

On approval of the Rules for issuing permits for repeated crossing of the State Border of the Republic of Kazakhstan by Kazakhstan vessels for fishing activities in the territorial waters (sea), internal waters and on the continental shelf, spatial and temporal limits of permits validity, as well as the Rules of monitoring these vessels

Unofficial translation

Decree of the Government of the Republic of Kazakhstan dated March 11, 2014 No. 209.

Unofficial translation

Footnote. The title as amended by the Resolution of the Government of the Republic of Kazakhstan dated 24.04.2024 №331 (effective ten calendar days after the date of its first official publication).

In accordance with subparagraph 12) of Article 55 of the Law of the Republic of Kazakhstan “On the State Border of the Republic of Kazakhstan”, the Government of the Republic of Kazakhstan **RESOLVES**:

Footnote. Preamble as amended by the Resolution of the Government of the Republic of Kazakhstan dated 24.04.2024 №331 (effective ten calendar days after the date of its first official publication).

1. To approve the attached:

1) Rules for issuing permits for the repeated crossing of the State Border by Kazakhstani vessels for fishing activities in the territorial waters (sea), internal waters and on the continental shelf, the spatial and temporal limits of validity of permits;

2) Rules for exercising control over Kazakhstani vessels for fishing activities in the territorial waters (sea), internal waters and on the continental shelf of the Republic of Kazakhstan.

2. This Decree shall be enforced upon expiry of ten calendar days after the date of its first official publication.

*Prime Minister
of the Republic of Kazakhstan*

S. Akhmetov

Approved by
the Decree of the Government
of the Republic of Kazakhstan
dated March 11, 2014 №209

Rules

for issuing permits for the repeated crossing of the State Border by Kazakhstani vessels for fishing activities in the territorial waters (sea), internal waters and on the continental shelf, the spatial and temporal limits of validity of permits

Footnote. The Rules as reworded by the Decree of the Government of the Republic of Kazakhstan dated 11.02.2019 №50 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

1. General provisions

1. These Rules for issuing permits for the repeated crossing of the State Border by Kazakhstani vessels for fishing activities in the territorial waters (sea), internal waters and on the continental shelf, the spatial and temporal limits of validity of permits (hereinafter referred to as the Rules) shall determine the procedure for the issuance of permits for the repeated crossing of the State Border of the Republic of Kazakhstan by Kazakhstani vessels for fishing activities in the territorial waters (sea), internal waters and on the continental shelf of the Republic of Kazakhstan (hereinafter referred to as the permits), their spatial and temporal limits of validity.

2. These Rules shall apply to Kazakhstani vessels carrying out fishing activities, fishing activities, the purpose of which is the delivery of products (objects) of fishing for the sale or production of fish and other products on the territory of the Republic of Kazakhstan without reloading of products (objects) of fishing on foreign ships, as well as on Kazakhstani vessels, in respect of which border control has been carried out (hereinafter referred to as the Kazakhstani vessels).

2. Procedure for issuing permits

3. To obtain permits, a legal entity or an individual entrepreneur (hereinafter referred to as the initiator) shall submit in an electronic format through the web portal of the “electronic government” (hereinafter referred to as the portal) to the Border Service of the National Security Committee of the Republic of Kazakhstan (hereinafter referred to as the Border Service) the following documents:

1) application on issuing a permit (hereinafter referred to as the application) in the form, according to annex 1 to the Rules, attached with a crew list, drawn up by the captain (owner) of a Kazakhstani vessel;

2) a copy of the ownership certificate for a Kazakhstani vessel or a copy of a lease agreement for a Kazakhstani vessel (for marine vessels);

3) a copy of the certificate of the right to sail under the State Flag of the Republic of Kazakhstan (for marine vessels);

4) a copy of a permit for the use of wildlife;

5) copies of permits for hiring foreign labor force and stateless persons;

6) a copy of ship’s certificate (for vessels, registered with the State Registry of Ships of the Republic of Kazakhstan).

