

## On approval of risk assessment criteria and checklists in protection, reproduction and use of animal world

### *Unofficial translation*

Joint order of Deputy Prime Minister of the Republic of Kazakhstan - Minister of Agriculture of the Republic of Kazakhstan dated December 7, 2018 № 494 and Minister of National Economy of the Republic of Kazakhstan dated December 7, 2018 № 95. Registered in the Ministry of Justice of the Republic of Kazakhstan on December 7, 2018 № 17896.

### *Unofficial translation*

In accordance with paragraphs 5 and 6 of Article 141 of the Entrepreneurial Code of the Republic of Kazakhstan, **we hereby ORDER:**

**Footnote. The preamble - in the wording of the joint order of the acting Minister of Ecology, Geology and Natural Resources of the Republic of Kazakhstan dated 30.11.2022 № 725 and acting Minister of National Economy of the Republic of Kazakhstan dated 30.11.2022 № 108 (shall enter into force from 01.01.2023).**

#### 1. Approve:

1) criteria for assessing the degree of risk in the field of protection, reproduction and use of wildlife in accordance with Annex 1 to this joint order;

2) a checklist in the field of protection, reproduction and use of wildlife in relation to hunting subjects in accordance with Annex 2 to this joint order;

3) a checklist in the field of protection, reproduction and use of wildlife in relation to subjects of fisheries in accordance with Annex 3 to this joint order;

4) a checklist in the field of protection, reproduction and use of wildlife in relation to water management organizations and water use entities in accordance with Annex 4 to this joint order.

**Footnote. Paragraph 1 – in the wording of the joint order of the acting Minister of Ecology, Geology and Natural Resources of the Republic of Kazakhstan dated 30.11.2022 № 725 and acting Minister of National Economy of the Republic of Kazakhstan dated 30.11.2022 № 108 (shall enter into force from 01.01.2023).**

2. Joint order № 18-04/1126 of the Minister of Agriculture of the Republic of Kazakhstan dated December 25, 2015 and № 808 of the Minister of National Economy of the Republic of Kazakhstan dated December 28, 2015 "On Approval Of Risk Assessment Criteria And A Checklist In Protection, Reproduction And Use Of Animal World", (registered in the Register of State Registration of Regulatory Legal Acts under № 12657, published on January 29, 2016 in Adilet Legal Information System), shall be declared to be no longer in force.

3. In accordance with the procedure, established by the legislation, the Committee of Forestry and Fauna of the Ministry of Agriculture, shall:

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

2) within ten calendar days from the date of state registration of this joint order, send its copies both in Kazakh and Russian languages to the Republican State Enterprise on the Right of Economic Management "Republican Center of Legal Information of the Ministry of Justice of the Republic of Kazakhstan" for official publication and placement in the Reference Control Bank of the Regulatory Legal Acts of the Republic of Kazakhstan;

3) within ten working days after state registration of this joint order, send a copy hereof for official publication to periodical printed media;

4) place this order on the Internet resource of the Ministry of Agriculture of the Republic of Kazakhstan after its official publication;

5) within ten working days after state registration of this joint order, report to the Department of Legal Services of the Ministry of Agriculture of the Republic of Kazakhstan on performance of activities, stipulated by sub-items 1), 2) 3) and 4) of this item.

4. Control over the execution of this order shall be entrusted to the supervising Vice-Minister of Agriculture of the Republic of Kazakhstan.

5. This joint order shall be put into effect upon expiry of ten calendar days after the day of its first official publication.

*Deputy Prime-Minister  
of the Republic of  
Kazakhstan –Minister  
of Agriculture of the  
Republic of Kazakhstan  
Minister of National  
Economy of the  
Republic of Kazakhstan*

\_\_\_\_\_ *U. Shukeyev*

\_\_\_\_\_ *T. Suleimenov*

"AGREED"

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

Annex 1  
to joint order № 494  
of the Deputy Prime-Minister  
of the Republic of Kazakhstan –  
Minister of Agriculture of the  
Republic of Kazakhstan  
dated December 7, 2018 and № 95  
of the Minister of National Economy  
of the Republic of Kazakhstan  
dated December 7, 2018

## **Risk assessment criteria in protection, reproduction and use of animal world Chapter 1. General Provisions**

1. This Risk assessment criteria for the protection, reproduction and use of wildlife (hereinafter referred to as the Criteria) have been developed in accordance with paragraphs 5 and 6 of Article 141 of the Entrepreneurial Code of the Republic of Kazakhstan (hereinafter referred to as the Code), by order of the Ministry of National Economy of the Republic of Kazakhstan dated July 31, 2018 № 3 "On approval of the form of the checklist" (registered in the register of state registration of regulatory legal acts № 17371), the Rules for the formation by regulatory state bodies of a risk assessment and management system approved by the order of the Ministry of National Economy of the Republic of Kazakhstan dated June 22, 2022 № 48 (registered in the register of state registration of regulatory legal acts № 28577) and shall be a set of quantitative and qualitative indicators related to the direct activities of the subject (object) of control, peculiarities of industry development and factors influencing this development, which shall make it possible to classify the subjects (objects) of control as various degrees of risk.

