

On Approval of the Risk Assessment Criteria and Checklist for Compliance with the Mass Media Legislation of the Republic of Kazakhstan

Unofficial translation

Joint order of the Minister of Information and Communications of the Republic of Kazakhstan dated November 9, 2018 № 473 and Minister of National Economy of the Republic of Kazakhstan dated November 15, 2018 № 69. Registered with the Ministry of Justice of the Republic of Kazakhstan on November 26, 2018 № 17787.

Unofficial translation

Footnote. The heading - as revised by joint order of Acting Minister of Culture and Information of RK № 524-N-K of 06.11.2024 and Deputy Prime Minister - Minister of National Economy of RK № 100 of 08.11.2024 (shall be enacted ten calendar days after the day of its first official publication).

In accordance with paragraphs 5 and 6 of Article 141 and paragraph 1 of Article 143 of the Entrepreneurial Code of the Republic of Kazakhstan, **WE HEREBY ORDER:**

Footnote. The preamble is in the wording of the joint order of the Minister of Information and Public Development of the Republic of Kazakhstan dated 30.11.2022 № 529 and the Minister of National Economy of the Republic of Kazakhstan dated 01.12.2022 № 112 (effective from 01.01.2023).

1. That the following shall be approved:

1) criteria for estimating the degree of risk for compliance with the mass media legislation of the Republic of Kazakhstan (hereinafter referred to as the Criteria), as per Appendix 1 to this joint order;

2) a checklist for the observance of the legislation of the Republic of Kazakhstan on mass media (hereinafter referred to as the checklist) in respect of periodical printed publications, Internet publications and Internet resources, as per Appendix 2 to this joint order;

3) a checklist for the observance of the mass-media legislation of the Republic of Kazakhstan with regard to TV and radio companies, as per Appendix 3 to this joint order;

4) a checklist for the observance of the legislation of the Republic of Kazakhstan on mass media in respect of broadcasting operators, pursuant to Appendix 4 to this joint order;

5) a checklist for ensuring compliance with the mass media legislation of the Republic of Kazakhstan in respect of distributors of individual satellite and terrestrial receiving devices, in line with Appendix 5 to this joint order;

6) a checklist for the observance of the legislation of the Republic of Kazakhstan on mass media in respect of broadcasting operators, pursuant to Appendix 6 to this joint order.

Footnote. Paragraph 1 - as revised by joint order of the Acting Minister of Culture and Information of RK № 524-N-K of 06.11.2024 and Deputy Prime Minister - Minister of National Economy of RK № 100 of 08.11.2024 (shall come into force ten calendar days after the date of its first official publication).

2. The Information Committee of the Ministry of Information and Communications of the Republic of Kazakhstan shall:

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

2) within ten calendar days of the state registration of this joint order, send its Kazakh and Russian hard and soft copies to the Republican State Enterprise with the Right of Economic Management “Republican Center of Legal Information” for its official publication and inclusion into the Reference Control Bank of Regulatory Legal Acts of the Republic of Kazakhstan;

3) place this joint order on the website of the Ministry of Information and Communications of the Republic of Kazakhstan;

4) within ten working days of the state registration of this joint order, submit information on the implementation of measures, provided for in subparagraphs 1), 2) and 3) of this paragraph, to the Legal Department of the Ministry of Information and Communications of the Republic of Kazakhstan.

3. Control over execution of this joint order shall be entrusted to the supervising vice-minister of Information and Communications of the Republic of Kazakhstan.

4. This joint order shall take effect ten calendar days after the day of its first official publication, except for line 4 in Appendix 1 to the Criteria, line 4 in Appendix 4 to the Criteria and line 4 of the checklist in the field of state control over compliance with the legislation of the Republic of Kazakhstan on mass media with respect to print periodicals, which shall take effect on January 11, 2019.

*Minister of Information and
Communications of the Republic of Kazakhstan*
*Minister of National Economy
of the Republic of Kazakhstan*

D.Abayev

T.Suleimenov

AGREED

Committee on Legal Statistics and
Special Accounts of the
General Prosecutor’s Office of
the Republic of Kazakhstan

Appendix 1
to joint order of the
Minister of Information and
Communications
of the Republic of Kazakhstan
№ 473 of November 9, 2018

Criteria for evaluating the risk level of observing the mass media legislation of the Republic of Kazakhstan

Footnote. Appendix 1 - as revised by joint order of the Acting Minister of Culture and Information of RK № 524-N-K of 06.11.2024 and Deputy Prime Minister - Minister of National Economy of RK № 100 of 08.11.2024 (shall be enacted ten calendar days after the date of its first official publication).

Chapter 1. General provisions

1. These Criteria for evaluating the risk level of observing the mass media legislation of the Republic of Kazakhstan (hereinafter - the Criteria) have been drawn up pursuant to paragraphs 5 and 6 of Article 141, paragraph 1 of Article 143 of the Entrepreneurial Code of the Republic of Kazakhstan (hereinafter - the Code), approved by Order № 3 of the Acting Minister of National Economy of the Republic of Kazakhstan of July 31, 2018 “On Approval of the Form of the Checklist” (registered in the Register of State Registration of Regulatory Legal Acts under № 17371) and the Rules for the Formation of the Risk Evaluation and Management System by Regulatory Public Authorities approved by Order of the Acting Minister of National Economy of the Republic of Kazakhstan № 48 of the June 22, 2022 (registered in the Register of State Registration of Regulatory Legal Acts under № 28577).

2. The following terms are used in these Criteria:

1) point is a quantitative measure of the risk calculation;

2) minor infringement means infringements of requirements established by regulatory legal acts in the field of mass media, failure to comply therewith does not create preconditions for a threat to life and health of the population, but the fulfilment thereof is mandatory for entities (facilities) under control in performing their activities;

3) data normalisation is a statistical procedure involving the reduction of values measured on different scales to a notionally common scale;

4) major infringement means infringement of the requirements established by regulatory legal acts in the field of mass media, creating prerequisites for endangering human life and health, the legitimate interests of individuals, legal entities and the State;

5) entities (facilities) under control in the field of mass media include periodical printed publications, Internet publications, Internet resources, television and radio companies, television and radio broadcasting operators, and distributors of individual satellite and terrestrial receiving devices;

6) gross infringement means violation of the requirements established by regulatory legal acts in the field of mass media, related to failure to observe the prohibiting norm of the

legislation of the Republic of Kazakhstan (prohibited, not allowed, not permitted), as well as breach of the requirements that entail a threat to human life and health, the legitimate interests of individuals, legal entities and the state;

7) risk means the probability of causing harm as a result of the entity's activities to human life or health, the legitimate interests of individuals and legal entities, and the property interests of the state, with due consideration of the severity of its consequences;

8) risk evaluation criteria are a set of quantitative and qualitative indicators related to the activities of the entity under control, the specifics of sectoral development and factors affecting this development, which allow entities (facilities) under control to be attributed to different risk levels;

9) objective criteria for evaluating the degree of risk (hereinafter - objective criteria are the criteria for evaluating the degree of risk used to select entities (facilities) subject to control depending on the degree of risk of observing the legislation of the Republic of Kazakhstan on mass media and not depending directly on the particular entity (facility) under control;

10) subjective risk evaluation criteria (hereinafter - subjective criteria are the risk evaluation criteria used to select entities (facilities) under control depending on the performance of a particular entity (facility) under control;

11) risk evaluation and management system is the process of adopting managerial decisions to reduce the probability of occurrence of unfavourable factors by distributing entities (facilities) under control into risk levels for subsequent preventive control with visits to the entity (facility) under control and (or) compliance checks to minimise the possible degree of restriction of freedom of entrepreneurship, while ensuring an acceptable level of risk in the relevant areas of activity, as well as those intended to change the level of risk for a particular entity ((facility) under control and (or) exempt such entity (facility) under control from preventive control with a visit to the entity (facility) under control and (or) compliance checks;

12) a checklist is a list of mandatory requirements imposed on the activities of entities (facilities) under control, failure to fulfil which entails a threat to human life and health, the legitimate interests of individuals, legal entities and the state;

13) sampling population (sample) is a list of evaluated entities (facilities) attributable to a homogeneous group of entities (facilities) under control in a particular area of state control, pursuant to paragraph 2 of Article 143 of the Code.

