with the hunting regulations.

6. The decree of judge on deprivation of the right of bearing and keeping weapons shall be executed by civil servants of the internal affairs bodies.

Article 901. Procedure for execution of a decree on deprivation of the special right

1. Execution of a decree on deprivation of the right of operating transport vehicles, vessels or other types of technology shall be carried out by withdrawal of driving license respectively for the right to operate vessels, including small size

vessels, or certificate of a tractor driver (tractor operator), if the driver, navigator or tractor driver (tractor operator) are deprived of the right of operation of all the types of transport vehicles, vessels (including small size vessels) and other technology.

2. If the driver, navigator or tractor driver (tractor operator) are deprived of the right of operating not all the types of transport vehicles, vessels, including small size vessels, or another technology, it shall be stated in a driving license, certificate for the right of operation of small size vessel or in a certificate of a tractor driver (tractor operator) by which types of transport vehicles, small size vehicles, self-propelled devices they are deprived of the right to operate.

3. Procedure for withdrawal of a certificate for the right of operation of transport vehicles or vessel shall be established by the authorized body.

4. In case of avoidance of a driver (navigator) or a tractor driver (tractor operator) deprived of the right of operation of transport vehicles, vessel or right of operation of a tractor or other self-propelled vehicle from delivery of the driving license, certificate for the right of operating a vessel or certificate of a tractor driver (tractor operator), the internal affairs bodies, bodies carrying out state supervision of compliance with the rules of using the vessels, including small size vessels, as well as bodies carrying out state supervision of technical condition of self-propelled machines and other types of technology shall carry out withdrawal of the driving license, certificate for the right of operating a vessel or certificate of a tractor driver (tractor operator) in established manner.

5. Upon expiration of the term of deprivation of the special right, the withdrawn documents shall be returned to a person subjected to this type of administrative sanction in established manner.

Article 902. Procedure for execution of a decree on deprivation of the right of hunting

1. Execution of a decree on deprivation of the right of hunting shall be carried out by withdrawal of hunting permit.

2. In case of avoidance of a person deprived of the right of hunting from delivery of hunting permit, the withdrawal of the hunting permit shall be carried out by the bodies carrying out state supervision of compliance with the hunting regulations in established manner.

Article 903. Procedure for execution of a decree on deprivation of the right of operating radio electronic means or high frequency devices

1. Execution of a decree on deprivation of the right of operating radio electronic means or high frequency devices shall be carried out by withdrawal of the special permit for operation of radio electronic means or high frequency devices.

2. In case of avoidance of a person deprived of the right of operating radio electronic means or high frequency devices from delivery of the special permit of operating radio electronic means or high frequency devices, the relevant authorized state body shall carry out withdrawal of the special permit for operating radio electronic means or high frequency devices in established manner.

3. The procedure for withdrawal of the special permit for operating radio electronic means or high frequency devices shall be established by the authorized state body in the field of informatization and communications.

Article 904. Procedure for execution of a decree on deprivation of the right of bearing and keeping weapons

Execution of a decree on deprivation of the right of bearing and keeping weapons shall be carried out by withdrawal of the relevant certificate and weapons by internal affairs bodies in the manner provided by the legislation.

Article 905. Execution of a decree on deprivation of a permit or suspension of its validity

The decree on deprivation of a permit of an individual, individual entrepreneur or legal entity or suspension of its validity shall be enforced in the manner established by this Code and legislation on permissions and notifications.

Article 906. Bodies executing a decree on deprivation of a permit or suspension of its validity

The decree on deprivation of a permit of an individual, individual entrepreneur or legal entity or suspension of its validity shall be enforced by civil servants of the bodies that issued the permit.

Article 907. Procedure for execution of a decree on deprivation of a permit or suspension of its validity

1. Execution of a decree on deprivation of a permit of an individual, individual entrepreneur or legal entity shall be carried out by withdrawal of the permit and (or) exclusion of the permit from the state electronic register of permissions and notifications.

2. In case of avoidance of an individual, individual entrepreneur or legal entity from delivery of the permit, the body that issued the permit shall take measures provided by the legislation for withdrawal of the permit and exclusion of the permit from the state electronic register of permissions and notifications.