**Footnote. Paragraph 1 – in the wording of the joint order of the acting Minister of Ecology, Geology and Natural Resources of the Republic of Kazakhstan dated 30.11.2022 № 725 and acting Minister of National Economy of the Republic of Kazakhstan dated 30.11.2022 № 108 (shall enter into force from 01.01.2023).**

2. The following terms shall be used in these Criteria:

- 1) score shall be a quantitative measure of risk calculation;
- 2) data normalization shall be a statistical procedure that provides for reducing the values measured in different scales to a conditionally common scale;
- 3) subjects (objects) of control and supervision - subjects (objects) carrying out activities in the field of protection, reproduction and use of wildlife;
- 4) insignificant violations - violation of the requirements established by regulatory legal acts in the field of protection, reproduction and use of wildlife, in terms of the absence of registered and indicated registration numbers of floating equipment in the manner prescribed by the Law of the Republic of Kazakhstan "On inland water transport," as well as violations not classified as gross and significant violations;
- 5) significant violations - violation of the requirements established by regulatory legal acts in the field of protection, reproduction and use of wildlife, in terms of the absence of full houses, non-fulfillment of contracts for planning funds, material and technical equipment, reproduction and science, the presence of incomplete and inaccurate information in the information provided by the subjects of hunting and fish farms and local executive bodies, the presence of confirmed complaints and appeals;
- 6) gross violation - violation of the requirements established by regulatory legal acts in the field of protection, reproduction and use of wildlife, entailing administrative liability provided

for by the Code of the Republic of Kazakhstan "On administrative offenses" (hereinafter referred to as the Code of Administrative Offenses), non-compliance with the procedure for creating zoological collections, non-compliance with the established deadlines for restrictions and prohibitions on the use of wildlife, failure to comply with the requirements for fish protection devices, allowing the destruction or damage of pillars, floating identification marks, the occurrence of adverse incidents, the presence of poaching, the absence of a log of the catch of fish resources and other aquatic animals, failure to comply with acts of state inspectors exercising state control and supervision in the field of protection, reproduction and use of wildlife;

7) risk shall be the probability of causing harm as a result of the activities of the subject (object) of control and supervision of the environment, the legitimate interests of individuals and legal entities, the property interests of the state, taking into account the severity of its consequences;

8) risk assessment shall be a set of measures carried out by the control and supervision body in order to appoint and carry out preventive control and supervision with a visit to the subject (object) of control;

9) risk assessment criteria - a set of quantitative and qualitative indicators related to the direct activities of the subject of control and supervision, the peculiarities of sectoral development and factors affecting this development, which make it possible to attribute the subjects (objects) of control to different degrees of risk;

10) objective risk assessment criteria (hereinafter referred to as the objective criteria) - risk assessment criteria used to select subjects (objects) of control and supervision depending on the degree of risk in the field of protection, reproduction and use of wildlife;

11) subjective criteria for assessing the degree of risk (hereinafter referred to as the subjective criteria) - criteria for assessing the degree of risk used for the selection of subjects (objects) of control and supervision, depending on the results of the activities of a particular subject (object) of control and supervision;

12) risk assessment and management system - the process of making management decisions aimed at reducing the likelihood of adverse factors by distributing subjects (objects) of control and supervision by degrees of risk for the subsequent implementation of preventive control with a visit to the subject (object) of control and supervision in order to minimize the degree of restriction of freedom of enterprise, while ensuring an acceptable level of risk in the relevant areas of activity, as well as aimed at changing the level of risk for a particular entity (object) of control and supervision and (or) release of such subject (object) of control and supervision from preventive control with a visit to the subject (object) of control and supervision;

13) checklist - a list of requirements for the activities of subjects (objects) of control and supervision, non-compliance with which entails a threat to the environment, the legitimate interests of individuals and legal entities, the state;

14) sample population (sample) - a list of evaluated subjects (objects) belonging to a homogeneous group of subjects (objects) of control in a specific area of state control, in accordance with paragraph 2 of Article 143 of the Code.