3. Risk management in the implementation of preventive control with a visit to the entity (facility) under control and (or) compliance inspection shall be formed via the establishment of objective and subjective criteria, which are performed step-by-step (Multi-Criteria Decision Analysis).

At the first stage, based on objective criteria, entities (facilities) under control shall be assigned to one of the following risk levels (hereinafter referred to as risk levels):

1) high risk;

- 2) medium risk;
- 3) low risk.

Compliance checks, preventive control with a visit to the entity (facility) under control, preventive control without a visit to the entity (facility) under control and unscheduled inspections shall be performed for areas of activity of entities (facilities) under control classified as high and medium risk.

A compliance check, preventive control without a visit to the entity (facility) under control and an unscheduled inspection shall be conducted for areas of activity of control entities (facilities) classified as low risk.

At the second stage, based on subjective criteria, entities (facilities) under control shall be assigned to one of the following risk levels:

- 1) high risk;
- 2) medium risk;
- 3) low risk.

By indicators of the level of risk based on subjective criteria, the entity (facility) under control shall be referred to:

- 1) to a high risk level - with a risk level indicator from 71 to 100 inclusive;
- 2) to a medium risk level - with the risk level indicator from 31 to 70 inclusive;
- 3) to a low risk level - with risk level indicator from 0 to 30 inclusive.

4. Criteria for evaluating the level of risk for performing compliance checks and preventive control of entities (facilities) under control shall be formed by establishing objective and subjective criteria.

Chapter 2. Objective criteria

5. Objective criteria shall be determined by defining risk.

6. Risk determination of state control shall be performed by accounting for one of the following criteria:

- 1) the level of danger (complexity) of the facility;
- 2) the scale of severity of possible negative consequences in the field of mass-media;
- 3) the possibility of occurrence of an unfavourable accident for human life or health, legitimate interests of individuals and legal entities, the state.

After analysing all possible risks, entities (facilities) under control shall be categorised into three risk levels (high, medium and low ones).

7. Determination of risk for observance of the legislation of the Republic of Kazakhstan on mass media shall be based on the probability of harm caused by the activities of the entity (facility) under control to human life or health, legitimate interests of individuals and legal entities, property interests of the state by the activities of the entities (facilities) under control, related to the failure to ensure constitutional guarantees of the rights to freely receive information and disseminate it by any means not prohibited by law, freedom of speech and

creativity, and information security of the individual, society and the State when using mass media services.

Based on objective criteria, owners of periodical print media, TV and radio companies shall be referred to a high risk level, owners of Internet publications, TV and radio broadcasting operators shall be referred to a medium risk level, owners of Internet resources and distributors of individual satellite and terrestrial receiving devices shall be referred to a low risk level.

Chapter 3. Subjective criteria

8. Subjective criteria determination shall be performed by applying the following steps:

- 1) database formation and information collection;
- 2) analysing information and risk evaluation.

9. Formation of a database and collection of information shall be essential to reveal the entities (facilities) under control infringing the legislation of the Republic of Kazakhstan in the field of mass media.

The following source of information shall be used to estimate the level of risks based on subjective criteria for preventive control with a visit to the entity (facility) under control:

1) results of previous unscheduled inspections and preventive control with visits to entities (facilities) under control.

The following source of information shall be used to estimate the level of risk based on subjective criteria for the compliance review process:

- 1) results of previous audits of broadcasting operators.

10. Based on the available sources of information, the authorised mass media body shall establish the subjective criteria to be evaluated.

The analysis and evaluation of subjective criteria shall enable to focus the conformity check and preventive control of the entity (facility) under control on the entity (facility) under control with the highest potential risk.

Herewith, data of subjective criteria, previously recorded and used in relation to a particular entity (facility) under control or data that have expired statute of limitations shall not be used in the analysis and evaluation process under the laws of the Republic of Kazakhstan.

With regard to entities under control that have eliminated in full the breaches issued as a result of the previous preventive control with visits and (or) compliance checks, they may not be included in the formation of lists for the next period of state control.

11. Based on the possible risk and significance of the problem, the singularity or systemic nature of the breach, and the analysis of previous decisions on each source of information, the requirements for the activities of entities (facilities) under control shall correspond to the degree of the breach - gross, significant, and insignificant.

Meanwhile, the definition of gross, major and minor infringements shall be established in the criteria for evaluating the level of risk of the authorised mass media body, with due regard to the specifics of the mass media sphere.

While forming subjective criteria, the level of infringement (gross, major, minor) shall be attributed based on the established definitions of gross, major, minor infringements.

12. Given the priority of the applied sources of information and the significance of the indicators of the subjective criteria, based on the procedure for calculating the risk level indicator using the subjective criteria, as defined in Chapter 4 of these Criteria, the risk level indicator using the subjective criteria shall be calculated on a scale from 0 to 100 points.

13. The system of risk evaluation and management shall be maintained using information systems that classify entities (facilities) under control to specific risk levels and form lists of control measures to be taken.

If there is no information system for risk evaluation and management, the minimum permissible threshold for the number of entities (facilities) under control, in respect of which preventive control with a visit to the entity (facility) under control and (or) compliance checks shall not exceed five per cent of the total number of such entities under control in a particular area of state control.

The levels of infringement of the requirements for mass media entities with regard to the activities of owners of periodical print media, Internet publications, Internet resources, TV and radio companies, TV and radio broadcasting operators and distributors of individual satellite and terrestrial receiving devices are shown in Appendices 1, 2, 3, and 4 to these Criteria.

The levels of infringement of the requirements for mass media entities to conduct a compliance check of the activities of broadcasting operators are given in Appendix 5 to these Criteria.

14. Entities (facilities) under control shall be transferred using the information system from high risk to medium risk or from medium risk to low risk in the field of mass media in cases where:

1) should the laws of the Republic of Kazakhstan and risk evaluation criteria of the regulatory public authorities define cases of exemption from preventive control with a visit to the entity (facility) under control or conducting compliance inspections.

15. The regulatory public authorities, as well as public authorities shall consider mitigating indicators to exempt from preventive control with a visit to the entity (facility) under control and to conduct a compliance check.

Mitigating indicators shall include:

1) availability of audio and (or) video recording, with online data transmission.

However, the exemption from preventive control with a visit to the entity (facility) under control and (or) compliance checks by regulatory public authorities, as well as by public

authorities, shall be exercised with regard to the requirements, the data on which are obtained by the methods specified in the mitigating indicators.

Chapter 4. Procedure for calculation of the overall risk level indicator based on subjective criteria

16. The following procedure for calculating the risk level of the entity under control shall be applied to assign a risk level to the entity under control.

The risk level indicator by subjective criteria (R) shall be calculated in an automated mode by summing up the risk level indicator of breaches based on the results of previous inspections and preventive control with visits to entities (facilities) under control (SP) and the risk level indicator by subjective criteria (SC), followed by normalisation of the values given in the range from 0 to 100 points.

$R_{\text{interm}} = SP + SC$, where:

R_{interm} – an intermediate indicator of the level of risk based on subjective criteria,

SP – violation risk indicator,

SC – an indicator of the level of risk based on subjective criteria established in compliance with paragraph 12 of these Criteria.

The calculation shall be made for each entity (facility) under control of a homogeneous group of entities (facilities) under control of each sphere of state control. Herewith, the list of estimated entities (facilities) under control that belong to a homogeneous group of entities (facilities) under control of one sphere of state control shall form a sampling population (sample) for further normalisation of data.

17. Based on the data obtained from the results of previous inspections and preventive control with visits to the entities (facilities) under control, an indicator of the risk level of violations shall be formed, evaluated in points from 0 to 100.

