



On approval of the Rules for the transportation of passengers, baggage and cargo

Unofficial translation

Order of the Minister of Investment and Development of the Republic of Kazakhstan dated April 30, 2015 № 542. Registered in the Ministry of Justice of the Republic of Kazakhstan on August 21, 2015 № 11930.

Unofficial translation

In accordance with subparagraph 55-14) of paragraph 3 of Article 4 of the Law of the Republic of Kazakhstan dated January 17, 2002 "On Merchant Shipping" **I HEREBY ORDER:**

1. To approve:

1) the Rules for the carriage of passengers and baggage by sea transport of the Republic of Kazakhstan in accordance with Appendix 1 to this order;

2) the Rules for the transportation of cargo by sea transport of the Republic of Kazakhstan in accordance with Appendix 2 to this order.

2. The Transport Committee of the Ministry of Investment and Development of the Republic of Kazakhstan (Asavbayev A.A.) shall ensure:

1) state registration of this order with the Ministry of Justice of the Republic of Kazakhstan;

2) within ten calendar days after the state registration of this order with the Ministry of Justice of the Republic of Kazakhstan, sending a copy of it for official publication in periodicals and the information and legal system "Adilet";

3) posting this order on the Internet resource of the Ministry of Investment and Development of the Republic of Kazakhstan and the intranet portal of government agencies;

4) within ten working days after the state registration of this order with the Ministry of Justice of the Republic of Kazakhstan, submission to the Legal Department of the Ministry of Investment and Development of the Republic of Kazakhstan of information on the implementation of the measures provided for in subparagraphs 1), 2) and 3) of paragraph 2 of this order.

3. Control over the implementation of this order shall be assigned to the supervising Vice Minister for Investments and Development of the Republic of Kazakhstan.

4. This order shall come into effect upon expiration of ten calendar days after the date of its first official publication.

Minister

of Investment and Development

of the Republic of Kazakhstan

A. Isekeshev

"AGREED"

Minister of National Economy
of the Republic of Kazakhstan
_____ E. Dossayev

July 10, 2015

Appendix 1
to the Order of the Minister
of Investment and Development
of the Republic of Kazakhstan
dated April 30, 2015 № 542

The Rules for the carriage of passengers and baggage by sea transport of the Republic of Kazakhstan

1. General provisions

1. These Rules for the carriage of passengers and baggage by sea transport of the Republic of Kazakhstan (hereinafter referred to as the Rules) have been developed in accordance with subparagraph 55-14) of paragraph 3 of Article 4 of the Law of the Republic of Kazakhstan dated January 17, 2002 "On Merchant Shipping" (hereinafter referred to as the Law) and shall determine the procedure for the carriage of passengers and baggage by sea transport of the Republic of Kazakhstan.

2. The effect of these Rules shall apply to: sea vessels during their navigation along the sea routes of the Republic of Kazakhstan; inland waterway vessels, and river-sea navigation vessels during their navigation along the sea routes, rivers, lakes, reservoirs and other waterways of the Republic of Kazakhstan when carrying passengers and baggage with a call at a seaport.

3. The following concepts shall be used in these Rules:

1) baggage - cargo packed for shipment by sea transport and transported separately from the passenger;

2) cabin baggage - compactly packed and freely placed in the cabin or on shelves in common areas, things of the passenger, carried by him/her with him/her, within the established quantity and dimensions;

4. Transportation of passengers and baggage by sea transport of the Republic of Kazakhstan in international transit traffic through the Republic of Kazakhstan shall be carried out in accordance with the Law and international treaties ratified by the Republic of Kazakhstan.

5. Transportation of passengers and baggage by sea transport of the Republic of Kazakhstan shall be carried out based on a contract of sea transportation.

2. Procedure for the transportation of passengers and baggage

6. Under a contract of carriage of passengers by sea, the carrier shall undertake to transport the passenger and baggage, if it is checked in by the passenger, to the port or destination, and to hand over the baggage to the passenger or a person authorized to receive the baggage, and the passenger shall undertake to pay for the passage, and if the baggage is checked in, also for the carriage of the baggage.

7. The carriage of passengers by sea transport shall be organized by the carrier according to the schedule. The carrier shall notify passengers of any changes to the carriage schedule no less than fifteen days before the date of approval of the new schedule.

Information about changes in the transportation schedule shall be posted by the carrier on its website and (or) on the information board at the seaport; notification of passengers who have purchased tickets shall be carried out by the carrier by sending messages to the mobile phone numbers of these passengers.

Footnote. Paragraph 7 as amended by the Order of the Minister of Industry and Infrastructure Development of the Republic of Kazakhstan dated 30.01.2023 № 59 (shall come into effect upon expiry of ten calendar days after the day of its first official publication).