Footnote. Paragraph 2 – in the wording of the joint order of the Minister of Ecology and Natural Resources of the Republic of Kazakhstan dated 18.05.2023 № 155 and acting Minister of National Economy dated 18.05.2023 № 75 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

## **Chapter 2. Objective criteria**

3. Risk management during preventive control with a visit to the subject (object) of control and supervision shall be formed by determining objective and subjective criteria that shall be carried out in stages (Multicriteria analysis of decisions).

Footnote. Paragraph 3 – in the wording of the joint order of the Minister of Ecology and Natural Resources of the Republic of Kazakhstan dated 18.05.2023 № 155 and acting Minister of National Economy dated 18.05.2023 № 75 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

4. According to objective criteria, the subjects (objects) of control and supervision shall be divided into three risk groups:

1) to a high degree of risk - subjects (objects) of control and supervision engaged in hunting, commercial fishing;

2) medium risk - subjects (objects) of control and supervision involved in the organization of amateur (sports) hunting and fishing;

3) to a low degree of risk - subjects (objects) of control and supervision engaged in aviary and semi-free keeping, breeding of wildlife objects, fish farming (aquaculture) on natural water bodies, water use in terms of the availability and compliance of fish protection devices with the requirements approved by order of the Minister of Agriculture of the Republic of Kazakhstan dated May 31, 2019 № 221 (registered in the Register of State Registration of Regulatory Legal Acts № 18783), research fishing and other aquatic animals, as well as organizations engaged in training citizens in hunting minimum, owners of zoological collections, zoos, biological centers.

Footnote. Paragraph 4 – in the wording of the joint order of the acting Minister of Ecology, Geology and Natural Resources of the Republic of Kazakhstan dated 30.11.2022 № 725 and acting Minister of National Economy of the Republic of Kazakhstan dated 30.11.2022 № 108 (shall enter into force from 01.01.2023).

5. Once the risk has been determined, the control and supervision entities (entities) shall be divided into three risk grades (high, medium and low).

In relation to subjects (objects) of control and supervision classified as high and medium risk, preventive control shall be carried out with a visit to the subject (object) of control and

supervision, preventive control without a visit to the subject (object) of control and supervision and an unscheduled inspection.

Footnote. Paragraph 5 - in the wording of the joint order of the acting Minister of Ecology , Geology and Natural Resources of the Republic of Kazakhstan dated 30.11.2022 № 725 and acting Minister of National Economy of the Republic of Kazakhstan dated 30.11.2022 № 108 (shall enter into force from 01.01.2023).

6. In relation to subjects (objects) of control classified as low risk, preventive control shall be carried out without visiting the subject (object) of control and supervision and an unscheduled inspection.

Footnote. Paragraph 6 - in the wording of the joint order of the acting Minister of Ecology , Geology and Natural Resources of the Republic of Kazakhstan dated 30.11.2022 № 725 and acting Minister of National Economy of the Republic of Kazakhstan dated 30.11.2022 № 108 (shall enter into force from 01.01.2023).

### **Chapter 3. Subjective criteria**

7. Subjective criteria shall be determined based on the results of analysis of information from the following sources:

1) the results of previous inspections and preventive control with a visit to the subject (object) of control and supervision. At the same time, the severity of violations (gross, significant, insignificant) shall be established in case of non-compliance with the requirements of the legislation reflected in the checklists;

2) results of monitoring of reporting and information submitted by the subject (object) of control and supervision;

3) the presence of registered cases of adverse incidents arising through the fault of the subjects (objects) of control. Adverse incidents shall include mass destruction of wildlife and deterioration of their habitat;

4) results of preventive control without visiting the subject (object) of control and supervision (final document issued as a result of preventive control without visiting the subject (object) of control and supervision (recommendation);

5) results of analysis of information submitted by state bodies.

Footnote. Paragraph 7 – in the wording of the joint order of the Minister of Ecology and Natural Resources of the Republic of Kazakhstan dated 18.05.2023 № 155 and acting Minister of National Economy dated 18.05.2023 № 75 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

8. The degree of violations of the requirements shall be determined in accordance with Annexes 1, 2 and 3 to these Criteria:

1) the degree of violations of the requirements in the field of protection, reproduction and use of wildlife in relation to hunting subjects;

2) the degree of violations of the requirements in the field of protection, reproduction and use of wildlife in relation to fisheries;

3) the degree of violations of the requirements in relation to water management organizations and water use entities.