Article 908. Calculation of terms of deprivation of a permit or suspension of its validity

1. The term of deprivation of a permit or suspension of its validity shall be calculated from the date of entering of a decree on deprivation (suspension of validity) of the permit into legal force.

2. Upon expiry of the term of deprivation of a permit for particular type of activity, the person subjected to this measure of administrative sanction shall obtain a license in the manner established by the legislation.

Upon expiry of the term of validity of a permit, the withdrawn permit shall be returned to a person subjected to this measure of administrative sanction in established manner.

3. The validity of a permit shall be suspended from the date stated in a decree on imposition of administrative sanction and for the term stated there.

Article 909. Execution of a decree on suspension or prohibition of activity

1. The decree on imposition of administrative sanction in the form of suspension or prohibition of activity of a legal entity or individual entrepreneur shall be issued by a judge and shall be subject to execution without delay upon entering of the decision into legal force by a founder of legal entity or individual entrepreneur.

2. During the period of suspension of activity of a legal entity and individual entrepreneur, their right to use money being on banking accounts shall be suspended, with the exception of payments of compensation for harm inflicted to life and health, recovery of alimonies, on labour payment and compensation to persons working under the labour contract, social expenditures, compulsory pension contributions, compulsory professional pension contributions, tax payments and other compulsory payments to budget, payment of fines. During the period of suspension of activity of a public association, it shall be prohibited to use mass media, to carry on agitation and

propaganda, to hold rallies, demonstrations and other mass events, to take participation in elections. If within established term of suspension of activity, the public association eliminated the violation, then upon expiry of the term stated in a decree, the public association shall restore own activity.

3. In case of failure to execute administrative sanction imposed by a judge in the form of suspension or prohibition of activity by a founder (governing body, civil servant) of a legal entity or individual entrepreneur on a voluntary basis, the suspension shall be enforced in the manner of execution proceeding by the authorized body.

Article 910. Procedure for execution of a decree on suspension or prohibition of activity

1. Authorized civil servant shall suspend work of organizations, separate enterprises, shall prohibit operation of buildings, constructions, separate premises, warehouses, electric networks, heating devices in part or in full.

2. After receipt of a decision on prohibition of activity (liquidation) of a legal entity, the body carrying out registration of legal entities shall check compliance with the procedure for prohibition of activity (liquidation) provided by the legislation and within ten days shall register termination of activity of the legal entity, whereat the authorized body in the field of state statistics shall be notified.

Article 911. Execution of a decree on compulsory demolition of a building

1. The court decree on compulsory demolition of illegally constructing or constructed building shall be enforced by a person in respect of whom this administrative sanction is issued.

2. In case of failure to execute administrative sanction imposed by a court in the form of compulsory demolition of illegally constructing or constructed building on a voluntary basis, the decree shall be enforced in the manner of execution proceeding by the authorized body.

Article 912. Costs for execution of a decree on compulsory demolition of a building

Compulsory demolition of illegally constructed or constructing building shall be carried out on account of an offender.

Article 913. Execution of a decree on administrative arrest

1. The court decree on administrative arrest shall be enforced by internal affairs bodies and bodies of military police in the manner established by the legislation of the Republic of Kazakhstan.

2. Persons subjected to administrative arrest shall be detained under custody at the places determined by internal affairs bodies. Upon execution of a decree on administrative arrest, the arrested persons shall be subject to personal inspection.

Military servants shall serve administrative arrest in detention quarters.

3. Service of administrative arrest shall be carried out in accordance with the rules established by the legislation of the Republic of Kazakhstan.

Article 914. Consequences of avoidance from serving administrative arrest

If the person subjected to administrative arrest willfully leaves the place of his (her) service until expiration of the term of administrative arrest, the served sentence may be disregarded in term of administrative arrest in full or in part by a judge's decree. By this, the judge shall establish beginning of new term for serving administrative arrest.

Article 915. Execution of a decree in a part of compensation of property damage

The decree on a case on administrative infraction in a part of compensation of property damage subjected to recovery in accordance with Article 59 of this Code shall be enforced in the manner established by the legislation.