8. Excluded by the Order of the Minister of Industry and Infrastructure Development of the Republic of Kazakhstan dated 30.01.2023 № 59 (shall come into effect upon expiry of ten calendar days after the date of its first official publication).

9. The hours and operating procedures of ticket offices shall be established by the head of the sea terminal based on local conditions and the ship schedule.

10. Advance sales of tickets shall be carried out from forty-five days to one day before the ship's departure.

11. The amount of the fee for the passenger's travel and the carriage of his baggage, except for cabin baggage weighing no more than 35 kg, which is carried by the passenger free of charge in accordance with Article 13 of the Law of the Republic of Kazakhstan dated September 21, 1994 "On Transport" and shall be determined by the contract of sea carriage for the passenger's travel and the carriage of his baggage.

12. The contract for the carriage of a passenger by sea shall be formalized by a ticket issued upon presentation of the original document certifying the identity of the passenger and the corresponding payment for the fare, and when baggage is checked in, also by a baggage receipt.

The form of the passenger ticket and baggage receipt shall be established in accordance with the form in Appendices 1 and 2 to these Rules.

13. When boarding a vessel, a passenger shall present a properly executed passenger ticket and a document certifying the passenger's identity, in accordance with paragraph 12 of these Rules.

14. If the passenger's last name, first name, and patronymic (if any) in the document certifying his identity do not match those indicated in the presented ticket, or if there is no

ticket or document certifying his identity or if the last name, first name, and patronymic in the ticket are corrected, the passenger shall not be allowed to board the vessel.

15. If a ticket is presented by a person not indicated on the ticket, the ticket will be confiscated by the carrier and its cost will not be returned to the bearer.

In this case, the carrier shall draw up a report indicating the reasons for the ticket withdrawal.

16. Registration of children's and discounted tickets shall be carried out upon availability of: birth certificates for children under sixteen years of age, and documents providing for benefits for the purchase of discounted tickets in accordance with the legislation of the Republic of Kazakhstan on issues of providing benefits to certain categories of citizens. The absence and (or) incorrect execution of these documents serves as grounds for refusal to sell a ticket taking into account the provided benefits.

Footnote. Paragraph 16 - as amended by the Order of the Minister of Industry and Infrastructure Development of the Republic of Kazakhstan dated 30.01.2023 № 59 (shall come into effect upon expiry of ten calendar days after the day of its first official publication).

17. The following items shall not be permitted for transportation:

1) explosive, poisonous, flammable, corrosive, radioactive, chemical, toxic, ozone-depleting substances and products containing them, narcotic, psychotropic and foul-smelling substances in baggage and cabin baggage;

2) baggage that contaminates the passenger vessel, passengers' clothing, storage lockers and items located in the storage lockers.

18. Items, objects and pets that, based on their size, packaging, container, cage and properties, can be loaded and placed on the vessel without difficulty shall be accepted for transportation.

19. Baggage exceeding the free baggage allowance shall be charged at the baggage rate.

20. Each piece of baggage shall be adapted or shall have a device that allows it to be moved during loading, reloading and unloading. The container or packaging shall ensure the safety of things during the entire transportation period.

21. Excluded by the Order of the Minister of Industry and Infrastructure Development of the Republic of Kazakhstan dated 30.01.2023 № 59 (shall come into effect upon expiry of ten calendar days after the date of its first official publication).

22. Excluded by the Order of the Minister of Industry and Infrastructure Development of the Republic of Kazakhstan dated 30.01.2023 № 59 (shall come into effect upon expiry of ten calendar days after the date of its first official publication).

23. When registering baggage for animals, it is necessary to provide a veterinary passport for the animal in accordance with subparagraph 10) of Article 1 of the Law of the Republic of Kazakhstan "On Veterinary Medicine". The animal shall be placed in a portable cage, except for a guide dog accompanying a visually impaired passenger during transportation.

Footnote. Paragraph 23 - as amended by the Order of the Minister of Industry and Infrastructure Development of the Republic of Kazakhstan dated 30.01.2023 № 59 (shall come into effect upon expiry of ten calendar days after the day of its first official publication).

24. If baggage is presented for transportation in faulty packaging, containers, or cages, the carrier shall refuse to accept it for transportation.

25. Baggage, the packaging of which has such defects that there is no risk of loss or damage to the baggage, shall be accepted for carriage with a note about these defects on the baggage receipt.

26. Upon arrival at the port (point) of destination, baggage shall be handed over to the passenger (recipient) upon presentation of a baggage receipt and an identity document.