The priority of the information sources used and the importance of indicators of subjective criteria shall be established according to the list of subjective criteria for determining the degree of risk according to subjective criteria in accordance with Annexes 4 and 5 to these Criteria:

1) a list of subjective criteria for determining the degree of risk according to subjective criteria in relation to hunting entities;

2) a list of subjective criteria for determining the degree of risk according to subjective criteria in relation to fisheries.

**Footnote. Paragraph 8 – in the wording of the joint order of the Minister of Ecology and Natural Resources of the Republic of Kazakhstan dated 18.05.2023 № 155 and acting Minister of National Economy dated 18.05.2023 № 75 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

9. According to the risk level indicators, the subject (object) of control and supervision shall include:

1) to a high degree of risk - with a risk degree indicator from 71 to 100 inclusive;

2) to the average risk degree - if the risk degree is from 31 to 70 inclusive;

3) to a low risk degree - with a risk degree indicator from 0 to 30 inclusive.

2) to the average risk degree - if the risk degree is from 31 to 70 inclusive;

3) to a low risk degree - with a risk degree indicator from 0 to 30 inclusive.

**Footnote. Paragraph 9 – in the wording of the joint order of the Minister of Ecology and Natural Resources of the Republic of Kazakhstan dated 18.05.2023 № 155 and acting Minister of National Economy dated 18.05.2023 № 75 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

10. If one gross violation is detected, the subject (object) of control and supervision is equal to the risk degree indicator 100 and preventive control shall be carried out in relation to it with a visit to the subject (object) of control.

**Footnote. Paragraph 10 – in the wording of the joint order of the acting Minister of Ecology, Geology and Natural Resources of the Republic of Kazakhstan dated 30.11.2022 № 725 and acting Minister of National Economy of the Republic of Kazakhstan dated 30.11.2022 № 108 (shall enter into force from 01.01.2023).**

11. If no gross violations have been identified, then to determine the risk level indicator, the total indicator for violations of a significant and insignificant degree is calculated.

To classify the subject of control and supervision as a risk, the following procedure for calculating the risk indicator shall be used.

Calculation of the risk level according to subjective criteria (R) shall be carried out in an automated mode by summing the risk level according to violations based on the results of previous inspections and preventive control with visits to subjects (objects) of control and supervision (SP) and the risk level according to subjective criteria (SC), with subsequent normalization of values of data in the range from 0 to 100 points.

$R_{\text{проп}} = SP + SC$ , where

$R_{\text{проп}}$  – intermediate risk score according to subjective criteria,

SP – risk indicator for violations,

SC – risk level according to subjective criteria determined in accordance with Paragraph 8 of these Criteria.

The calculation shall be made for each subject (object) of control and supervision of a homogeneous group of subjects (objects) of control and supervision of each sphere of state control and supervision. At the same time, the list of assessed subjects (objects) of control and supervision, belonging to a homogeneous group of subjects (objects) of control and supervision of one sphere of state control and supervision, forms a sample set (sample) for the subsequent normalization of data.

According to the data obtained from the results of previous inspections and preventive control with visits to subjects (objects) of control and supervision, a risk indicator for violations shall be formed, estimated in points from 0 to 100.

If one gross violation is detected according to any of the information sources specified in paragraph 7 of these Criteria, the control and supervision subject is equal to a risk level of 100 points and preventive control shall be carried out against him with a visit to the subject (object) of control and supervision.

**Footnote. Paragraph 11 – in the wording of the joint order of the Minister of Ecology and Natural Resources of the Republic of Kazakhstan dated 18.05.2023 № 155 and acting Minister of National Economy dated 18.05.2023 № 75 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

12. In detection of the rate of major violations, the ratio of 0,7 shall apply, and this rate shall be calculated by the formula as follows:

$$\Sigma P_3 = (\Sigma P_2 \times 100 / \Sigma P_1) \times 0,7,$$

where:

$\Sigma P_3$   
– rate of major violations;

$\Sigma P_1$

– required number of major violations;

$\Sigma P_2$

– number of detected major violations.

13. When determining the indicator of minor violations, a coefficient of 0.3 is used and this indicator shall be calculated using the following formula:

$$SP_H = (SP_2 \times 100 / SP_1) \times 0,3,$$

where:

$SP_H$  – indicator of minor violations;

$SP_1$  – required number of minor violations;

$SP_2$  – the number of insignificant violations identified.