Footnote. Paragraph 3 as amended by the Resolution of the Government of the Republic of Kazakhstan dated 24.04.2024 №331 (effective ten calendar days after the date of its first official publication).

4. The period for consideration of an application and issuance of a permit by the Border Service through the portal in the form according to Annex 2 to the Rules, shall not exceed fifteen working days from the date of submission of the application by the initiator.

5. Grounds for refusal to issue a permit shall be:

1) submission of documents, specified in clause 3 of the Rules, not in full, or the presence of inaccurate or incomplete information in them;

2) no need to repeatedly cross the State Border of the Republic of Kazakhstan by a Kazakh vessel when conducting fishing activities, if the fishing area (areas) specified in the application is located within the territorial waters (sea), internal waters of the Republic of Kazakhstan.

6. If there are grounds specified in clause 5 of the Rules, the Border Service, within two working days, shall execute a reasoned written refusal in the form according to Annex 3 to the Rules.

Repeated submission of an application by the initiators shall be carried out after compliance with the comments.

7. The permit shall be issued for the period of validity of the permit for the use of wildlife, but cannot exceed the period of validity of the documents specified in subclauses 2) и 5) of clause 3 of the Rules.

The permit shall be valid within the fishing area(s) specified in the permit.

8. The issued permit shall be kept by the captain (owner) of a Kazakhstani vessel during fishing during the entire period of its validity.

9. If it is necessary to replace the crew members of a Kazakhstani vessel, staffed only by citizens of the Republic of Kazakhstan, the initiator shall submit through the portal to the Border Service an application to replace the crew members of a Kazakhstani vessel that has previously received permission (hereinafter referred to as the application for replacement), in the form according to Annex 4 to the Rules.

10. In case of need to replace crew members of a Kazakh vessel manned by foreigners and stateless persons, the initiator shall file an application for replacement through the portal to the Border Guard Service according to the form of Appendix 5 to the Rules, indicating the reason for replacement.

The following documents shall be attached to the application for replacement:

1) new ship's roll;

2) copies of permits for hiring foreign labor force and stateless persons;

3) copy of visa for foreigners and stateless persons, except for citizens who arrived from states that have concluded international agreements with the Republic of Kazakhstan on visa-free entry and stay.

Footnote. Paragraph 10 as amended by the Resolution of the Government of the Republic of Kazakhstan dated 24.04.2024 №331 (effective ten calendar days after the date of its first official publication).

11. The term for consideration by the Border Guard Service of an application for replacement and informing the initiator about the decision made through the portal shall be no more than three working days from the moment the application for replacement is submitted by the initiator.

12. In cases of extending or obtaining a repeated permit for the use of wildlife, the initiator submits an application to the Border Service through the portal in the form according to Annex 1 to the Rules, with a copy of the permit for the use of wildlife attached to it.

The term for consideration by the Border Service of the application and informing the initiator about the decision made through the portal shall be no more than three working days from the moment the application is submitted by the initiator.

In case of a positive decision, the Border Service shall make a change to extend the validity period directly to the previously issued permit.

In case of refusal to extend the permit, the Border Service shall issue a reasoned written refusal in the form according to Annex 3 to the Rules.

13. In case of loss of the permit, the initiator shall apply through the portal to the Border Service with an application in the form according to Annex 1 to the Rules, for the issuance of a new permit, indicating the circumstances of the loss of the permit.

The issuance of a new permit shall be carried out in accordance with the procedure, set forth in clauses 3-5 of the Rules.

14. The validity of the permit shall be suspended in cases of:

1) malfunctions of the technical means of monitoring the position information of a Kazakhstani vessel;

2) detection of inconsistencies between the data specified by the captain (owner) of a Kazakhstani vessel in the report, the data obtained as a result of the inspection of a Kazakhstani vessel before it left the port.

15. The validity of the permit shall be resumed after the elimination of the reasons that were the basis for its suspension.