27. In the event of non-arrival of baggage, for delivery of which the passenger (recipient) has submitted a request, the port (point) of destination, after the expiration of the delivery period, shall make a note on the reverse side of the baggage receipt "Baggage did not arrive", put a stamp indicating the year, month and date and receives from the passenger (recipient) a statement indicating his/her address for sending him/her a notification of the arrival of baggage. In this case, no fee shall be collected for notification. The carrier shall compensate for damage caused by the loss, shortage or damage (spoilage) of baggage, and return to the passenger (recipient) the carriage charge collected for the carriage of lost, missing, spoiled or damaged baggage in accordance with Article 705 of the Civil Code of the Republic of Kazakhstan (Special Part) dated July 1, 1999.

28. The port (point) of destination shall send a notification to the passenger (recipient) on the day of its arrival regarding the arrival of the found baggage.

29. If the port (point) of destination does not notify the passenger (recipient) of the arrival of the found baggage, then the fee for the overdue days of storage of the baggage before sending the notification shall not be collected.

30. The delivery time of baggage shall be determined by the time of travel to the port or destination according to the schedule of the vessel with which the baggage is sent.

31. Baggage that is unclaimed within six months from the date of its delivery to the port (point) of destination, upon expiration of the specified period, shall be processed in accordance with Article 245 of the Civil Code of the Republic of Kazakhstan.

32. Complaints received from passengers regarding issues related to the provision of transportation shall be considered by the carrier within three working days from the date of receipt of the complaint, after which time the carrier shall notify the applicant in writing of the results of the consideration of the complaint and the measures taken.

33. The carrier shall be liable for the loss, shortage or damage (spoilage) of the passenger's baggage unless he proves that the loss, shortage or damage (spoilage) of the baggage did not occur through his fault.

34. Children up to and including fifteen years of age shall be transported accompanied by an adult passenger.

35. If a child is provided with a separate seat at the request of an accompanying passenger, such child shall be transported at a discounted rate.

36. A passenger who has been declared incompetent by a court, at the request of parents, guardians or trustees, shall be transported accompanied by an adult who is capable of ensuring the safety of the incompetent passenger and the safety of those around him.

37. The transportation of a passenger in a wheelchair who is unable to move independently, or a patient on a stretcher, shall be carried out in the company of a person who provides care for this passenger during transportation.

38. A visually impaired passenger shall be transported accompanied by a guide dog. A guide dog accompanying a visually impaired passenger shall be transported free of charge in addition to the established free baggage allowance.

39. The carrier shall provide the necessary conditions for the placement and movement inside the vessel of persons with disabilities in wheelchairs (special doors, platforms, seats, fixing and fastening devices, special handrails and other equipment, as well as baggage compartments for storing wheelchairs and transport carts) if the presence of such premises and equipment is not provided for by the design of the vessel.

Footnote. Paragraph 39 - as amended by the Order of the Minister of Industry and Infrastructure Development of the Republic of Kazakhstan dated 30.12.2022 № 761 (shall come into effect upon expiry of ten calendar days after the date of its first official publication)

40. By the beginning of the voyage (the moment the vessel leaves the port of loading), the carrier shall ensure the technical fitness of the vessel for navigation, equip it in accordance with the requirements of the Rules for the equipment of sea-going vessels, approved by the Order of the Minister of Investments and Development of the Republic of Kazakhstan dated January 30, 2015 № 92 (registered in the State Register of Normative Legal Acts under № 10405), staff the crew and supply everything necessary in accordance with the requirements of the Rules for providing meals to the crews of sea-going vessels, approved by the Order of the acting Minister of Transport and Communications of the Republic of Kazakhstan dated May 16, 2011 № 280 (registered in the State Register of Normative Legal Acts under № 7000). The vessel shall depart from the port of loading after the permission of the captain of the seaport for the vessel to leave the port of loading.

Footnote. Paragraph 40 - as amended by the Order of the Minister of Industry and Infrastructure Development of the Republic of Kazakhstan dated 30.01.2023 № 59 (shall come into effect upon expiry of ten calendar days after the day of its first official publication).