**Footnote. Paragraph 13 – in the wording of the joint order of the Minister of Ecology and Natural Resources of the Republic of Kazakhstan dated 18.05.2023 № 155 and acting Minister of National Economy dated 18.05.2023 № 75 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

14. Overall rate of risk degree (

$\Sigma P$

) shall be calculated according to the scale from 0 to 100 and shall be determined by adding up the rates of major and minor violations according to the following formula:

$$\Sigma P = \Sigma P_3 + \Sigma P_H,$$

where:

$\Sigma P$

– overall rate of risk degree;

$\Sigma P_3$

– rate of major violations;

$\Sigma P_H$

– rate of minor violations.

The data of subjective criteria, previously accounted and used with regard to a particular entity (facility) subjected to control shall not apply in risk degree analysis and assessment.

14-1. Calculation of the risk level according to subjective criteria determined in accordance with paragraph 7 of these Criteria shall be carried out on a scale from 0 to 100 points and shall be carried out according to the following formula:

$$SC = \sum_{i=1}^n x_i * w_i, \text{ где}$$

$x_i$  – subjective criterion indicator,

$w_i$  – specific gravity of the subjective criterion indicator  $x_i$ ,

$n$  – number of indicators.

The obtained value of the risk score according to subjective criteria determined in accordance with paragraph 7 of these Criteria shall be included in the calculation of the risk score according to subjective criteria.

The  $R$  values calculated by subjects (objects) shall be normalized in the range from 0 to 100 points. Data normalization shall be carried out for each sample set (sample) using the following formula:

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

$R$  – risk level indicator (final) according to the subjective criteria of an individual subject (object) of control and supervision,

$R_{\text{max}}$  – the maximum possible value on the risk scale according to subjective criteria for subjects (objects) included in one sample set (sample) (upper limit of the scale),

$R_{\text{min}}$  – the minimum possible value on the risk scale according to subjective criteria for subjects (objects) included in one sample population (sample) (lower limit of the scale),

$R_{\text{пром}}$  – an intermediate risk level according to subjective criteria calculated in accordance with paragraph 10 of these Criteria.

**Footnote. The criteria as added by the paragraph 14-1 in accordance with the joint order of the Minister of Ecology and Natural Resources of the Republic of Kazakhstan dated 18.05.2023 № 155 and acting Minister of National Economy dated 18.05.2023 № 75 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

15. The basis for the appointment of preventive control with a visit to the subject (object) of control and supervision shall be a semi-annual list of subjects (objects) of control and supervision, approved by the first head of the regulatory state body formed in accordance with paragraph 4 of Article 144-2 of the Code.

**Footnote. Paragraph 15 – in the wording of the joint order of the acting Minister of Ecology, Geology and Natural Resources of the Republic of Kazakhstan dated 30.11.2022 № 725 and acting Minister of National Economy of the Republic of Kazakhstan dated 30.11.2022 № 108 (shall enter into force from 01.01.2023).**

16. Lists of preventive control with a visit to the subject (object) of control and supervision shall be compiled taking into account their priority with the highest risk score according to subjective criteria.

Footnote. Paragraph 16 – in the wording of the joint order of the acting Minister of Ecology, Geology and Natural Resources of the Republic of Kazakhstan dated 30.11.2022 № 725 and acting Minister of National Economy of the Republic of Kazakhstan dated 30.11.2022 № 108 (shall enter into force from 01.01.2023).

17. The frequency of preventive control with a visit to the subject (object) of control and supervision cannot be more than twice a year.

Footnote. Paragraph 17 – in the wording of the joint order of the acting Minister of Ecology, Geology and Natural Resources of the Republic of Kazakhstan dated 30.11.2022 № 725 and acting Minister of National Economy of the Republic of Kazakhstan dated 30.11.2022 № 108 (shall enter into force from 01.01.2023).

Annex 1  
to Grade criteria  
risk in the field of security,  
reproduction and use  
animal world

### **Degree of violations of requirements in the field of protection, reproduction and use of wildlife in relation to hunting subjects**

Footnote. Annex 1 – in the wording of the joint order of the Minister of Ecology and Natural Resources of the Republic of Kazakhstan dated 18.05.2023 № 155 and acting Minister of National Economy dated 18.05.2023 № 75 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