Should one gross infringement be identified by any of the sources of information specified in paragraph 9 of these Criteria, the entity under control shall be assigned a risk level indicator of 100 points and a preventive control with a visit to the entity (facility) under control shall be conducted in respect of it.

If no major infringements are found, the risk level indicator for infringements shall be calculated by summing up the indicator for major and minor infringements.

A coefficient of 0.7 shall be applied in calculating the indicator of major breaches.

This indicator shall be calculated using the following formula:

$SP_{\text{maj}} = (SP_2 \times 100 / SP_1) \times 0,7$, where:

SP_{maj} – indicator of major breaches;

SP_1 – the required number of major breaches;

SP_2 – number of major breaches found;

A coefficient of 0.3 shall be applied in establishing the indicator of minor irregularities.

This indicator shall be estimated using the following formula:

$SP_{min} = (SP_2 \times 100 / SP_1) \times 0,3$, where:

SP_{min} – indicator of minor breaches;

SP_1 – the required number of minor breaches;

SP_2 – number of minor breaches found;

The violation risk indicator (SR) shall be calculated on a scale from 0 to 100 points and shall be calculated by summing up the indicators of major and minor breaches using the following formula:

$SP = SP_{maj} + SP_{min}$, where:

SP – violation risk indicator;

SP_{maj} – indicator of major breaches;

SP_{min} – indicator of minor breaches.

The resulting value of the risk level indicator for breaches shall be included in the calculation of the risk level indicator for subjective criteria.

18. Calculation of the risk level indicator based on the subjective criteria established pursuant to paragraph 12 of these Criteria shall be performed on a scale from 0 to 100 points and shall be performed using the following formula:

$SC = \sum_{i=1}^n x_i \cdot w_i$, where

x_i – subjective criteria indicator,

w_i – specific weight of subjective criterion indicator x_i ,

n - number of indicators.

The resulting value of the risk level indicator for the subjective criteria established pursuant to paragraph 12 of these Criteria shall be included in the calculation of the risk level indicator for the subjective criteria.

19. The values calculated by entities (facilities) for the R indicator shall be normalised into the range from 0 to 100 points. Data normalisation shall be performed for each sampling population (sample) using the following formula:

$R = \frac{R_{interm} - R_{min}}{R_{max} - R_{min}}$,

R – risk level indicator (final) based on subjective criteria of an individual entity (facility) under control,

R_{max} – maximum possible value on the scale of risk degree by subjective criteria for entities (facilities) included in one sampling population (sample) (upper limit of the scale),

R_{min} – the minimum possible value on the scale of risk level by subjective criteria for entities (facilities) included in one sampling population (sample) (the lower limit of the scale),

R_{interm} – an intermediate risk level indicator based on subjective criteria, calculated in line with paragraph 16 of these Criteria.

20. The frequency of preventive control with a visit to the entity (facility) classified as high and medium risk cannot be more than twice a year.

21. Preventive control with a visit to the entity (facility) under control shall be based on semi-annual lists of preventive control with a visit to the entity (facility) under control, formed in line with paragraph 4 of Article 144-2 of the Code.

22. Lists of preventive control with visits to entities (facilities) under control shall be drawn up with due regard to the priority of the entity (facility) under control with the highest risk level indicator based on subjective criteria.

23. For areas of activities of entities (facilities) under control classified as high risk, the frequency of compliance checks shall be set by the risk evaluation criteria, but not more often than once a year.

For areas of activities of entities (facilities) under control classified as medium risk, the frequency of compliance audits shall be specified by the risk evaluation criteria, but not more often than once every two years.

For areas of activities of entities (facilities) under control classified as low risk, the frequency of compliance audits shall be based on the risk evaluation criteria, but not more often than once every three years.

Appendix 1
to the Criteria for Evaluating
the Level of Risk for Compliance
with the Mass Media Legislation
of the Republic of Kazakhstan

Levels of breaches of requirements for mass media entities with regard to the activities of owners of periodical print media, Internet publications, and Internet resources

№ s/o	Requirements	Level of impairment
1.	Issue of a periodical printed publication without established output data (name of the periodical printed publication; on the owner of the periodical printed publication; surname and initials of the chief editor (editor); number and date of the certificate of registration or re-registration and the name of the issuing authority; periodicity of publication; serial number and date of publication of the periodical; circulation of the given issue; name of the printing house, its address and	gross

	address of the editorial office), as well as with unclear or deliberately false output data	
2.	Dissemination of advertisements in periodical printed publications in a language not fixed in the mass media registration certificate	major
3.	Distribution of a periodical printed publication or Internet publication without re-credentialing in cases of change of ownership or change of its name, as well as the title, language of the publication or materials and messages, territory of distribution, main thematic focus and frequency of issue	gross
4.	Distribution by minors of information products containing information prohibited for children, excluding information products distributed via the Internet	gross
5.	Advertising of ethyl alcohol and alcoholic beverages, products imitating alcoholic beverages	gross
6.	Advertising of tobacco and tobacco products, including smokeless tobacco products, heated tobacco products, hookah tobacco, hookah mixture, systems for heating tobacco, electronic consumption systems (vapes) and liquids for them, products imitating tobacco products	gross
7.	E-casino and online casino adverts	gross
8.	Placement in the mass media of information on job vacancies containing discriminatory labour requirements	gross
9.	Advertising of financial (investment) pyramid activities	gross
10.	Dissemination in mass media of personal and biometric data of a person, including information on his/her parents and other legal representatives, other information allowing to establish his/her identity, on a minor who has suffered as a result of unlawful actions (inaction) and on minors suspected and (or) accused of committing administrative and (or) criminal offences	gross

11.	Distribution of mass media products without registration or after a decision has been taken to suspend or terminate their release (broadcasting) or to declare the registration certificate null and void	gross
12.	Placement in the mass media of readers' letters, including information posted by users on the Internet resource, containing information prohibited by the laws of the Republic of Kazakhstan (propaganda or agitation of the cult of cruelty and violence, social, racial, national, religious, class and clan superiority, disclosure of information constituting state secrets or other secrets protected by law, dissemination of information promoting suicide, revealing technical methods and tactics of anti-terrorist operations while they are being conducted, propaganda of narcotic drugs, psychotropic substances, their analogues and precursors, explosives and explosive devices, dissemination of television, radio programmes, television, radio channels, as well as demonstration of film and video productions of pornographic and special sexual and erotic nature, use of mass media for the purpose of violating the conditions of election campaigning, implementation by foreigners, stateless persons, foreign legal entities and international organisations of activities preventing and (or) facilitating the nomination and election of candidates, political parties that have nominated a party list, achievement of a certain result in elections, campaigning in the period of its prohibition, coercion to participate or refusal to participate in a strike, violation of the legislation of the Republic of Kazakhstan on the procedure for organising and holding peaceful assemblies, meetings, marches, pickets and demonstrations, on copyright and related rights on the Internet	gross
	Dissemination of unfair and unreliable advertising, excluding	

13.	anti-competitive actions (inaction) of state and local executive bodies, organisations vested by the state with the functions of regulating the activities of market entities, unfair competition	gross
14.	Dissemination of unethical and hidden advertising	gross
15.	Use of advertising for propaganda or agitation of forcible change of the constitutional system, violation of the integrity of the Republic of Kazakhstan, undermining the security of the state, war, social, racial, national, religious, class and tribal superiority, cult of cruelty and violence, pornography, as well as dissemination of information constituting state secrets of the Republic of Kazakhstan and other secrets protected by law	gross
16.	Dissemination of social advertising mentioning means of individualisation, individuals and legal entities, excluding mentioning public authorities, local self-government bodies, sponsors, individuals in a difficult life situation or in need of medical treatment in order to provide them with charitable assistance, as well as references in social advertising about socially oriented non-profit organisations in cases where the content of such advertising is directly related to information on the activities of such non-profit organisations aimed at achieving charitable and other socially useful goals	major
17.	Visual or sound use of images of minors in advertising, excluding social advertising and advertising of goods (works, services) for minors, as well as goods (works, services) that do not entail harmful effects on the physical, mental health and morality of minors	major
	Distribution of advertising of a trademark and (or) the name of wine made in the territory of the Republic of Kazakhstan in periodic printed publications (excluding children's and religious publications) on the	