Appendix 1
to the Rules for the carriage of passengers
and
baggage by sea transport
of the Republic of Kazakhstan

Passenger ticket

Ticket	Control coupon (not valid without a ticket)	Cashier's coupon
Series №	Series №	Series №
Full name of the passenger	Full name of the passenger	Full name of the passenger
Identity document number	Identity document number	Identity document number
Carrier	Carrier	Carrier
Name of the vessel	Name of the vessel	Name of the vessel
Port of departure	Port of departure	Port of departure
Departure date and time	Departure date and time	Departure date and time
Port (point) of destination	Port (point) of destination	Port (point) of destination
Date and time of arrival	Date and time of arrival	Date and time of arrival
Cabin №	Cabin №	Cabin №
Class (category)	Class (category)	Class (category)
Place №	Place №	Place №
Ticket type (full, child, discounted)	Ticket type (full, child, discounted)	Ticket type (full, child, discounted)
Price	Price	Price
Service notes:	Service notes:	Service notes:
Date and time of sale	Date and time of sale	Date and time of sale
Point of sale	Point of sale	Point of sale
Ticket cashier	Ticket cashier	Ticket cashier

Appendix 2
to the Rules for the carriage of passengers
and baggage by sea transport
of the Republic of Kazakhstan

Form

Baggage check

Vessel	Vessel
Port of departure	Port of departure
Port (point) of destination	Port (point) of destination
Cost of baggage transportation	Cost of baggage transportation
Departure date	Departure date
Date of receipt	Date of receipt

Receipt series _____ № _____

Appendix 2
to the Order of the Minister
of Investment and Development
of the Republic of Kazakhstan
dated April 30, 2015 № 542

The Rules for the carriage of cargo by sea transport of the Republic of Kazakhstan

Footnote. The Rules as amended by the Order of the Minister of Investments and Development of the Republic of Kazakhstan dated 25.10.2018 № 731 (shall come into effect upon expiry of ten calendar days after the day of its first official publication).

Chapter 1. General Provisions

1. These Rules for the carriage of cargo by sea transport of the Republic of Kazakhstan (hereinafter referred to as the Rules) have been developed in accordance with subparagraph 55 -14) of paragraph 3 of Article 4 of the Law of the Republic of Kazakhstan dated January 17, 2002 "On Merchant Shipping" and shall determine the procedure for the carriage of cargo by sea transport of the Republic of Kazakhstan.

2. Transportation of cargo by sea in international transit traffic through the Republic of Kazakhstan shall be carried out in accordance with the legislation of the Republic of Kazakhstan and international treaties ratified by the Republic of Kazakhstan.

3. The following concepts shall be used in these Rules:

1) general average – losses and/or expenses distributed between the vessel, cargo and freight in proportion to the value of the vessel, cargo and freight on the day and at the place of termination of the common maritime adventure in accordance with these Rules, incurred for common safety and preservation of property in the common maritime adventure from common danger;

2) bill of lading – a document issued by the carrier to the sender and certifying the acceptance of cargo for transportation;

3) hazardous cargo (hereinafter referred to as HC) – cargo which, due to its inherent properties, during transportation, loading and unloading operations and storage, may cause an explosion, fire or damage to technical equipment, devices, buildings and structures, as well as death, injury or illness of people, animals, or harm the environment;

4) sea waybill – a shipping document issued when transporting cargo by sea;

5) loading order – a document signed by the consignor containing the necessary information about the cargo;

6) charter – a type of contract for the carriage of passengers, baggage, and cargo by sea, in which the shipper is provided with the entire vessel, part of it, or certain ship premises;

7) export order – a document signed by the consignor containing the necessary information about the cargo being sent for export.

Chapter 2. Procedure for the carriage of cargo by sea transport

4. Under a contract for the carriage of cargo by sea, the carrier shall deliver the cargo entrusted to him/her by the consignor to the port of destination and issue them to the person

authorized to receive the cargo (the consignee), and the consignor or consignee pays a fee for the carriage of the cargo in accordance with the contract for the carriage of cargo by sea or the tariff and ensures acceptance of the cargo.

5. A contract for the carriage of cargo by sea shall be concluded with the condition of providing the entire vessel, part of it, or certain ship premises (charter) for the carriage of cargo by sea, as well as without such a condition.

6. The contract for the carriage of cargo by sea shall be drawn up by a bill of lading in the form in accordance with Appendix 1. to these Rules, a charter in the form according to Appendix 2 to these Rules or a sea waybill in the form according to Appendix 3 to these Rules (at the discretion of the shipper and the carrier).

7. After accepting the cargo for transportation, the carrier, at the request of the consignor, shall issue a bill of lading to the consignor.

The bill of lading shall be prepared and signed by the carrier based on the loading order or export order presented by the shipper.

The shipper shall guarantee to the carrier the accuracy of the data provided for inclusion in the bill of lading and is liable for losses caused to the carrier due to the inaccuracy of such data.

8. At the request of the consignor, several copies (originals) of the bill of lading shall be issued, with each of them indicating the number of available originals of the bill of lading. After the release of the cargo based on the first of the presented originals of the bill of lading, the remaining originals lose their force.

9. The sea waybill shall be drawn up and signed by the carrier based on the loading order presented by the consignor. The sea waybill shall be drawn up in at least two copies, one of which shall be kept with the cargo and the other shall be given to the consignor.