16. The officer of the Border Service, detected cases, provided for in clause 14 of the Rules, shall make a mark in the permit on suspension of (resuming) the validity of the permit indicating the reason for suspension.

At the same time, the Border Service shall send a notification to the initiator about the suspension (renewal) of the permit in the form according to Annex 6 to the Rules.

Appendix 1
to the Rules for issuing permits
for repeated crossing of the State border
of the Republic of Kazakhstan
by Kazakhstan vessels for fishing

activities
in territorial waters (sea), internal waters
and
on the continental shelf, spatial and
temporal limits
of permits validity

Footnote. Appendix 1 – as amended by the Resolution of the Government of the Republic of Kazakhstan dated 24.04.2024 №331 (effective ten calendar days after the date of its first official publication).

Form

Application for issuance (extension) of a permit for repeated crossing of the State Border of the Republic of Kazakhstan

To _____

(Name of the Border Guard Service territorial unit)

From _____

(full name of the legal entity indicating its legal address or surname, first name, patronymic (if any) of the individual entrepreneur, his address)

I request to consider the application for obtaining (extension) of the permit for repeated crossing of the State border of the Republic of Kazakhstan in the area _____

(the fishing area is indicated without transshipment of fishing products (objects) onto foreign vessels, as well as onto Kazakhstan vessels, subject to border control, in case of fishing activity, the purpose of which is delivery of fishing products (objects) for sale or production of fish and other products on the territory of the Republic of Kazakhstan.)

Information on vessels declared for obtaining a permit for repeated crossing of the State Border of the Republic of Kazakhstan is given on _____ sheets.

(Signature of the head of the legal entity or individual entrepreneur)

“ ___ ” _____ 20__

Information to the application on a Kazakh vessel declared for obtaining a permit for repeated crossing of the State Border of the Republic of Kazakhstan

1. Name of the vessel _____

2. Type of the vessel _____

3. Side number of the vessel _____

4. Sea port (mooring place) of the vessel registry _____

5. Information on registration of the vessel in the registers of vessels of the Republic of Kazakhstan:

6. Number, place, date of obtaining a permit for wildlife use and its validity period

7. Name of a legal entity, its legal address or surname, first name, patronymic of an individual entrepreneur, his address _____

8. Name and address of the vessel owner _____

9. Name and address of the quotas holder _____

10. Surname, name, patronymic (if any) of the captain (owner) of the vessel, his address

11. Type of technical control means _____

12. Fishing area (s) _____

13. Estimated coordinates and timing of crossing the State border of the Republic of Kazakhstan when the vessel is en route to the fishing area

Seaport (base point) of the Republic of Kazakhstan of the vessel's departure to the fishing area and entry for delivery and unloading of fishing products (objects)

(Signature of the head of the legal entity or individual entrepreneur)

“ ____ ” _____ 20__

Appendix 2
to the Rules for issuing permits
for repeated crossing of the State border
of the Republic of Kazakhstan
by Kazakhstan vessels for fishing
activities
in territorial waters (sea), internal waters
and
on the continental shelf, spatial and
temporal limits
of permits validity

Footnote. Appendix 2 – as amended by the Resolution of the Government of the Republic of Kazakhstan dated 24.04.2024 №331 (effective ten calendar days after the date of its first official publication).

Form

Series _____ № _____

Permit for repeated crossing of the State Border of the Republic of Kazakhstan

1. Name of a legal entity, its legal address or surname, first name, patronymic (if any) of an individual entrepreneur, his address

2. Name and address of the vessel owner _____

3. Name of the vessel _____

4. Type of the vessel _____

5. Side number of the vessel _____

6. Sea port (mooring place) of the vessel registration _____

7. Surname, first name, patronymic (if any) of the captain of the vessel, his address

8. Type of technical control means _____

9. Information on registration of the vessel in the registers of vessels of the Republic of Kazakhstan:

10. Validity term of the permit _____

11. Sea fishing area (s) _____

12. List of seaports (basing points) of the Republic of Kazakhstan for entry and unloading of marine fishing products (objects) _____