18.	front and back pages of newspapers; on the pages and covers of magazines, almanacs, bulletins, supplements thereto; without accompanying social advertising to promote a healthy lifestyle, the volume of advertising area (space) of which is equal to the volume of advertising area (space) of advertising of a trademark and (or) name of wine produced in the territory of the Republic of Kazakhstan	major
19.	Distribution of advertising of the trademark and (or) name of wine produced in the territory of the Republic of Kazakhstan: containing advertising of wine; related to labour activity and driving a vehicle; involving minors, including cartoons (animation); addressed to minors; claiming that wine has medicinal properties, encouraging its immoderate consumption, condemning abstinence from drinking wine; claiming that drinking wine strengthens relationships.	gross
20.	Failure to submit electronic forms of compulsory free copies of periodic printed publications	gross
21.	Foreigners and foreign legal entities, stateless persons shall be entitled to directly and (or) indirectly own, use, dispose of and (or) manage more than 20 per cent of shares (participatory interests in the authorised capital, units) of a legal entity owning a mass media outlet in the Republic of Kazakhstan or a legal entity engaged in activities in this area	gross
22.	Dissemination and (or) placement of information promoting suicide, information on methods and calls to commit suicide.	gross
23.	Retail sale of erotic products in non-stationary premises, in unsealed transparent packages, in premises and territories of educational, health	gross

	care, children's institutions, religious buildings (structures), to persons under eighteen years of age	
24.	Information and communication infrastructure of the owner of the Internet publication is located outside the Republic of Kazakhstan	gross

Appendix 2
to the Criteria for Evaluating
the Level of Risk for Compliance
with the Mass Media Legislation
of the Republic of Kazakhstan

Levels of breaches of requirements for mass media entities with regard to the activities of TV and radio companies

No/ s/o	Requirements	Level of impairment
1.	The number of domestic TV programmes, excluding advertising, in the weekly volume of TV and radio broadcasting of domestic TV channels: 1) from January 1, 2025 - less than fifty-five per cent; 2) from January 1, 2027 - less than sixty per cent	gross
2.	Number of musical works by Kazakhstani authors or performers and domestic radio programmes, excluding advertising, in the weekly volume of radio broadcasting of domestic radio channels: 1) from January 1, 2025 - less than fifty-five per cent; 2) from January 1, 2027 - less than sixty per cent	major
3.	The amount of additional information having the character of commercial advertising, exceeding twenty-five per cent of the frame area and interfering with the text or information material in TV programme	gross
	Distribution of advertising on TV and radio channels not specialising in messages and materials of an advertising nature, exceeding twenty per cent of the total volume of broadcasting per day, excluding tickers, social advertising, information about TV and radio channels' own products (

4.	announcements), not containing advertisements of third parties, announcements of events prepared and conducted by the TV or radio channel, as well as advertisements placed in the place of an event broadcast live or recording of a live broadcast replay	minor
5.	Dissemination of advertising in the form of overlays, including by ticker tape, exceeding seven and a half per cent of the frame area and disrupting text or information material in television programmes	minor
6.	Broadcasting of TV, radio channels without announcing their name, and in case of continuous broadcasting less than four times a day	gross
7.	Weekly volume of domestic TV, radio programmes broadcasting in the territory of the Republic of Kazakhstan in the state language by time: 1) from January 1, 2025 - less than fifty-five percent of the total volume of TV, radio programmes; 2) from January 1, 2027 - less than sixty per cent of the total volume of TV and radio programmes	major
8.	The volume of TV and radio programmes in the state language in time intervals of six hours each, calculated from zero o'clock local time: 1) from January 1, 2025 - less than fifty-five percent of the total volume of TV and radio programmes; 2) from January 1, 2027 - less than sixty per cent of the total volume of television and radio programmes.	gross
9.	The volume of advertising on TV and radio channels in the Kazakh language at intervals every six hours, calculated from zero o'clock local time, is less than the total volume of advertising distributed in other languages	gross
10.	The omission by the owner of a television or radio channel to distribute television or radio	major

	programmes within six months from the date of receipt of the registration certificate	
11.	Failure to observe the requirement to provide at least one television news programme between sixteen and twenty-two hours of local time with sign language interpretation or subtitle translation	gross
12.	Failure to supply mandatory messages on TV channels with sign language interpretation or subtitle translation	major
13.	Retransmission by domestic TV and radio channels of TV and radio programmes of foreign TV and radio channels in weekly volume exceeding ten per cent of the total volume of TV and radio programmes	gross
14.	Placement in the mass media of information on job vacancies containing discriminatory labour requirements	gross
15.	Distribution through television and radio broadcasting from 6 a.m. to 10 p.m. local time of information products containing information prohibited for children: encouraging children to commit acts that pose a threat to their life and/or health, including suicide; provoking children to antisocial and illegal actions; containing special sexual and erotic character; containing description and (or) depiction of sexual violence; containing profanity; distribution of which among children is prohibited, assigned to the age category “from 18 years old”	gross
16.	Placing advertisements on financial (investment) pyramid activities	gross
17.	Advertising of tobacco and tobacco products, including smokeless tobacco products, heated tobacco products, hookah tobacco, hookah mixture, systems for heating tobacco, electronic consumption systems (vapes) and liquids for them, products imitating tobacco products.	gross

18.	Advertising of ethyl alcohol and alcoholic beverages, products imitating alcoholic beverages	gross
19.	E-casino and online casino adverts	gross
20.	Dissemination in mass media of personal and biometric data of a person, including information on his/her parents and other legal representatives, other personally identifiable information on a minor who has suffered as a result of unlawful actions (inaction) and on minors suspected and (or) accused of administrative and (or) criminal offences	gross
21.	Interrupting by advertising, including by running lines, the broadcasting of official messages, speeches of candidates for President of the Republic of Kazakhstan and deputies to representative bodies, educational and religious TV programmes, as well as the demonstration of children's TV programmes, excluding advertising intended for children and adolescents	gross
22.	Distribution of advertising on TV and radio channels on days of national mourning	gross
23.	Dissemination via television and radio broadcasting of information products without indicating the age category mark or without announcing the age category at the start of a television or radio programme or at each resumption after its interruption	gross
24.	Distribution of advertising of the trademark and (or) the name of wine produced in the territory of the Republic of Kazakhstan in the period from twenty-two o'clock in the evening to six o'clock in the morning of local time on domestic TV, radio channels (excluding children's and religious channels) during broadcasting and (or) retransmission is not accompanied by a warning about the harm of excessive consumption of wine in less than ten per cent of the advertising area (space); is not accompanied by two	major

	social advertisements promoting healthy lifestyles; on radio channels, at the end of the broadcast, the advertisement is not accompanied by a message warning of the dangers of excessive wine consumption	
25.	Distribution of advertising of the trademark and (or) name of wine produced in the territory of the Republic of Kazakhstan: containing advertising of wine; related to labour activity and driving a vehicle; with the participation of minors, including those made with the help of cartoons (animation); addressed to minors; claiming that wine has medicinal properties, encouraging excessive drinking, condemning abstinence from wine; claiming that drinking wine strengthens relationships	gross
26.	Dissemination of advertisements of the relevant goods (works, services), as well as of the advertiser itself, subject to licensing, without specifying the licence number and the name of the body that issued the licence, excluding radio advertisements	major
27.	Dissemination of unfair and unreliable advertising, excluding cases of anti-competitive actions (inaction) of state and local executive bodies, organisations vested by the state with the functions of regulating the activities of market entities, unfair competition	gross
28.	Dissemination of unethical and hidden advertising	gross
29.	Use of advertising for propaganda or agitation of forcible change of the constitutional order, breach of the integrity of the Republic of Kazakhstan, undermining the security of the state, war, social, racial, national, religious, class and tribal superiority, cult of cruelty and violence, pornography, as well as dissemination of information	gross