10. The contract for chartering a vessel shall be formalized as a charter.

11. The loading order or export order shall be drawn up and signed by the consignor, presented to the carrier simultaneously with the presentation of the cargo, accompanies the cargo throughout its entire route and shall be issued to the consignee at the port (point) of destination together with the cargo.

12. At the request of the carrier, in cabotage, cargo shall be transported to the ship's premises sealed by the consignor.

13. Depending on their type and properties, cargo shall be transported with the weight and number of places (tare and piece cargo) or only the place (gross) and other necessary data indicated in the bill of lading.

14. The weight of the cargo shall be determined by weighing or calculating the total weight of the cargo being delivered, based on the weight indicated on the cargo spaces, or the standard weight of the cargo spaces. The weight of individual cargoes may be determined by

calculation based on measurement or conditionally. The weight of dangerous, oversized, heavy and other specific cargoes shall be determined by the established weight declared by the consignor.

15. Determination of the weight of the cargo by calculation, measurement or conditionally shall be carried out in all cases by the consignor. The consignor shall make a reservation about this method of determining the weight in the loading order or export order.

16. When a port loads cargo requiring reweighing at its berths and using its workforce, the weight shall be determined on the scales of the loading port.

17. Tare or piece (without packaging) cargo, the weight of which shall be determined during packaging or indicated on each cargo piece, as well as cargo pieces of standard size and weight, are not weighed upon acceptance for transportation and delivery to recipients. The total weight of such shipments shall be determined and indicated in the loading order or consignment note by the consignor based on the standard weight or the weight indicated on the cargo pieces.

18. Cargo-requiring containers and packaging to ensure their complete safety during transportation shall be presented for transportation in serviceable containers and packaging. Containers and packaging shall comply with mandatory safety requirements established by technical regulations.

The consignor shall properly mark the cargo and provide the carrier with the necessary information about it. If the cargo requires special handling, the consignor shall inform the carrier about the properties of the cargo and the procedure for handling it.

19. Vessels presented by the carrier for loading shall be kept in seaworthy condition: holds and other cargo spaces intended for the carriage of cargo are cleared of any remnants of previously transported cargo and brought to a condition that ensures the carriage and safety of cargo.

20. By the beginning of the voyage (the moment the vessel leaves the port of loading), the carrier shall ensure the technical fitness of the vessel for navigation, equip it in accordance with the requirements of the Rules for the equipment of sea-going vessels, approved by the Order of the Minister of Investments and Development of the Republic of Kazakhstan dated January 30, 2015 № 92 (registered in the State Register of Normative Legal Acts under № 10405), staff the crew and supplies everything necessary in accordance with the requirements of the Rules for providing meals to the crews of sea-going vessels, approved by the Order of the acting Minister of Transport and Communications of the Republic of Kazakhstan dated May 16, 2011 № 280 (registered in the State Register of Normative Legal Acts under № 7000). The vessel shall depart from the port of loading after the permission of the captain of the seaport for the vessel to depart from the port of loading.

Footnote. Paragraph 20 - as amended by the Order of the Minister of Industry and Infrastructure Development of the Republic of Kazakhstan dated 30.01.2023 № 59 (shall come into effect upon expiry of ten calendar days after the day of its first official publication).

21. Loading of cargo onto the vessel shall be carried out according to the cargo plan approved by the captain of the vessel. Control over the correct placement, fastening and separation of cargo on the vessel shall be carried out by the vessel administration. The cargo plan project shall be drawn up by the organization loading cargo onto the vessel.

22. The plan shall include the sequence, quantity and required time for loading or unloading, taking into account the capacity of the loading or unloading equipment, and the number of feeders (conveyors).

23. To prevent excessive stress in the hull, the vessel shall be provided with a booklet, drawn up in the state or Russian languages, which is in the possession of the command staff responsible for cargo operations on the vessel, as well as its translation into English.

The booklet shall include:

1) stability data in accordance with the requirements of Regulation II-1/5-1 of the International Convention for the Safety of Life at Sea, 1974, as amended;

2) the maximum permissible load per unit surface of the second bottom flooring;

3) maximum permissible load on the hold;

4) general loading and unloading instructions relating to the structural strength of the ship's hull, including any limitations on worst-case operating conditions during loading, unloading and the voyage;

5) any special restrictions, such as worst-case operating conditions, prescribed by a recognised foreign classification society;

6) strength calculations - maximum permitted forces and moments acting on the ship's hull during loading, unloading and during the voyage.

24. The captain shall ensure constant control of cargo operations by the ship's personnel. During loading or unloading, the ship's draft shall be measured to confirm the amount of cargo handled as indicated by the terminal.