(Signature of the head of the Border Service territorial unit)

“ ___ ” _____ 20__

Back of the sheet

Special marks

1. Date of permit suspension _____

2. Reasons for permit suspension _____

3. Date of permit renewal _____

Note on permit revocation

1. Date of permit revocation _____

2. Reasons for permit revocation _____

Notes of the Border Service territorial unit _____

Appendix 3
to the Rules for issuing permits
for repeated crossing of the State border
of the Republic of Kazakhstan
by Kazakhstan vessels for fishing
activities
in territorial waters (sea), internal waters
and
on the continental shelf, spatial and
temporal limits
of permits validity

Footnote. Appendix 3 – as amended by the Resolution of the Government of the Republic of Kazakhstan dated 24.04.2024 №331 (effective ten calendar days after the date of its first official publication).

Form

Notification of denied issuance (extension) of the permit for repeated crossing of the State Border of the Republic of Kazakhstan

1. Name of a legal entity, its legal address or surname, first name, patronymic (if any) of an individual entrepreneur, his address

2. Name and address of the vessel owner _____

3. Name of the vessel _____

4. Type of the vessel _____

5. Side number of the vessel _____

6. Sea port (mooring place) of the vessel registration _____

7. Surname, first name, patronymic (if any) of the captain of the vessel, his address

8. Reason for denied issuance (extension) of the permit for repeated crossing of the State Border of the Republic of Kazakhstan _____

(Signature of the head of the Border Service territorial unit)

" ____ " _____ 20__

Appendix 4
to the Rules for issuing permits
for repeated crossing of the State border
of the Republic of Kazakhstan
by Kazakhstan vessels for fishing
activities
in territorial waters (sea), internal waters
and
on the continental shelf, spatial and
temporal limits
of permits validity

Footnote. Appendix 4 – as amended by the Resolution of the Government of the Republic of Kazakhstan dated 24.04.2024 №331 (effective ten calendar days after the date of its first official publication).

Form

Notification of denied issuance (extension) of the permit for repeated crossing of the State Border of the Republic of Kazakhstan

Application for replacement of crew members of a Kazakh vessel that received a permit to repeatedly cross the State border of the Republic of Kazakhstan

To _____

(Name of the Border Service territorial unit)

From _____

(full name of the legal entity indicating its legal address or surname, first name, patronymic (if any) of the individual entrepreneur, his address)

I request to consider application for replacement of crew members of Kazakh vessel that received a permit to repeatedly cross the State border of the Republic of Kazakhstan for fishing activity, series ____ № _____, issued by the territorial unit _____ “ _____ ” _____ 20 ____.

I request to exclude from the crew members: _____

I request to include as crew members: _____

(Signature of the head of the legal entity or individual entrepreneur)

" ____ " _____ 20 ____

Appendix 5
to the Rules for issuing permits
for repeated crossing of the State border
of the Republic of Kazakhstan
by Kazakhstan vessels for fishing
activities
in territorial waters (sea), internal waters
and
on the continental shelf, spatial and
temporal limits
of permits validity

Footnote. Appendix 5 – as amended by the Resolution of the Government of the Republic of Kazakhstan dated 24.04.2024 №331 (effective ten calendar days after the date of its first official publication).

Form

Application for replacement of crew members of Kazakh vessel with foreign citizens and stateless persons that obtained a permit to repeatedly cross the State Border of the Republic of Kazakhstan

To _____

(Name of the Border Service territorial unit)

From _____

(full name of the legal entity indicating its legal address or surname, first name, patronymic (if any) of the individual entrepreneur, his address)

I request to consider the application for replacement of crew members of Kazakh vessel that received a permit to repeatedly cross the State border of the Republic of Kazakhstan for fishing activity, series ____ № _____,

Issued by the territorial unit _____ " ____ " _____ 20 ____ года.