№	Name of criteria	Degree of impairment
1	Availability of installed full houses	Significant
2	Preventing the extraction of wildlife in dormant areas and reproductive areas	Gross
3	Prevention of illegal hunting with significant damage to wildlife in hunting farms	Gross
4	Complete and reliable information in accounting for the number of species of animals that are objects of hunting	Significant
5	Complete and reliable information on anti-poaching	Significant
6	Prevention of the presence of registered adverse incidents arising through the fault of the subjects (objects) of control, expressed in the form of a reduction in the number of wildlife objects and deterioration of	Gross

	their habitat, harm as a result of activities to the animal world, environmental degradation and violation of biological balance in hunting grounds	
7	Implementation of the recommendation of preventive control without visiting the subject (object) of control and supervision	Gross
8	Prevention of violation of the requirements for the use of wildlife and hunting rules by hunting entities (Article 382 of the Code of Administrative Offences)	Significant
9	Prevention of violation of the rules of hunting by the subjects of hunting (Article 385 of the Code of Administrative Offences)	Significant
10	Prevention of illegal acquisition, sale, transportation, import, export, storage (maintenance) of species of wild animals and plants, their parts or derivatives by hunting entities (Article 389 of the Code of Administrative Offences)	Significant
11	Prevention of violation of the procedure for issuing and using permits for the use of wildlife by hunting entities (Article 390 of the Code of Administrative Offences)	Significant

Annex 2  
to Grade criteria  
risk in the field of security,  
reproduction and use  
of animal world

### **Degree of violations of requirements in the field of protection, reproduction and use of wildlife in relation to fisheries**

**Footnote. Annex 2 - in the wording of the joint order of the Minister of Ecology and Natural Resources of the Republic of Kazakhstan dated 18.05.2023 № 155 and acting Minister of National Economy dated 18.05.2023 № 75 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

№	Name of criteria	Degree of impairment
1	Availability of a log of fishing resources and other aquatic animals (fishing log)	Gross
2	Availability of installed full houses	Significant

3	Preventing the extraction of fish and other aquatic animals in resting areas	Gross
4	Enforcement of restrictions and prohibitions on the use of wildlife	Gross
5	Availability of floating craft registered and marked with registration numbers	Insignificant
6	Availability of a certificate on the origin of fishing	Significant
7	Compliance with the requirements to prevent the destruction or damage of poles, floating identification marks and full houses marking the boundaries of wintering pits, spawning grounds, fishery areas and places prohibited for fishing	Gross
8	Prevention of illegal fishing in fishery water bodies (areas)	Gross
9	Ensuring that annual fish production is achieved	Significant
10	Complete and reliable information on the development of the catch quota for fish and other aquatic animals by users	Significant
11	Complete and reliable information on the fulfillment of the planned amounts of funds for the current year by users for the development of fisheries	Significant
12	Complete and reliable information on entities engaged in fisheries	Significant
13	Complete and reliable information in the information of fish processing enterprises	Significant
14	Implementation of the recommendation of preventive control without visiting the subject (object) of control and supervision	Gross
15	Prevention of illegal fishing(Article 383 Code of Administrative Offences)	Significant
16	Prevention of illegal acquisition, sale , transportation, import, export, storage (maintenance) of fish and fish products (Article 383 Code of Administrative Offences)	Significant

Annex 3  
to Grade criteria  
risk in the field of security,  
reproduction and use

## Degree of violations of requirements in the field of protection, reproduction and use of wildlife in relation to the activities of water management organizations and water use entities

Footnote. Annex 3 - in the wording of the joint order of the Minister of Ecology and Natural Resources of the Republic of Kazakhstan dated 18.05.2023 № 155 and acting Minister of National Economy dated 18.05.2023 № 75 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

№	Name of criteria	Degree of impairment
1	Availability of fish protection devices at water intake and discharge facilities	Gross
2	Compliance of meshes and screens of fish protection devices with design documentation	Gross
3	Availability of fish protection devices made of nets and grids in both headwaters of hydraulic units and in guides for fish to inlets of fish passage facilities	Gross
4	Availability of networks made of galvanized wire or capron suspended on floats or on pile supports	Gross
5	The presence of gaps between the rods in the lattice of metal rods, depending on the purpose of the lattice and the size of fish resources and other aquatic animals	Gross
6	Compliance with the dimensions of fish resources and other aquatic animals of the distance between the electrodes and the effective value of the electric field strength in electric barriers of fish protection devices	Gross
7	The fact of the death of fish and other aquatic animals in fishery water bodies (areas)	Gross
8	Implementation of the recommendation of preventive control without visiting the subject (object) of control and supervision	Gross

Annex 4  
to Grade criteria  
risk in the field of security,  
reproduction and use  
of animal world