25. Each measurement of the draft and the amount of cargo shall be recorded in the cargo log. If significant deviations from the agreed plan are detected, cargo operations shall be adjusted to correct the deviations.

26. Cargo on the vessel shall be placed at the discretion of the captain; cargo placement on the vessel's deck shall be carried out with the written consent of the shipper.

The shipper's consent to the carriage of cargo on deck shall also be confirmed by the shipper's acceptance of the bill of lading with a note on the carriage of cargo on the ship's deck.

27. Cargo units, including wheeled vehicles and containers, shall be loaded, stowed and secured throughout the voyage in accordance with the Cargo Securing Manual prepared in accordance with the requirements of the "Revised Guidelines for the Preparation of Cargo Securing Manual" adopted by the Maritime Safety Committee of the International Maritime Organization and approved by a recognized classification society.

28. On ships with cargo spaces using horizontal loading and unloading, all securing of cargo spaces, in accordance with the Cargo Securing Manual, shall be completed before the ship leaves the berth.

29. The carrier shall deliver the cargo within the timeframes established by the contract for the carriage of cargo by sea.

30. The consignee shall accept and remove from the seaport the cargo that has arrived at his/her address. The cargo shall be issued to the consignee upon presentation of the original bill of lading.

31. If the bill of lading specifies the recipient's address and the method of sending notification of the arrival of the cargo, the carrier shall notify the recipient on the day of arrival of the cargo.

32. In the event of failure to send notification of the arrival of cargo within the specified period due to the fault of the carrier, the carrier shall not charge a fee for the storage of the cargo during the days it is overdue. If for any reason the carrier cannot fulfill the order to notify the consignee, it shall notify the consignor of this through the port of loading.

33. The cargo shall be released to the consignee after the latter has paid all payments due to the carrier. If the consignee fails to make all payments due to the carrier, the claims of the carrier holding the cargo shall be satisfied at the expense of its value upon the sale of the cargo.

34. At the request of the consignee, the carrier shall check the weight of the delivered cargo and the condition of the container at the port of destination.

35. The weight of the cargo at the port (point) of destination shall be determined in the same way as the weight was determined at the port of departure.

36. In the absence of railcar or truck scales at the port (point) of destination, bulk and loose cargoes shall be issued without checking the cargo. If the container is in good condition, the cargo shall be issued to the consignee according to the number of places without checking the weight.

37. Cargo, the acceptance and delivery of which is carried out in roadstead conditions, shall be accepted for carriage and delivered to the consignee by the number of places or by weight declared by the consignor, and bulk cargo - according to the vessel's measurements. Opening of cargo items in damaged containers or with signs of shortage or damage to contents during the issuance of cargo in roadstead conditions shall be carried out on board the vessel.

38. If upon inspection of the cargo at the port (point) of destination, loss or damage to the cargo or a difference in weight is established, the carrier shall draw up a commercial report in the form in accordance with Appendix 4 to these Rules.

39. Containerized cargo shall be accepted for transportation with the shippers' seals. Cargo that arrives in serviceable containers with serviceable seals shall be issued to the consignees without checking the weight and contents of the container.

40. Cargo that arrives in a faulty container, as well as in a container without a seal or with a faulty seal, shall be issued to the consignees after checking that the weight, quantity and condition of the cargo correspond to the data contained in the document accompanying the cargo in the container.

41. When transporting cargo in packages, the cargo shall be accepted by the carrier from the consignor according to the number of packages without checking the quantity and packaging condition of the cargo units in each package and shall be issued in the same manner to the recipient.

42. Shipment under one bill of lading shall be prohibited:

- 1) cargo that is subject to rapid deterioration, together with cargo that is not subject to such deterioration;
- 2) cargo, the transportation of which requires special conditions;
- 3) cargo that, due to their physical and chemical properties, cannot be placed together;
- 4) cargo, the transportation of which is associated with customs, administrative and other procedures, and cargo, the transportation of which does not require these procedures;
- 5) cargo with different storage periods.

43. It shall be prohibited to send small consignments of cargo of the same name in uniform packaging by one shipper to the same consignee on the same vessel under separate bills of lading. Such consignments of cargo shall be combined and sent under one bill of lading.

44. Losses from the general average of a vessel shall be distributed between the shipowner and the shipper in proportion to the value of the vessel, cargo and freight on the day and at the place of the general average.