I request to exclude from the crew members the following foreign citizens (stateless persons): _____

Please include as crew members: _____

Reason for replacement: _____

Attachment to the application for replacement of crew members of the Kazakh vessel with foreign citizens and stateless persons that obtained a permit to repeatedly cross the State Border of the Republic of Kazakhstan, on _____ sheets.

(Signature of the head of the legal entity or individual entrepreneur)

" ____ " _____ 20 ____

Appendix 6
to the Rules for issuing permits
for repeated crossing of the State border
of the Republic of Kazakhstan
by Kazakhstan vessels for fishing
activities
in territorial waters (sea), internal waters
and
on the continental shelf, spatial and
temporal limits
of permits validity

Footnote. Appendix 6 – as amended by the Resolution of the Government of the Republic of Kazakhstan dated 24.04.2024 №331 (effective ten calendar days after the date of its first official publication).

Form

Notification of suspension (renewal) of the permit for repeated crossing of the State Border of the Republic of Kazakhstan

1. Name of the legal entity, its legal address or surname, first name, patronymic (if any) of the individual entrepreneur, his address _____

2. Name and address of the vessel owner _____
3. Name of the vessel _____
4. Type of the vessel _____
5. Side number of the vessel _____
6. Sea port (mooring place) of the vessel registration _____
7. Surname, name, patronymic (if any) of the captain of the vessel, his address

8. Reason for suspension (renewal) of the permit for repeated crossing of the State Border of the Republic of Kazakhstan ____

(Signature of the head of the Border Service territorial unit)

" ____ " _____ 20__

Approved by the
Decree of the Government
of the Republic of Kazakhstan
dated March 11, 2014 №209

Rules for exercising control over Kazakhstani vessels for fishing activities in the territorial waters (sea), internal waters and on the continental shelf of the Republic of Kazakhstan

1. These Rules for exercising control over Kazakhstani vessels for fishing activities in the territorial waters (sea), internal waters and on the continental shelf of the Republic of Kazakhstan (hereinafter referred to as the Rules) shall determine the procedure for control over Kazakhstani vessels that obtained a permit for repeated crossing of the State Border of the Republic of Kazakhstan during fishing activities in the territorial waters (sea), internal waters and on the continental shelf of the Republic of Kazakhstan (hereinafter referred to as the permit).

2. These Rules shall apply to Kazakhstani vessels engaged in fishing activities, the purpose of which is the delivery of products (objects) of fishing for the sale or production of fish and other products in the territory of the Republic of Kazakhstan without reloading of products (objects) of fishing onto foreign vessels, as well as Kazakhstan vessels in respect of which border control has been carried out (hereinafter referred to as the Kazakh vessels).

3. Control over Kazakhstani vessels shall be carried out by the Border Service of the National Security Committee of the Republic of Kazakhstan (hereinafter referred to as the Border Service) together with the authorized environmental body of the Republic of Kazakhstan in the field of protection, reproduction and use of wildlife (hereinafter referred to as the authorized body) and is a set of control measures for the activities of fishing vessels aimed at compliance with the legislation on State Border of the Republic of Kazakhstan and these Rules.

4. The objects of control shall be Kazakhstan vessels obtained a permit for repeated crossing of the State Border of the Republic of Kazakhstan for carrying out fishing activities.

5. When exercising control, the Border Service shall carry out the following control and verification activities:

1) verification of documents specified in clauses 3 and 10 of the Rules for issuing permits for repeated crossing of the State Border of the Republic of Kazakhstan by Kazakhstani vessels for fishing activities in territorial waters (sea), internal waters and over the continental shelf, the spatial and temporal limits of validity of permits approved by the Government of the Republic of Kazakhstan (hereinafter referred to as the Rules for issuing permits);

2) oral questioning and receiving clarifications.