**List of subjective criteria for determining the degree of risk according to subjective criteria in the field of protection, reproduction and use of wildlife in accordance with subparagraph 22) of Article 138 of the Entrepreneurial Code of the Republic of Kazakhstan in relation to the activities of hunting entities**

**Footnote. The criteria as added by Annex 4 in accordance with the joint order of the Minister of Ecology and Natural Resources of the Republic of Kazakhstan dated 18.05.2023 № 155 and acting Minister of National Economy dated 18.05.2023 № 75 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

№ r/n	Subjective criterion indicator	Source of information on the subjective criterion parameter	Weight by significance, score (total must not exceed 100 points), $w_i$	Condition /value, $x_i$		
				condition 1/ value	condition 2/ value	condition 3/ value
1	2	3	4	5	6	7
For preventive control with visit						
1	Late and/or poor reporting	Results of monitoring of reporting and information submitted by the subject of control and supervision	40	0	1	2
				0	100	
2	Number of cases of administrative liability under Articles 382, 385, 389, 390 (part 2) Code of Administrative Offences RK	The presence of adverse incidents arising through the fault of the subject of control and supervision.	60	0	1-5	6+
				0	50	100
	Availability of information on failure to comply with recommendations on elimination of violations identified as a result of monitoring without a visit	Results of preventive control without visiting the subject (object) of control and supervision (final documents issued as a result of preventive control without visiting the	Inclusion in the semi-annual list of preventive control and supervision with a visit to the subject (object) of control and supervision	0	1	
					100	

3	within the established period	subject (object) of control and supervision)	0		
---	-------------------------------	--	---	--	--

Annex 5  
to Grade criteria  
risk in the field of security,  
reproduction and use  
of animal world

### List

**of subjective criteria for determining the degree of risk according to subjective criteria in the field of protection, reproduction and use of wildlife in accordance with subparagraph 22) of Article 138 of the Entrepreneurial Code of the Republic of Kazakhstan in relation to the activities of fisheries**

**Footnote. The criteria as added by Annex 5 in accordance with the joint order of the Minister of Ecology and Natural Resources of the Republic of Kazakhstan dated 18.05.2023 № 155 and acting Minister of National Economy dated 18.05.2023 № 75 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

№ r/n	Subjective criterion indicator	Source of information on the subjective criterion parameter	Weight by significance, score (total should not exceed 100 points), $w_i$	condition /values, $x_i$		
				condition 1 / values	condition 2 / values	condition 3 / values
1	2	3	4	5	6	7
For preventive control with visit						
		Results of monitoring of reporting submitted by subjects (objects) of control and supervision to interregional basin inspections of the Fisheries Committee of the Ministry of		0	1	
					100	

1	Late and/or poor reporting	Ecology, Geology and Natural Resources of the Republic of Kazakhstan	40	0		
2	Failure to comply with the recommendations to eliminate violations identified as a result of preventive control and supervision without visiting the subject (object) of control and supervision	Results of preventive control without visiting the subject (object) of control and supervision (final document issued as a result of preventive control without visiting the subject (object) of control and supervision (recommendation))	inclusion in the semi-annual list of preventive control and supervision with a visit to the subject (object) of control and supervision			
3	Availability of information on violations of legislation in the field of protection, reproduction and use of wildlife ( <u>Article 383</u> and <u>389</u> Code of Administrative Offences RK)	Results of analysis of information submitted by state authorities	60	0	1	
				0	100	

Annex 2  
to the joint order  
of the Deputy Prime Minister  
of the Republic of Kazakhstan

of the Minister of Agriculture  
of the Republic of Kazakhstan  
dated December 7, 2018 № 494  
and Minister of National Economy  
of the Republic of Kazakhstan  
dated December 7, 2018 № 95

Footnote. Annex 2 – in the wording of the joint order of Acting Minister of Ecology, Geology and Natural Resources of the Republic of Kazakhstan dated 30.11.2022 № 725 and Acting Minister of National Economy of the Republic of Kazakhstan dated 30.11.2022 № 108 (shall enter into force from 01.01.2023).