45. Provision of information about the cargo:

1) the shipper provides the captain of the vessel or his representative with relevant information about the cargo, three days before loading, to enable the precautions necessary for the proper placement and safe transportation of the cargo to be taken. Such information shall be confirmed in writing and by relevant documents before the commencement of loading of the cargo on the vessel;

2) information about the cargo shall include:

in the case of general cargo and cargo carried in packages, a general description of the cargo, the gross mass of the cargo or packages and any relevant special properties of the cargo, as well as information in accordance with the requirements of the International Maritime Organization for safe practice in stowage and securing of cargo;

in the case of bulk cargo - information on the specific stowage volume of the cargo, trimming operations, the tendency of the bulk cargo to shift, including the angle of repose, if applicable, and any other relevant special properties of the cargo. In the case of concentrates or other cargoes that may liquefy - additional information in the form of a certificate of the moisture content of the cargo and its maximum moisture content for transport;

in the case of a bulk cargo having chemical properties that may cause possible harm, in addition to the information required by the preceding subparagraphs, information on its chemical properties;

3) before loading cargo items onto a vessel, the shipper shall ensure that the gross mass of such cargo items is in accordance with the gross mass declared in the shipping documents.

46. When transporting bulk cargo that may emit toxic or flammable gases or cause oxygen depletion in the cargo space, an instrument for measuring the concentration of gas or oxygen in the air shall be available together with detailed instructions for its use.

47. When transporting grain by cargo ship, it shall be necessary to be guided by the requirements of the International Grain Code, as amended, adopted by resolution MSC.23(59) of the Maritime Safety Committee of the International Maritime Organization, and also to have a document on permission to transport grain, issued by a recognized foreign classification society.

Chapter 3. Procedure for the transportation of dangerous cargo

48. To transport DC, it shall be necessary to have a document on the vessel's compliance with the transportation of DC, issued by a foreign classification society.

In the absence of a document confirming the vessel's compliance with the carriage of hazardous substances, the carriage of hazardous substances by sea is not permitted.

49. The carriage of DC, transport information relating to the carriage of DC in packaged form, as well as the container/vehicle packing certificate shall comply with the requirements of the International Maritime Dangerous Cargo Code, as amended, adopted by resolution MSC.122(75) of the Maritime Safety Committee of the International Maritime Organization (hereinafter referred to as the IMDC Code).

50. A vessel carrying a packed DC shall have a special register or stowage plan indicating the DC on board and its location in accordance with the applicable provisions of the IMDC Code. Before the vessel departs, a copy of one of these documents shall be provided to the responsible person appointed by the port manager.

51. The special register or cargo plan shall indicate the name of the vessel, the port of loading, the numbers of the bills of lading, the name, weight, volume and quantity of cargo for each bill of lading, the names of the consignors and consignees of the cargo, and the marking of the cargo.

52. DC shall be presented for carriage when it is properly marked, provided with danger signs and enlarged danger signs, described and certified in the transport document and in all other respects prepared for carriage in accordance with the requirements of paragraphs 49, 55, 56, 58, 59, 60, 61, 62, 64 and 65 of these Rules.

Footnote. Paragraph 52 - as amended by the Order of the Minister of Industry and Infrastructure Development of the Republic of Kazakhstan dated 30.01.2023 № 59 (shall come into effect upon expiry of ten calendar days after the day of its first official publication).

53. The carrier shall not accept the DC for carriage unless a copy of the transport document or other information in accordance with the provisions of paragraphs 49 and 55 of these Rules has been provided.

Footnote. Paragraph 53 - as amended by the Order of the Minister of Industry and Infrastructure Development of the Republic of Kazakhstan dated 30.01.2023 № 59 (shall come into effect upon expiry of ten calendar days after the day of its first official publication).

54. All information on the DC shall accompany it to its final destination. This information shall be contained in the transport document for the DC and shall be transferred to the consignee upon delivery.

55. If the information relevant to the DC is transmitted to the carrier in electronic form, it shall be available to the carrier throughout the entire period of carriage to the final destination and, if necessary, reproduced without delay in paper format.

56. When two or more hazardous substances are placed in the same outer packaging, the loading unit shall be provided with the danger labels and markings required for each of the substances.

57. During transportation, containers, including intermediate bulk containers (hereinafter referred to as IBCs), large containers, removable tanks, tank trucks, multiple-element gas containers, and bulk containers, shall be securely fastened or placed in the cargo transport unit to prevent transverse and longitudinal movement or impacts and to ensure adequate external support.

Footnote. Paragraph 57 - as amended by the Order of the Minister of Transport of the Republic of Kazakhstan dated 04.03.2025 № 72 (shall come into effect upon expiry of ten calendar days after the day of its first official publication).

58. DC shall be packed in sound containers, including IBCs, large containers, demountable tanks, road tankers, multiple-element gas containers, and bulk containers, which comply with the requirements of the IMDC Code and are capable of withstanding the impacts and loads that occur during transport, including during handling between cargo transport units or between cargo transport units and warehouses, as well as during any movement from a pallet or removal from a package for subsequent manual or mechanical handling.