Footnote. Clause 5 as amended by the Decree of the Government of the Republic of Kazakhstan dated 11.02.2019 №50 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

6. The departure of Kazakhstani vessels to the fishing area shall be carried out from the seaports (mooring places) of the Republic of Kazakhstan only after carrying out control and verification activities on the vessel by officers of the territorial division of the Border Service.

The departure to the sea on a Kazakhstani vessel shall be carried out only by those persons who are included in the ship list, certified by the head of the territorial division of the Border Service.

Footnote. Clause 6 as reworded by the Decree of the Government of the Republic of Kazakhstan dated 29.04.2020 №259 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

7. Prior to the departure of a Kazakhstani vessel from the seaport (mooring place) to the fishing area, but no later than four hours in advance, a legal entity or individual entrepreneur (hereinafter referred to as the initiator), who plan to carry out fishing activities in territorial waters (sea), internal waters and over the continental shelf of the Republic of Kazakhstan, or the captain (owner) of a Kazakhstani vessel shall notify the territorial division of the Border Guard Service, in whose area of responsibility the seaport is located (mooring place), of the readiness to leave of a Kazakhstani vessel.

Prior to the arrival officers of the Border Guard Service on the Kazakhstani vessel, the captain (owner) of a Kazakhstani vessel shall ensure the departure of unauthorized persons from of a Kazakhstani vessel, organizes the collection of information, based on the results of which draws up a report on the presence of fishing products (objects), cargo and goods on the Kazakhstani vessel and their reloading to other ships in the form according to Annex 1 to the Rules.

Footnote. Clause 7 as amended by Decrees of the Government of the Republic of Kazakhstan dated 11.02.2019 №50 (shall be enforced upon expiry of ten calendar days after the date of its first official publication); or 29.04.2020 №259 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

8. Upon arrival on a Kazakhstani vessel, officers of the Border Service shall organize observation and inspection of the Kazakhstani vessel. The captain (owner) of a Kazakhstani vessel shall submit to the Border Service officers a permit, a report according to Annex 2 to the Rules (hereinafter referred to as the report), identification documents of the crew members of a Kazakhstani vessel, and a crew list certified by the head of the territorial division Border Service.

Officers of the Border Service, after checking the documents for the accuracy of the information contained in them and the correctness of their execution, shall return them to the captain (owner) of a Kazakhstani vessel.

Footnote. Clause 8 as amended by decrees of the Government of the Republic of Kazakhstan dated 11.02.2019 №50 (shall be enforced upon expiry of ten calendar days after the date of its first official publication); or 29.04.2020 №259 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

9. If necessary, officers of the Border Service shall also check the availability of the following documents:

- 1) permit for the use of wildlife;
- 2) certificate of the right to sail under the State flag of the Republic of Kazakhstan;
- 3) documents confirming the property rights of the initiator to their own (leased) vessel;
- 4) ship's and fishing logs;

5) ship safety certificate for equipment and supplies, confirming the presence on the Kazakhstani vessel of the initiator of an automatic identification system that provides continuous automatic transmission of information about the location of a Kazakhstani vessel (hereinafter referred to as the technical means of control);

10. If necessary, the officers of the Border Service shall conduct an oral questioning of the captain (owner) and crew members of a Kazakhstani vessel about the fishery products, cargo and goods on board, as well as shall conduct an inspection of a Kazakhstani vessel (independently or together with the captain (owner)).

11. In case of inconsistency in the data in the report submitted by the captain (owner) of a Kazakhstani vessel, as a result of the inspection of a Kazakhstani vessel, the officers of the Border Service receive explanations from the captain (owner) on these facts, inform the head of the territorial division of the Border Guard Service, who makes a decision on the suspension of the permit, which is recorded in the permit and the report.