### Checklist in the field of protection, reproduction and use of wildlife in relation to hunting subjects

State authority that appointed the inspection/preventive control  
with a visit to the subject of control and supervision

Act of appointment of inspection and preventive control with a visit to the subject  
(object) of control and supervision

(№, date)

Name of the subject (object) of control and supervision

(individual identification number, business identification number  
subject (object) of control and supervision)

Address

№ r/n	Data requirements list	conforms to requirements	Does not meet the requirements
1	2	3	4
1	Availability of installed full houses		
2	Preventing the extraction of wildlife in dormant areas and reproductive areas		
3	Presence of illegal hunting with significant damage to wildlife in hunting farms		

Officials (s)

(position) (signature)

(surname, first name, patronymic (if any))  
Head of the subject (object) of control and supervision

\_\_\_\_\_  
(position) (signature)

\_\_\_\_\_  
(surname, first name, patronymic (if any))

Annex 3  
to the joint order  
of the Deputy Prime Minister  
of the Republic of Kazakhstan  
of the Minister of Agriculture  
of the Republic of Kazakhstan  
dated December 7, 2018 № 494  
and Minister of National Economy  
of the Republic of Kazakhstan  
dated December 7, 2018 № 95

Footnote. Annex 3 – in the wording of the joint order of Acting Minister of Ecology, Geology and Natural Resources of the Republic of Kazakhstan dated 30.11.2022 № 725 and Acting Minister of National Economy of the Republic of Kazakhstan dated 30.11.2022 № 108 (shall enter into force from 01.01.2023).

### Checklist for the protection, reproduction and use of wildlife in relation to fisheries

State authority that appointed the inspection/preventive control  
with a visit to the (object) of control and supervision

\_\_\_\_\_  
Act of appointment of inspection and preventive control with a visit to the subject  
(object) of control and supervision

\_\_\_\_\_  
№, date

\_\_\_\_\_  
Name of the subject (object) of control and supervision

\_\_\_\_\_  
(individual identification number, business identification number  
subject (object) of control and supervision)

Address \_\_\_\_\_

№	Data requirements list	Conforms to requirements	Does not meet the requirements
1	2	3	4

1	Availability of a log of fishing resources and other aquatic animals (fishing log)		
2	Availability of installed full houses		
3	Preventing the extraction of wildlife in dormant areas and reproductive areas		
4	Enforcement of restrictions and prohibitions on the use of wildlife		
5	Availability of floating craft registered and marked with registration numbers		
6	Availability of a certificate on the origin of fishing		
7	Compliance with the requirements to prevent the destruction or damage of poles, floating identification marks and full houses marking the boundaries of wintering pits, spawning grounds, fishery areas and places prohibited for fishing		
8	Presence of illegal fishing in fishery water bodies (areas)		
9	Ensuring that annual fish production shall be achieved		

Officials (s)

---

(position) (signature)

---

(surname, first name, patronymic (if any))

Head of the subject (object) of control and supervision

---

(position) (signature)

---

(surname, first name, patronymic (if any))

Annex 4  
to the joint order  
of the Deputy Prime Minister  
of the Republic of Kazakhstan  
of the Minister of Agriculture

of the Republic of Kazakhstan  
dated December 7, 2018 № 494  
and Minister of National Economy  
of the Republic of Kazakhstan  
dated December 7, 2018 № 95

Footnote. Annex 4 – in the wording of the joint order of Acting Minister of Ecology, Geology and Natural Resources of the Republic of Kazakhstan dated 30.11.2022 № 725 and Acting Minister of National Economy of the Republic of Kazakhstan dated 30.11.2022 № 108 (shall enter into force upon expiry from 01.01.2023).

**Checklist in the field of protection, reproduction and use of wildlife  
in relation to water management organizations and water use entities**

The state body that ordered the inspection of preventive control/  
with a visit to the (object) of control and supervision

Act of appointment of inspection and preventive control with a visit to the subject  
(object) of control and supervision

(№, date)

Name of the subject (object) of control and supervision

(individual identification number, business identification number  
subject (object) of control and supervision)

Address

№	Data requirements list	Conforms to requirements	Does not meet the requirements
1	2	3	4
1	Availability of fish protection devices at water intake and discharge facilities		
2	Compliance of meshes and screens of fish protection devices with design documentation		
3	Availability of fish protection devices made of nets and grids in both headwaters of hydraulic units and in guides for fish to inlets of fish passage facilities		

4	Availability of networks made of galvanized wire or capron suspended on floats or on pile supports		
5	The presence of gaps between the rods in the lattice of metal rods, depending on the purpose of the lattice and the size of fish resources and other aquatic animals		
6	Compliance with the dimensions of fish resources and other aquatic animals of the distance between the electrodes and the effective value of the electric field strength in electric barriers of fish protection devices		

Officials (s)

\_\_\_\_\_  
(position) (signature)

\_\_\_\_\_  
(surname, first name, patronymic (if any))

Head of the subject (object) of control and supervision

\_\_\_\_\_  
(position) (signature)

\_\_\_\_\_  
(surname, first name, patronymic (if any))