Packing of hazardous substances in containers shall be carried out in accordance with the requirements of Part 4 of the IMDC Code.

Footnote. Paragraph 58 - as amended by the Order of the Minister of Transport of the Republic of Kazakhstan dated 04.03.2025 № 72 (shall come into effect upon expiry of ten calendar days after the day of its first official publication).

59. When preparing for transportation, containers shall be designed and closed in such a way that loss of contents during transportation is prevented as a result of vibration, changes in temperature, humidity or pressure.

60. The container shall be closed in accordance with the information provided by the manufacturer. When transporting cargo units, IBCs and large containers, residues of the hazardous substance shall not adhere to the outer surface.

61. When filling and stacking containers, the requirements of the IMDC Code shall be taken into account.

62. Damaged, defective, leaking or non-compliant cargo units, or leaked or spilled DC shall be transported in salvage packaging. In the case of damaged, defective, leaking or non-compliant pressure vessels, salvage pressure vessels may be used for transport.

Emergency containers and emergency pressure vessels are additionally marked with the word "EMERGENCY".

63. During transport, appropriate measures shall be taken to prevent excessive movement of salvage packaging and salvage receptacles containing damaged or leaking cargo units or receptacles.

64. Each cargo unit containing the cargo shall be marked with the proper shipping name of the dangerous cargo being transported and the corresponding United Nations number preceded by the letters "UN".

65. Marking shall be applied in accordance with the requirements of Chapters 5.2 and 5.3 of the IMDC Code. In the case of unpackaged products, the marking shall be applied to the product itself, its support (cradle), or a device for handling, storage or shipment.

Footnote. Paragraph 65 - as amended by the Order of the Minister of Transport of the Republic of Kazakhstan dated 04.03.2025 № 72 (shall come into effect upon expiry of ten calendar days after the day of its first official publication).

66. Substances which under normal conditions of carriage are liable to explode, react dangerously, ignite or release heat in dangerous quantities, toxic, corrosive/acrid or flammable gases or vapours, as well as particularly sensitive explosives or explosives which are so chemically active that they are subject to spontaneous reaction, shall not be permitted for carriage.

67. Carriage of bulk cargo shall be carried out in accordance with the requirements of the International Maritime Solid Bulk Cargoes Code, as amended, adopted by resolution MSC .268(85) of the Maritime Safety Committee of the International Maritime Organization.

Footnote. Chapter 3 has been supplemented with paragraph 67 in accordance with the Order of the Minister of Transport of the Republic of Kazakhstan dated 04.03.2025 № 72 (shall come into effect upon expiry of ten calendar days after the day of its first official publication).

BILL OF LADING №

Sender	
Consignee	
Address	
Shipowner	
Vessel	
Flag	
Port of loading	
Date of cargo acceptance	
Port (point) of destination	
Freight payable on bill of lading	
Number of original bill of lading	
Place of issue of the bill of lading	
External condition of the cargo	
signature of the carrier or a person acting on his behalf;	
Brands and numbers	
Name of cargo	
Number of seats	
Gross weight	
Net weight, packaging	
Freight and other expenses	Where and when issued Captain of the ship

Appendix 2
to the Rules for the carriage
of cargo by sea transport
of the Republic of Kazakhstan
Form

Charter

Charter

(place of execution) (date of signing)

Shipowner _____

Charterer _____

Charter points	Statement of points
Name of the vessel	
Description and condition of the vessel	
Lease term limits	
Steel days	
Responsibilities of the shipowner	
Charterer's duties	

Rental rates	
Freight size	
Premises provided to the charterer	
Bills of lading	
Fuel	
Stevedores, pilots	
Tugs	
Type and kind of cargo	
Port of loading	
Place of cargo loading	
Port (point) of destination or direction of the vessel	

Note: At the discretion of the Shipowner and Charterer, other items may be included in the list of charter paragraphs depending on the circumstances.

On behalf of the Charterer _____	On behalf of and for the Shipowner _____
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Appendix 3
to the Rules for the carriage
of cargo by sea transport
of the Republic of Kazakhstan
Form

Sea waybill №

Sender
Consignee
Address
Shipowner
Vessel
Port of loading
Port (point) of destination
Brands and numbers
Name of cargo
Number of seats
Gross weight
Net weight, packaging
Where and when issued
Captain of the ship

Appendix 4
to the Rules for the carriage
of cargo by sea transport
of the Republic of Kazakhstan
Form

Commercial Act № ____
dated " ____ " _____ 20 ____

Shift supervisor _____

Stevedore _____

Tallman _____

Vessel captain _____