Footnote. Clause 11 as reworded by the Government of the Republic of Kazakhstan dated 29.04.2020 №259 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

12. Upon completion of the control and verification activities, an officer of the Border Service signs a report, makes an entry in the ship's logbook and makes notes in the permit. An official of the Border Guard Service transmits information on the results of the measures taken to the territorial subdivision of the Border Guard Service by means of communication.

Footnote. Clause 12 as reworded by the Government of the Republic of Kazakhstan dated 29.04.2020 №259 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

13. The Border Service exercises control over the prevention of Kazakhstani vessels from entering other waters, seaports (mooring places) not specified in the permit, and compliance with the requirements for fishing without reloading products (objects) of fishing, disembarking (landing) persons, reloading of cargo and goods on foreign ships, as well as Kazakhstani vessels, in respect of which border control has been carried out, except when this is caused by the need to save people and ships or other emergency circumstances, about which the captain (owner) of a Kazakhstani vessel immediately informs the territorial division of the Border Service.

Footnote. Clause 13 as reworded by the Government of the Republic of Kazakhstan dated 29.04.2020 №259 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

14. When carrying out fishing operations in accordance with the permit, the following requirements must be met:

1) the captain (owner) of a Kazakhstani vessel maintains constant radio contact with the territorial division of the Border Service, informs about each fact of crossing the State Border of the Republic of Kazakhstan indicating the geographical coordinates of the location of a Kazakhstani vessel and makes an entry about this in the ship's log;

2) in case of failure of technical means of control due to a technical malfunction, the captain (owner) of a Kazakhstani vessel stops fishing, reports the causes of the malfunction to the territorial division of the Border Guard Service.

If it is impossible within four hours to eliminate the causes that led to the failure of the technical means of control, the captain (owner) of a Kazakhstani vessel shall inform the territorial division of the Border Service about this and returns to the seaport (mooring place) to correct the failure;

3) at the request of officers of the Border Service, the initiator and the captain (owner) of a Kazakhstani vessel shall provide information regarding the location of a Kazakhstani vessel, and other necessary information related to the repeated crossing of the State Border of the Republic of Kazakhstan by a Kazakhstani vessel;

4) the captain (owner) of a Kazakhstani vessel, upon completion of the reloading of products (objects) of fishing, cargo and goods to other Kazakhstani vessels, shall update the report related to their reloading.

Footnote. Clause 14 as amended by the Decree of the Government of the Republic of Kazakhstan dated 29.04.2020 №259 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

15. If during the control of a Kazakhstani vessel carrying out sea fishing, facts of distortion of information specified in clause 14 of the Rules for issuing permits, as well as

clause 11 of the Rules, are revealed by the Border Service in accordance with the criminal procedure or administrative legislation of the Republic of Kazakhstan detention and transfer of a Kazakhstani vessel to the nearest seaport (mooring place) shall be performed, the permit shall be canceled, which is recorded in the permit and the ship's log.

Footnote. Clause 15 as reworded by the Government of the Republic of Kazakhstan dated 11.02.2019 №50 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

16. Before the arrival of a Kazakhstani vessel at the seaport (mooring place) for the purpose of delivering products (objects) of fishing, no later than four hours, the initiator or captain (owner) of a Kazakhstani vessel shall notify about it the territorial division of the Border Service. The officers of the Border Service independently or together with representatives of the authorized body shall arrive at the seaport (mooring place), organize surveillance of the Kazakhstani vessel, check the documents specified in clauses 8 and 9 of these Rules, search of a Kazakhstani vessel, monitor the unloading products (objects) of fishing, conduct an oral survey of the captain (owner) and crew members of a Kazakhstani vessel about the products of fishing, cargo and goods on board.

Footnote. Clause 16 as reworded by the Government of the Republic of Kazakhstan dated 29.04.2020 №259 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

17. Unloading products (objects) of fishing, cargo and goods, as well as disembarking people shall be carried out after the completion of control and verification activities by the Border Service. Upon completion of the control and verification activities, an officer of the Border Service shall make notes in the permit and report on the arrival of a Kazakhstani vessel at the seaport (mooring place), as well as an entry about this in the ship's log. The captain (owner) of a Kazakhstani vessel shall submit the second copy of the report to an officer of the Border Service for registration.