Article 916. Execution of a decree on administrative expulsion of foreign persons and stateless persons from the Republic of Kazakhstan

1. Execution of a decree on administrative expulsion of foreign persons and stateless persons from the Republic of Kazakhstan shall be carried out by controlled independent departure of expelled person from the Republic of Kazakhstan.

Costs for expulsion shall be incurred by expelled illegal immigrants, individuals or legal entities that invited the immigrant to the Republic of Kazakhstan. In cases of absence or insufficiency of funds of mentioned persons for covering the costs for expulsion, the financing of the relevant events shall be performed on account of budget funds.

In accordance with international treaties ratified by the Republic of Kazakhstan, the organization responsible for transportation of persons from the territory of the Republic of Kazakhstan that entered without the right of entry is the transport organization that brought these persons.

2. The persons that did not execute a court decision on expulsion and that did not leave the territory of the Republic of Kazakhstan within the term stated in the decision, shall be subject to expulsion in compulsory manner under the court decision.

3. If the transfer of expelled person to a representative of foreign state is not provided by the treaty of the Republic of Kazakhstan with mentioned state, the expulsion shall be carried out at the place determined by the Frontier Service of the National Security Committee of the Republic of Kazakhstan.

4. Upon expulsion of foreign persons or stateless persons from the check point through the State Border of the Republic of Kazakhstan, the authorities of a foreign state to (through) the territory of which the mentioned person is expelled shall be notified, if the expulsion is provided by a treaty of the Republic of Kazakhstan with mentioned state.

5. Execution of a decree on administrative expulsion shall be drawn up in the form of bilateral or unilateral act.

Article 917. Bodies carrying out execution of a decree on administrative expulsion of foreign persons and stateless persons from the Republic of Kazakhstan

The decree on administrative expulsion of foreign persons or stateless persons from the Republic of Kazakhstan shall be executed:

1) by the Frontier Service of the National Security Committee of the Republic of Kazakhstan upon commission of infractions provided by Articles 513 (part two), 514 (part two), 516 (part two), 517 (parts two, four, six, seven) of this Code;

2) internal affairs bodies upon commission of infractions provided by Articles 109, 449 (part three), 490 (parts three, seven), 495 (part two), 517 (parts two, four, five) of this Code.

Footnote. Article 917 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

Article 918. Execution of a decree on testing of knowledge of road traffic rules

The decree on testing of knowledge of road traffic rules shall be enforced by internal affair bodies in the manner established by the legislation.

Chapter 53. FINAL PROVISIONS

Article 919. Procedure for application of this Code

The decrees on a case on administrative infraction of a court, body (civil servants) authorized to consider cases on administrative infractions issued and not executed before entering of this Code into force for the purpose of their bringing in compliance with Article 5 of this Code establishing retroactive effect of the Law on administrative infractions in the case when the Law mitigates or aggravates the liability for an administrative infraction or otherwise improves the position of a person that committed the administrative infraction, shall be subject to review. Review of previously issued decrees shall be carried out by a judge of the court, civil servant of the body, that issued the decree upon application of a person in respect of whom it was issued.