	constituting state secrets of the Republic of Kazakhstan and other secrets protected by law	
30.	Distribution of advertising in the total volume of broadcast advertising per day with a total duration in the period of time from eighteen to twenty-three hours of local time within one hour of broadcasting time of more than twenty per cent	major
31.	Dissemination of the daily volume of social advertising placed free of charge on compulsory TV and radio channels, less than ten broadcasts in the time interval of eighteen hours calculated from six o'clock in the morning of local time, with a mandatory two broadcasts in the time interval of six hours calculated from eighteen o'clock in the morning of local time	minor
32.	Distribution of social advertising unevenly throughout its daily broadcast in the territory of the Republic of Kazakhstan in the Kazakh language, and at the discretion of the advertiser also in Russian and (or) other languages	minor
33.	Visual or sound use of images of minors in advertising, with the exclusion of social advertising and advertising of goods (works, services) for minors, as well as goods (works , services) that do not entail harmful effects on the physical, mental health and morals of minors	major
34.	Dissemination of social advertising in radio programmes with a mention of sponsors lasting more than three seconds each, social advertising in TV programmes with film and video coverage lasting more than three seconds each, and such mention is allocated more than seven per cent of the frame area, and in social advertising disseminated by other means - more than five per cent of the advertising area (space)	minor
35.	Excessive sound when broadcasting advertisements louder than the sound of the broadcast programme	major

36.	Dissemination of social advertising mentioning means of individualisation, individuals and legal entities, excluding mentioning public authorities, local self-government bodies, sponsors, individuals in a difficult life situation or in need of medical treatment in order to provide them with charitable assistance, as well as references in social advertising on socially oriented non-profit organisations in cases where the content of such advertising is directly related to information on the activities of such non-profit organisations aimed at achieving charitable or other socially useful goals	major
37.	Observance of the requirement by TV and radio channels to keep a record of their own TV and radio programmes aired within six months, as well as to record them in the registration journal of their on-air work and keep it for less than one year from the date of the last entry in it	gross
38.	Observance of the requirement to ensure the quality of TV, radio channels' supply of TV, radio programmes	gross
39.	Observance of the requirement by television and radio companies and television and radio broadcasting operators, regardless of their form of ownership, to notify the population of a threat to life and health and the procedure for acting in the current situation in natural and man-made emergencies, as well as in the interests of defence, national security and law and order protection	gross
40.	Distribution of a TV or radio channel without re-communication in cases of change of ownership or change of organisational and legal form, name, as well as the name of the TV or radio channel	gross
41.	Dissemination and (or) placement of information promoting suicide, information on methods and calls to commit suicide	gross

Appendix 3
to the Criteria for Evaluating the Level of
Risk for Compliance with the Mass Media
Legislation of the Republic of Kazakhstan

Levels of infringement of requirements for mass media entities with regard to the activities of broadcasting operators

№ s/o	Requirements	Level of impairment
1.	Failure to observe the requirement for cable television and radio broadcasting operators to distribute broadcasting and (or) retransmission of compulsory TV and radio channels	gross
2.	Use of radio-electronic means of receiving and transmitting television and radio broadcasting signals that interfere with other radio transmitting and (or) radio receiving means of communication and do not meet the declared technical parameters	gross
3.	Distribution of advertising during retransmission of foreign TV and radio channels by broadcasting operators on the territory of the Republic of Kazakhstan, with the exclusion of: 1) social advertising; 2) advertising placed in the place of an event broadcast live or recording of a live broadcast replay; 3) advertising distributed by foreign TV and radio channels specialising exclusively in messages and materials of an advertising nature	gross
4.	Distribution by television and radio broadcasting operators of foreign television and radio channels not registered with the competent authority	gross
5.	Meeting the requirement to have written consent of the owners of the building and (or) buildings to organise a collective reception system that does not have a commercial purpose	major
6.	Observance of the requirement to have a signed contract for distribution of free access TV and radio channels between the	major

	broadcasting operator and the TV and radio company	
7.	Adherence to the requirement to prevent the use of technical means of television and radio broadcasting for the distribution of television and radio channels that have not undergone the procedure of confirmation of conformity	gross
8.	Observation of the requirement by television and radio companies and television and radio broadcasting operators, regardless of their form of ownership, to notify the population of a threat to life and health and the procedure for acting in the current situation in natural and man-made emergencies, as well as in the interests of defence, national security and law and order protection	gross
9.	Adherence to the requirement to prevent retransmission of a TV or radio channel, TV or radio programme without a contract concluded between a broadcasting operator and a TV or radio company or a branch (representative office) of a foreign legal entity	gross

Appendix 4
to the Criteria for Evaluating the Level of
Risk for Compliance with the Mass Media
Legislation of the Republic of Kazakhstan

Levels of infringement of requirements for mass media entities with regard to the activities of distributors of individual satellite and terrestrial receiving devices

№ s/o	Requirements	Level of impairment
1.	Distribution of conditional access cards to the services of television and radio broadcasting operators and equipment designed for individual reception of television and radio signals of television and radio broadcasting operators without a licence in the sphere of television and radio broadcasting and not possessing their own satellite broadcasting systems on the territory of the Republic of Kazakhstan	gross

Appendix 5
to the Criteria for Evaluating the Risk
Level

Levels of breaches of the requirements for mass media entities to conduct compliance audits of the activities of broadcasting operators

№ s/o	Requirements	Degree of impairment
1.	Availability of at least one third of the total number of engineering and technical experts having profile higher, technical or professional education in the field of telecommunications and practical experience in the speciality for at least one year	minor
2.	Availability of technical capabilities to organise notification of the population in case of emergencies (scheme for organising notification of the population in case of emergencies)	major
3.	Availability of preliminary agreements for retransmission of TV and radio channels with TV and radio companies-right holders (for multiprogramme broadcasting)	minor
4.	Availability of premises and space for accommodation and operation of technical facilities, administrative and management personnel, public services	major
5.	Availability of measuring instruments and test equipment for conducting control, measuring and testing works	minor
6.	Distribution of television and radio channels via analogue terrestrial television and radio broadcasting with a permit for the use of frequency bands, radio frequencies (radio frequency channels) and a licence to engage in television and radio channel distribution activities	major
7.	Distribution of television and radio channels by television and radio broadcasting operators via digital terrestrial television and radio broadcasting if they have a permit for the use of frequency bands, radio frequencies (radio frequency channels) and a licence to engage in	major

	activities involving the distribution of television and radio channels	
8.	Distribution of television and radio channels by television and radio broadcasting operators via satellite television and radio broadcasting provided that they have permission to use frequency bands, radio frequencies (radio frequency channels) and a licence to engage in television and radio channel distribution activities	major
9.	Distribution of television and radio channels by television and radio broadcasting operators via cable and terrestrial cable television and radio broadcasting without a licence to engage in activities involving the distribution of television and radio channels	major
10.	Distribution of television and radio channels by broadcasting operators of terrestrial and cable television and radio broadcasting if they have permission to use frequency bands, radio frequencies (radio frequency channels)	major
11.	Organisation of a system of collective reception of television and radio channels for commercial purposes without a licence to engage in the distribution of television and radio channels	major
12.	Distribution of TV, radio channels in telecommunications networks without a licence to engage in the distribution of TV, radio channels	major

Appendix 2
to joint order of the Minister
of Information and Communication
of the Republic of Kazakhstan
№ 473 of November 9, 2018
of the Minister of National Economy
of the Republic of Kazakhstan
№ 69 of November 15, 2018

Checklist for the observance of the mass media legislation of the Republic of Kazakhstan _____

pursuant to Article 138 of the Entrepreneurial Code of the Republic of Kazakhstan in respect of periodical printed publications, Internet publications, and Internet resources