In case of discrepancy between the data indicated by the captain of a Kazakhstani vessel in the report, the data obtained as a result of its inspection and monitoring of the unloading of products (objects) of fishing, cargo and goods, officers of the Border Service and the authorized body shall receive explanations on these facts from the captain (owner) of a Kazakhstani vessel. The Border Service shall cancel the permit, whereof a record shall be made in the permit and the report.

18. the event that signs of offenses are revealed during the control and verification activities, officers of the Border Service and the authorized body shall take measures to bring offenders to justice in accordance with the criminal or administrative legislation of the Republic of Kazakhstan.

territorial waters (sea),
internal waters and on the continental
shelf
of the Republic of Kazakhstan
Form

Information on the reloading of products (objects) of fishing, cargo, goods transported on the vessel to other vessels

Footnote. The Rules have been added with Annex 1 in accordance with the Decree of the Government of the Republic of Kazakhstan dated 11.02.2019 №50 (shall be enforced upon expiry of ten calendar days after the date of its first official publication); as amended by the Decree of the Government of the Republic of Kazakhstan dated 29.04.2020 №259 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Date	Name and type of products (objects) of fishing, cargo, goods	Connecting vessel	Measuring unit	Quantity	Signature of the captain (owner) of the vessel

(signature, surname, name, patronymic of the captain (owner) of the vessel)

" ___ " _____ 20__

(position signature, surname, name, patronymic of the officer of the territorial division of the Border Service)

" ___ " _____ 20__.

Appendix 2
to the Rules for the implementation of
control over Kazakhstan
vessels conducting
commercial activities in
territorial waters (sea),
internal waters and on
the continental shelf
of the Republic of Kazakhstan

Footnote. The Rules have been supplemented by Appendix 2 in accordance with the Resolution of the Government of the Republic of Kazakhstan dated 11.02.2019 № 50 (shall be enforced upon expiry of ten calendar days after the date of its first official publication); is in the wording of the Resolution of the Government of the Republic of Kazakhstan dated 24.04.2024 № 331 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Form

Report on the availability of fishery products (objects), cargos, goods on the vessel board and their unloading (loading) onto other vessels during fishing at repeated crossings of the State Border of the Republic of Kazakhstan

Installation data on the vessel:

1. Name of the vessel _____
2. Type of the vessel _____
3. Side number of the vessel _____
4. Seaport (base point) of the vessel registration _____
5. Surname, name, patronymic (if any) of the captain (owner) of the vessel

6. Place, number, date of receipt of the permit for multiple crossing of the State Border of the Republic of Kazakhstan and its validity period

7. Place, number, date of receipt of the permit for the use of wildlife

Description of the fishery products (objects), cargos, goods, currency transported on the vessel and their quantity upon leaving the seaport (base point) of the Republic of Kazakhstan

№ s/n	Name and species composition	Unit of measurement	Quantity
1	Products (objects) of the fishery (by types):		
2	Cargos:		
3	Goods:		
4	Currency:		

(signature, surname, name, patronymic (if any) of the captain (owner) of the vessel)

" ___ " _____ 20__

S.P.

(position, signature, surname, name, patronymic (if any) of the official of the territorial division of the Border Service)

" ___ " _____ 20__

Upon return to the seaport (base point) of the Republic of Kazakhstan

№ s/n	Name and species composition	Unit of measurement	Quantity
1	Products (objects) of the fishery (by types):		

2	Cargos:		
3	Goods:		
4	Currency:		

(signature, surname, name, patronymic (if any) of the captain (owner) of the vessel)

" ___ " _____ 20__

S.P.

(position, signature, surname, name, patronymic (if any) of the official of the territorial division of the Border Service)

" ___ " _____ 20__