Article 920. Order of entering of this Code into force

1. From the date of entering of this Code into force, it shall be deemed to have lost force:

Code of the Republic of Kazakhstan on administrative infractions dated 30 January 2001 (The bulletin of the Parliament of the Republic of Kazakhstan, 2001, No. 5-6, Article 24; No. 17-18, Article 241; No. 21-22, Article 281; 2002, No. 4, Article 33; No. 17, Article 155; 2003, No. 1-2, Article 3; No. 4, Article 25; No. 5, Article 30; No. 11, Article 56, 64, 68; No. 14, Article 109; No. 15, Article 122, 139; No. 18, Article 142; No. 21-22, Article 160; No. 23, Article 171; 2004, No. 6, Article 42; No. 10, Article 55; No. 15, Article 86; No. 17, Article 97; No. 23, Article 139, 140; No. 24, Article 153; 2005, No. 5, Article 5; No. 7-8, Article 19; No. 9, Article 26; No. 13, Article 53; No. 14, Article 58; No. 17-18, Article 72; No. 21-22, Article 86, 87; No. 23, Article 104; 2006, No. 1, Article 5; No. 2, Article 19, 20; No. 3, Article 22; No. 5-6, Article 31; No. 8, Article 45; No. 10, Article 52; No. 11, Article 55; No. 12, Article 72, 77; No. 13, Article 85, 86; No. 15, Article 92, 95; No. 16, Article 98, 102; No. 23, Article 141; 2007, No. 1, Article 4; No. 2, Article 16, 18; No. 3, Article 20, 23; No. 4, Article 28, 33; No. 5-6, Article 40; No. 9, Article 67; No. 10, Article 69; No. 12, Article 88; No. 13, Article 99; No. 15, Article 106; No. 16, Article 131; No. 17, Article 136, 139, 140; No. 18, Article 143, 144; No. 19, Article 146, 147; No. 20, Article 152; No. 24, Article 180; 2008, No. 6-7, Article 27; No. 12, Article 48, 51; No. 13-14, Article 54, 57, 58; No. 15-16, Article 62; No. 20, Article 88; No. 21, Article 97; No. 23, Article 114; No. 24, Article 126, 128, 129; 2009, No. 2-3, Article 7, 21; No. 9-10, Article 47, 48; No. 13-14, Article 62, 63; No. 15-16, Article 70, 72, 73, 74, 75, 76; No. 17, Article 79, 80, 82; No. 18, Article 84, 86; No. 19, Article 88; No. 23, Article 97, 115, 117; No. 24, Article 121, 122, 125, 129, 130, 133, 134; 2010, No. 1-2, Article 1, 4, 5; No. 5, Article 23; No. 7, Article 28, 32; No. 8, Article 41; No. 9, Article 44; No. 11, Article 58; No. 13, Article 67; No. 15, Article 71; No. 17-18, Article 112, 114; No. 20-21, Article 119; No. 22, Article 128, 130; No. 24, Article 146, 149; 2011, No. 1, Article 2, 3, 7, 9; No. 2, Article 19, 25, 26, 28; No. 3, Article 32; No. 6, Article 50; No. 8, Article 64; No. 11, Article 102; No. 12, Article 111; No. 13, Article 115, 116; No. 14, Article 117; No. 16, Article 128, 129; No. 17, Article 136; No. 19, Article 145; No. 21, Article 161; No. 24, Article 196; 2012, No. 1, Article 5; No. 2, Article 9, 11, 13, 14, 16; No. 3, Article 21, 22, 25, 26, 27; No. 4, Article 32; No. 5, Article 35, 36; No. 8, Article 64; No. 10, Article 77; No. 12, Article 84, 85; No. 13, Article 91; No. 14, Article 92, 93, 94; No. 15, Article 97; No. 20, Article 121; No. 23-24, Article 125; 2013, No. 1, Article 2, 3; No. 2, Article 10, 11, 13; No. 4, Article 21; No. 7, Article 36; No. 8, Article 50; No. 9, Article 51; No. 10-11, Article

54, 56; No. 13, Article 62, 63, 64; No. 14, Article 72, 74, 75; No. 15, Article 77, 78, 79, 81, 82; No. 16, Article 83; No. 23-24, Article 116; 2014, No. 1, Article 6, 9; No. 2, Article 10, 11; No. 3, Article 21; No. 4-5, Article 24; No. 7, Article 37; No. 8, Article 44, 46, 49; the Law of the Republic of Kazakhstan dated 10 June 2014 “On amendments and supplements in several legislative acts of the Republic of Kazakhstan on the issues of counteractions of legitimization (laundering) of incomes received by illegal means, and financing of terrorism” published in newspapers “Yegemen Kazakhstan” and “Kazakhstanskaya pravda” on 14 June 2014.

2. This Code enters into legal force from 1 January 2015 with the exception of subparagraph 8) of part five of Article 281 and subparagraph 6) of part three of article 282 that enter into force from 1 January 2016.

Footnote. Article 920 as amended by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 272-V (shall be enforced from 01.01.2015).

The President

of the Republic of Kazakhstan

N.NAZARBAYEV