Footnote. Appendix 2 - as revised by joint order of Acting Minister of Culture and Information of RK № 524-N-K of 06.11.2024 and Deputy Prime Minister - Minister of National Economy of RK № 100 of 08.11.2024 (shall take effect ten calendar days after the date of its first official publication).

name of a homogeneous group of entities (facilities) under control

Public authority that ordered the inspection/preventive control with a visit to the entity (facility)
under control

Act on appointment of inspection/preventive control with a visit to the entity (facility)
under control

No, date
Name of the entity (facility) under control

(Individual identification number), business identification number of the entity (facility)
under control)
Location address

№s/o	List of requirements	Complies with the requirements	Does not comply with the requirements
1	2	3	4
1.	Issue of a periodical printed publication without established output data (name of the periodical printed publication; on the owner of the periodical printed publication; surname and initials of the chief editor (editor); number and date of the certificate of registration or re-registration and the name of the authority issuing it; periodicity of publication; serial number and date of publication of the periodical; circulation of the given issue; name of		

	the printing house, its address and address of the editorial office), as well as with unclear or deliberately false output data		
2.	Dissemination of advertisements in periodical printed publications in a language not fixed in the mass media registration certificate		
3.	Distribution of a periodical printed publication or Internet publication without re-credentialing in cases of change of ownership or change of its name, as well as the title, language of the publication or materials and messages, territory of distribution, main thematic focus and frequency of issue		
4.	Distribution by minors of information products containing information prohibited for children, with the exclusion of information products distributed via the Internet		
5.	Advertising of ethyl alcohol and alcoholic beverages, products imitating alcoholic beverages		
6.	Advertising of tobacco and tobacco products, including smokeless tobacco products, heated tobacco products, hookah tobacco, hookah mixture, systems for heating tobacco, electronic consumption systems (vapes) and liquids for them, products imitating tobacco products.		
7.	E-casino and online casino adverts		
8.	Placement in the mass media of information on		

	job vacancies containing discriminatory labour requirements		
9.	Advertising of financial (investment) pyramid activities		
10.	Dissemination in mass media of personal and biometric data of a person, including information on his/her parents and other legal representatives, other information allowing to establish his/her identity, on a minor who has suffered as a result of unlawful actions (inaction) and on minors suspected and (or) accused of committing administrative and (or) criminal offences		
11.	Distribution of mass media products without registration or after a decision has been taken to suspend or terminate their release (broadcasting) or to declare the registration certificate null and void		
	Placement in the mass media of readers' letters, including information posted by users on the Internet resource, containing information prohibited by the laws of the Republic of Kazakhstan (propaganda or agitation of the cult of cruelty and violence, social, racial, national, religious, class and tribal superiority, disclosure of information constituting state secrets or other secrets protected by law, dissemination of information promoting suicide, disclosing technical techniques and tactics of anti-terrorist operations during their conduct, propaganda of narcotic drugs,		

12.	<p>psychotropic substances, their analogues and precursors, explosives and explosive devices, distribution of television, radio programmes, television, radio channels, as well as demonstration of film and video products of pornographic and special sexual and erotic nature, use of mass media for the purpose of breaking the conditions of election campaigning, activities performed by foreigners, stateless persons, foreign legal entities and international organisations, hindering and (or) contributing to the nomination and election of candidates, political parties that have nominated a party list, achieving a certain result in elections, campaigning during the period of its prohibition, coercion to participate or refuse to participate in a strike, breach of the legislation of the Republic of Kazakhstan on the procedure for organising and holding peaceful meetings, rallies, marches, pickets and demonstrations , on copyright and related rights on the Internet)</p>		
13.	<p>Dissemination of unfair and unreliable advertising, excluding anti-competitive actions (inaction) of state and local executive bodies, organisations vested by the state with the functions of regulating the activities of market entities, unfair competition</p>		
14.	<p>Dissemination of unethical and hidden advertising</p>		
	<p>Use of advertising for propaganda or agitation of</p>		

15.	<p>violent change of the constitutional order, violation of the integrity of the Republic of Kazakhstan , undermining the security of the state, war, social, racial, national, religious, class and tribal superiority, cult of cruelty and violence , pornography, as well as dissemination of information constituting state secrets of the Republic of Kazakhstan and other secrets protected by law</p>		
16.	<p>Dissemination of social advertising mentioning means of individualisation, individuals and legal entities, excluding mentioning public authorities, local self-government bodies, sponsors, individuals in a difficult life situation or in need of medical treatment in order to provide them with charitable assistance, as well as references in social advertising on socially oriented non-profit organisations in cases where the content of such advertising is directly related to information on the activities of such non-profit organisations aimed at achieving charitable and other socially useful goals</p>		
17.	<p>Visual or sound use of images of minors in advertising, excluding social advertising and advertising of goods (works, services) for minors , as well as goods (works, services) that do not entail harmful effects on the physical, mental health and morality of minors</p>		

18.	Distribution of advertising of the trademark and (or) the name of wine produced on the territory of the Republic of Kazakhstan in periodic printed publications (excluding children's and religious publications) on the front and back pages of newspapers; on the pages and covers of magazines, almanacs, bulletins, supplements thereto; without accompanying social advertising on popularisation of a healthy lifestyle, the volume of advertising area (space) of which is equal to the volume of advertising area (space) of advertising of a trademark and (or) name of wine produced in the territory of the Republic of Kazakhstan		
19.	Distribution of advertising of a trademark and (or) the name of wine produced in the territory of the Republic of Kazakhstan: containing advertising of wine; related to labour activity and driving a vehicle; with the participation of minors, including those made with the help of animation (animation); addressed to minors; claiming that wine has medicinal properties, encouraging its immoderate consumption, condemning abstinence from drinking wine; claiming that drinking wine helps to strengthen relationships		
20.	Failure to supply electronic forms of compulsory free copies of printed periodicals		

21.	Foreigners and foreign legal entities, stateless persons have the right to directly and (or) indirectly own, use, dispose of and (or) manage more than 20 per cent of shares (participatory interests in the authorised capital, units) of a legal entity owning a mass media outlet in the Republic of Kazakhstan or a legal entity operating in this area		
22.	Dissemination and (or) placement of information promoting suicide, information on methods and calls to commit suicide		
23	Retail sale of erotic products in non-stationary premises, in unsealed transparent packages, in premises and territories of educational, health care, children's institutions, religious buildings (structures), to persons under eighteen years of age		
24	Information and communication infrastructure of the owner of the Internet publication is located outside the Republic of Kazakhstan		

Official(s) _____

position signature

surname, first name, patronymic (if any)

Head of the entity being monitored _____

position signature

surname, first name, patronymic (if any)

Checklist for the observance of the mass media legislation of the Republic of Kazakhstan

pursuant to Article 138 of the Entrepreneurial Code of the Republic of Kazakhstan in respect of television and radio companies

Footnote. Appendix 3 - as revised by joint order of Acting Minister of Culture and Information of RK № 524-NK of 06.11.2024 and Deputy Prime Minister - Minister of National Economy of RK № 100 of 08.11.2024 (shall be put into effect upon expiry of ten calendar days after the date of its first official publication).

name of a homogeneous group of entities (facilities) under control

Public authority that ordered the inspection / preventive control with a visit to the entity (facility) under control _____

Act on appointment of inspection/preventive control with a visit to the entity (facility) under control _____

_____, №, date
Name of the entity (facility) under control _____

(Individual identification number), business identification number
entity (facility) under control _____

