



## On approval of the Rules for certification of state cultural organizations

### *Unofficial translation*

Decree of the Government of the Republic of Kazakhstan No. 127 dated February 11, 2011

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In accordance with Paragraph 3 of Article 20-1 of the Law of the Republic of Kazakhstan dated December 15, 2006 "On Culture", the Government of the Republic of Kazakhstan hereby **DECREES AS FOLLOWS:**

1. Approve the attached Rules for certification of state cultural organizations.
2. This Decree shall be enforced upon expiry of ten calendar days after the first official publication.

*The Prime Minister of the Republic of Kazakhstan*

*K. Massimov*

Approved by  
the Decree of the Government of  
the Republic of Kazakhstan  
No. 127 dated February 11, 2011

## **Rules for certification of state cultural organizations**

### **1. General Provisions**

1. These Rules for certification of state cultural organizations shall be developed in accordance with Paragraph 3 of Article 20-1 of the Law of the Republic of Kazakhstan dated December 15, 2006 "On Culture" and determine the procedure for certification of state cultural organizations.

2. Certification of state cultural organizations (hereinafter referred to as certification of organizations) shall be carried out to assess the efficiency of their core activities and rational use of material, labor and financial sources, to streamline their network and structure on this basis.

3. Certification of organizations shall be carried out by:

- 1) republican significance - authorized agency for culture;
- 2) local significance - local executive authorities of region, city of republican significance, capital, district, city of regional significance (hereinafter referred to as - local executive authority).

For certification of organizations by the authorized agency for culture and local executive authority (hereinafter referred to as the state authority), a certification commission (hereinafter referred to as the commission) shall be created.

4. The composition and position of the Commission shall be approved by the relevant state authority.

4-1. The commission ceases its activity on the basis of a decision of a state authority.

**Footnote. The Rules are supplemented by Paragraph 4-1 in accordance with the Decree of the Government of the Republic of Kazakhstan No. 1184 dated 08.11.2013 (shall be enforced upon expiry of ten calendar days from the date of first official publication).**

## **2. Procedure for certification of organizations**

5. When certifying organizations carried out according to their profile, the following indicators shall be evaluated:

1) production, creative and financial activities of organization:

functioning of organization in accordance with the charter (regulation);

implementation of cooperation with organizations in the field of activity;

periodic training and professional development of employees of organization;

rational use of material, labor and financial sources;

2) administrative and managerial activities of organization:

professional staff of organization;

information on the results of certification of employees of state cultural organizations;

3) material and technical security of organization:

acts of material base state of organization;

functioning of technical means of organization.

6. The schedule for certification of organizations (hereinafter referred to as the schedule) shall be approved by the state authority until January 15 for the current calendar year and communicated to organizations no later than three months prior to certification.

7. Organizations that are subject to certification in accordance with the schedule, no later than a month before the certification shall submit the following documents to the state authority:

1) a certificate of the results of production, creative and financial activities of organization (analytical report and financial report);

2) copies of documents on administrative and managerial activities of organization (orders, agreements);

3) a certificate of professional composition of organization's employees with surname, name, patronymic, specialty in diploma, length of service (including in this organization), as well as information on advanced training and information on certification;

4) a certificate of material and technical security of organization.

Documents shall be signed by the first head of organization, or by the person performing his duties, and affixed by seal.

8. All state cultural organizations every five years shall be subject to certification.

9. The commission carries out certification of organizations in accordance with the schedule within seven working days for each organization on the basis of documents submitted by the state authority.

10. Based on the results of certification of organizations, a positive or negative opinion shall be drawn up, which is signed by the members of the Commission and sent to the state authority within two business days.

11. The Commission's opinion shall be advisory.

12. The basis for negative opinion of the Commission on non-certification of organization shall be:

1) failure to fulfill the plan of production and creative activities of organization for the corresponding year;

2) non-compliance with the legislation of the Republic of Kazakhstan and the charter (regulation) in the implementation of administrative, managerial and financial activities;

3) establishment of professional discrepancies in the composition of employees;

4) determination of the unsatisfactory state of material and technical security of organization.

13. From the date of receipt of opinion of the Commission, the state authority, within a period not exceeding fifteen working days, shall decide:

1) with a positive opinion - "certify";

2) with a negative opinion - "do not certify".

14. An organization that does not pass certification shall be subject to re-certification. Within six months from the date of the decision by the state authority, the organization eliminates the identified deficiencies, according to the Commission's opinion.

15. Re-certification shall be carried out after six months from the date of the initial certification in the manner specified by these Rules.

16. The decision to "certify" the organization shall be made by the state authority in case of a positive opinion of the Commission on the eliminated deficiencies of the organization.

17. In the event that the organization does not eliminate the deficiencies, the Commission draws up a second negative opinion and submits to the state authority a proposal to bring the head to disciplinary liability for failure to perform or improper performance of his/her labor duties in accordance with the legislation of the Republic of Kazakhstan.

18. The state authority, on the basis of a proposal from the Commission, takes an appropriate decision in the manner prescribed by the legislation of the Republic of Kazakhstan.

19. A non-certified organization shall be subject to regular certification after one year from the date of adoption of a decision by the state authority on failure to pass re-certification in the manner specified by these Rules.

19-1. Organizations not certified by the state authority shall have the right to appeal the decision on non-certification in the manner established by the legislation of the Republic of Kazakhstan.

Footnote. The Rules are supplemented by Paragraph 19-1 in accordance with the Decree of the Government of the Republic of Kazakhstan No. 1184 dated 08.11.2013 (shall be enforced upon expiry of ten calendar days from the date of first official publication).

19-2. Information on certified and non-certified organizations shall be available on the Internet resource of the relevant state authority.

Footnote. The Rules are supplemented by Paragraph 19-2 in accordance with the Decree of the Government of the Republic of Kazakhstan No. 1184 dated 08.11.2013 (shall be enforced upon expiry of ten calendar days from the date of first official publication).

### **3. Final provisions**

Footnote. Section 3 is excluded by the Decree of the Government of the Republic of Kazakhstan No. 1184 dated 08.11.2013 (shall be enforced upon expiry of ten calendar days from the date of first official publication).