Location address _____

№ s/o	List of requirements	Complies with the requirements	Does not comply with the requirements
1	2	3	4
1.	The number of domestic television programmes, excluding advertising, in the weekly volume of television and radio broadcasting by domestic		

	television channels: 1) from January 1, 2025 – less than fifty-five percent; 2) from January 1, 2027 – less than sixty percent		
2.	The number of musical works by Kazakhstani authors or performers and domestic radio programmes, excluding advertising, in the weekly volume of radio broadcasting by domestic radio channels: 1) from January 1, 2025 – less than fifty-five percent; 2) from January 1, 2027 – less than sixty percent		
3.	The extent of additional information of a commercial advertising nature exceeding twenty-five per cent of the screen area and interfering with the text or information material in television programmes		
4.	The distribution of advertising on television and radio channels that do not specialise in advertising messages and materials, exceeding twenty percent of the total daily broadcast volume, excluding tickers, social advertising, and information about the television and radio channels' own products (announcements), not containing third-party advertising, announcements of events prepared and conducted by television and radio channels, as well as advertising placed at the venue of an event broadcast live or recorded as a repeat of a live broadcast		

5.	The dissemination of advertising in the form of overlays, including tickers, covering more than seven and a half per cent of the screen area and interrupting text or information material in television programmes.		
6.	Broadcasting on television and radio channels without announcing their name, and in the case of continuous broadcasting, less than four times a day		
7.	Weekly volume of domestic television and radio programmes broadcast in the Republic of Kazakhstan in the official language by time: 1) from January 1, 2025 – less than fifty-five percent of the total volume of television and radio programmes; 2) from January 1, 2027 – less than sixty percent of the total volume of television and radio programmes		
8.	The volume of television and radio programmes in the state language in six-hour intervals, calculated from midnight local time: 1) from January 1, 2025 – less than fifty-five percent of the total volume of television and radio programmes; 2) from January 1, 2027 – less than sixty percent of the total volume of television and radio programs.		
9.	The volume of advertising on television and radio channels in the Kazakh language at intervals of every six hours, calculated from midnight local time, is less than the total		

	volume of advertising broadcast in other languages		
10.	Failure by the owner of a television or radio channel to meet the deadline for broadcasting television or radio programmes within six months of receiving the registration certificate		
11.	Failure to ensure that at least one news programme is broadcast between 4 p.m. and 10 p.m. local time with sign language interpretation or subtitles		
12.	Failure to provide mandatory messages broadcast on television channels with sign language interpretation or subtitles		
13.	Retransmission by domestic television and radio channels of television and radio programmes from foreign television and radio channels in weekly volumes exceeding ten per cent of the total volume of television and radio programmes.		
14.	Placement in the mass media of information on job vacancies containing discriminatory labour requirements		
15.	Distribution through television and radio broadcasting from 6.00 a.m. to 10.00 p.m. local time of information products containing information prohibited for children: inciting children to commit acts that pose a threat to their life and/or health, including suicide; provoking children to antisocial and illegal		

	actions; containing a special sexual and erotic character; containing descriptions and/or depictions of sexual violence; containing profanity; the distribution of which to children is prohibited, categorised as “from 18 years of age.		
16.	Placing advertisements on financial (investment) pyramid activities		
17.	Advertising of tobacco and tobacco products, including smokeless tobacco products, heated tobacco products, hookah tobacco, hookah mixture, systems for heating tobacco, electronic consumption systems (vapes) and liquids for them, products imitating tobacco products		
18.	Advertising of ethyl alcohol and alcoholic beverages, products imitating alcoholic beverages		
19.	E-casino and online casino adverts		
20.	Dissemination in mass media of personal and biometric data of a person, including information on his/her parents and other legal representatives, other personally identifiable information on a minor who has suffered as a result of unlawful actions (inaction) and on minors suspected and (or) accused of administrative and (or) criminal offences		
	Interrupting by advertising, including by means of running lines, the broadcasting of official messages, speeches of candidates to the President of the Republic of		

21.	Kazakhstan and to deputies of representative bodies, educational and religious TV programmes, as well as the demonstration of children's TV programmes, excluding advertising intended for children and adolescents		
22.	Distribution of advertising on TV and radio channels during days of national mourning		
23.	Dissemination via television and radio broadcasting of information products without indicating the age category mark or without announcing the age category at the beginning of a television or radio programme or at each resumption after its interruption		
24.	Distribution of advertising of the trademark and (or) the name of wine produced in the territory of the Republic of Kazakhstan in the period from twenty-two o'clock in the evening to six o'clock in the morning of local time on domestic TV, radio channels (excluding children's and religious channels) during broadcasting and (or) retransmission is not accompanied by a warning of the harm of excessive consumption of wine in less than ten per cent of the advertising area (space); is not accompanied by two social advertisements promoting healthy lifestyles; on radio channels, at the end of the broadcast, the advertisement is not accompanied by a message warning of the harms of		

	excessive wine consumption		
25.	Distribution of advertising of a trademark and (or) the name of wine produced in the territory of the Republic of Kazakhstan: containing advertising of wine; related to labour activity and driving a vehicle; with the participation of minors, including those made with the help of cartoons (animation); addressed to minors; claiming that wine has medicinal properties, encouraging its immoderate consumption, condemning abstinence from drinking wine; claiming that drinking wine helps to strengthen relationships		
26.	Dissemination of advertisements of the relevant goods (works, services), as well as of the advertiser itself, subject to licensing, without specifying the licence number and the name of the body that issued the licence, excluding radio advertisements		
27.	Dissemination of unfair and unreliable advertising, excluding cases of anti-competitive actions (inaction) of state and local executive bodies, organisations vested by the state with the functions of regulating the activities of market entities, unfair competition		
28.	Dissemination of unethical and hidden advertising		
	Use of advertising for propaganda or agitation of violent change of the constitutional system, violation of the integrity of		

29.	the Republic of Kazakhstan , undermining the security of the state, war, social, racial, national, religious, class and tribal superiority, cult of cruelty and violence , pornography, as well as dissemination of information constituting state secrets of the Republic of Kazakhstan and other secrets protected by law		
30.	Distribution of advertising in the total volume of broadcast advertising per day with a total duration in the period of time from eighteen to twenty-three hours of local time within one hour of broadcasting time of more than twenty per cent		
31.	Dissemination of the daily volume of social advertising placed free of charge on compulsory TV and radio channels, less than ten broadcasts in the time interval of eighteen hours calculated from six o'clock in the morning of local time, with a mandatory two broadcasts in the time interval of six hours calculated from eighteen o'clock in the morning of local time		
32.	Distribution of social advertising unevenly throughout its daily broadcast in the territory of the Republic of Kazakhstan in the Kazakh language, and at the discretion of the advertiser also in Russian and (or) other languages		
	Visual or sound use of images of minors in advertising, with the exclusion of social advertising and advertising of goods (works, services)		

33.	for minors, as well as goods (works, services) that do not entail harmful effects on the physical, mental health and morals of minors		
34.	Dissemination of social advertising in radio programmes with a mention of sponsors lasting more than three seconds each, social advertising in TV programmes with film and video coverage lasting more than three seconds each, and such mention is allocated more than seven per cent of the frame area, and in social advertising disseminated by other means - more than five per cent of the advertising area (space)		
35.	Excessive sound when broadcasting advertisements louder than the sound of the broadcast programme		
36.	Dissemination of social advertising mentioning means of individualisation, individuals and legal entities, excluding mentioning public authorities, local self-government bodies, sponsors, individuals in a difficult life situation or in need of medical treatment in order to provide them with charitable assistance, as well as references in social advertising on socially oriented non-profit organisations in cases where the content of such advertising is directly related to information on the activities of such non-profit organisations aimed at achieving charitable or other socially useful goals		

37.	Observance of the requirement by TV and radio channels to keep a record of their own TV and radio programmes aired within six months, as well as to record them in the registration journal of their on-air work and keep it for less than one year from the date of the last entry in it		
38.	Observance of the requirement to ensure the quality of TV, radio channels' supply of TV, radio programmes		
39.	Adherence to the requirement by television and radio companies and television and radio broadcasting operators, regardless of their form of ownership, to notify the public of a threat to life and health and the procedure for acting in the current situation in natural and man-made emergencies, as well as in the interests of defence, national security and the protection of law and order		
40.	Distribution of a TV or radio channel without re-communication in cases of change of ownership or change of organisational and legal form, name, as well as the name of the TV or radio channel		
41.	Dissemination and (or) placement of information promoting suicide, information on methods and calls to commit suicide		

Official(s) _____

position signature _____

surname, first name, patronymic (if any)

Head of the entity (facility) under control _____

position signature _____

surname, first name, patronymic (if any)

Appendix 4
to joint order of the Minister
of Information and Communication
of the Republic of Kazakhstan
№ 473 of November 9, 2018
of the Minister of National Economy
of the Republic of Kazakhstan
№ 69 of November 15, 2018

Checklist for ensuring compliance with the legislation of the Republic of Kazakhstan on mass media

pursuant to Article 138 of the Entrepreneurial Code of the Republic of Kazakhstan with regard to television and radio broadcasting operators

Footnote. The joint order has been supplemented with a checklist in line with joint order of the Acting Minister of Culture and Information of the RK № 524-NK of 06.11.2024 and Deputy Prime Minister - Minister of National Economy of the RK № 100 of 08.11.2024 (shall go into effect upon expiry of ten calendar days after its first official publication date).

name of a homogeneous group of entities (facilities) subject to control

Public authority that ordered the inspection/preventive control with a visit to the entity (facility)

under control _____

Act on the appointment of an inspection/preventive control with a visit to the entity (facility)

under control _____

№, date

Name of the entity (facility) under control _____

(Individual identification number), business identification number

entity (facility) under control _____

Location address _____

№ s/o	List of requirements	Complies with the requirements	Does not comply with the requirements
1	2	3	4
1.	Failure to follow the rules for cable TV operators to broadcast and/or retransmit mandatory TV and radio channels		
2.	Use of radio-electronic means of receiving and transmitting television and radio signals that interfere with other radio transmitting and/or radio receiving means of communication and do not meet the declared technical parameters		
3.	The dissemination of advertising during the retransmission by television and radio operators of foreign television and radio channels on the territory of the Republic of Kazakhstan , with the exemption of: 1) social advertising; 2) advertising placed at the location of an event broadcast live or recorded as a repeat of a live broadcast; 3) advertisements broadcast by foreign television and radio channels specialising exclusively in advertising messages and materials		
4.	Distribution by television and radio broadcasters of foreign television and radio channels that are not registered with the authorised body		
5.	Following the rules on getting written permission from the owners of the building(s) to set up a collective reception system that's not for commercial purposes		

6..	Fulfilling the requirement to have a contract between the broadcaster and the TV or radio company for distributing free-to-air TV and radio channels		
7.	Adherence to the requirement to prevent the use of technical means of television and radio broadcasting that have not undergone conformity verification procedures for the distribution of television and radio channels		
8.	Observance by television and radio companies and broadcasters, regardless of their form of ownership, of the requirement to alert the population to threats to life and health and to inform them of the procedures to follow in the event of natural and man-made emergencies, as well as in the interests of defence, national security and law enforcement		
9.	Coping with the requirement to prevent the retransmission of television and radio channels, television and radio programmes without a contract concluded between the television and radio broadcasting operator and the television and radio company or branch (representative office) of a foreign legal entity		

Official(s) _____

position signature _____

surname, first name, patronymic (if any)

Head of the entity (facility) under control

position signature _____

surname, first name, patronymic (if any)

Appendix 5
to joint order of the Minister
of Information and Communication
of the Republic of Kazakhstan
№ 473 of November 9, 2018
of the Minister of National Economy
of the Republic of Kazakhstan
№ 69 of November 15, 2018

Checklist for ensuring compliance with the legislation of the Republic of Kazakhstan on mass media

pursuant to Article 138 of the Entrepreneurial Code of the Republic of Kazakhstan with regard to distributors of individual satellite and terrestrial receiving devices

Footnote. The joint order has been supplemented with a checklist pursuant to joint order of the Acting Minister of Culture and Information of the RK № 524-NK of 06.11.2024 and Deputy Prime Minister - Minister of National Economy of the RK № 100 of 08.11.2024 (shall become effective ten calendar days after the date of its first official publication).

name of a homogeneous group of entities (facilities) under control

Public authority that has appointed an inspection/preventive control with a visit to the entity (facility)
under control _____

Act on appointment of inspection/preventive control with a visit to the entity (facility)
under control _____

_____, №, date

Head of the entity (facility) under control _____

(Individual identification number), business identification number of the entity (facility)
under control) _____

Location address _____

--	--	--	--

№ s/o	List of requirements	Complies with the requirements	Does not comply with the requirements
1	2	3	4
1.	Distribution of conditional access cards for broadcasting operators' services and equipment designed for individual reception of television and radio signals from broadcasting operators without a broadcasting licence and without their own satellite broadcasting systems in the territory of the Republic of Kazakhstan		

Official(s) _____

position signature

surname, first name, patronymic (if any)

Head of the entity (facility) under control _____

position signature

surname, first name, patronymic (if any)

Appendix 6
to joint order of the Minister
of Information and Communication
of the Republic of Kazakhstan
№ 473 of November 9, 2018
of the Minister of National Economy
of the Republic of Kazakhstan
№ 69 of November 15, 2018

Checklist for ensuring compliance with the legislation of the Republic of Kazakhstan on mass media

pursuant to Article 138 of the Entrepreneurial Code of the Republic of Kazakhstan with regard to television and radio broadcasting operators

name of a homogeneous group of entities (facilities) under control

Footnote. The joint order has been supplemented with a checklist in compliance with joint order of the Acting Minister of Culture and Information of the RK № 524-NK of 06.11.2024

and Deputy Prime Minister - Minister of National Economy of the RK № 100 of 08.11.2024 (shall be enacted ten calendar days after the day of its first official publication).

Public authority that ordered the inspection_____

Act on the assignment of the inspection _____

_____ №, date

Name of the entity (facility) under control _____

(Individual identification number), business identification number
of the entity (facility) under control) _____

Location address_____

№ s/o	List of requirements	Complies with the requirements	Does not comply with the requirements
1	2	3	4
1	Availability of at least one third of the total number of engineering and technical specialists who have profile higher, technical or professional education in the field of telecommunications and practical experience in the speciality for at least one year		
2	Availability of technical capabilities to organise notification of the population in case of emergencies (scheme for organising notification of the population in case of emergencies)		
3	Existence of preliminary agreements for the retransmission of television and radio channels with television and radio companies that are rights holders (for multi-channel broadcasting)		

4	Availability of premises and space for the accommodation and operation of technical equipment, administrative and management personnel , and public services		
5	Availability of measuring instruments and testing equipment for control, measurement and testing work		
6	Distribution of radio channels via analogue terrestrial radio broadcasting, subject to authorisation to use frequency bands, radio frequencies (radio frequency channels) and a licence to engage in the distribution of radio channels.		
7	Distribution of television and radio channels by television and radio broadcasting operators via digital terrestrial television and radio broadcasting, subject to authorisation to use frequency bands, radio frequencies (radio frequency channels) and a licence to engage in the distribution of television and radio channels.		
8	Distribution of television and radio channels by television and radio broadcasting operators via satellite television and radio broadcasting, subject to obtaining a permit to use frequency bands, radio frequencies (radio frequency channels) and a licence to engage in the distribution of television and radio channels.		
	Distribution of television and radio channels by television and radio broadcasting operators via		

9	cable and terrestrial cable television and radio broadcasting without a licence to engage in the distribution of television and radio channels		
10	Distribution of television and radio channels by terrestrial and cable television and radio broadcasting operators, subject to authorisation to use frequency bands, radio frequencies (radio frequency channels)		
11	Organization of a collective reception system for television and radio channels for commercial purposes without a license to engage in the distribution of television and radio channels		
12	Distribution of television and radio channels in telecommunications networks without a licence to engage in the distribution of television and radio channels		

Official(s) _____

position signature

surname, first name, patronymic (if any)

Head of the entity (facility) under control _____

position signature

surname, first name, patronymic (if any)