

On approval of the Rules for recognizing a film as national and issuing a national film certificate

Unofficial translation

Order of the Minister of Culture and Sports of the Republic of Kazakhstan dated March 28, 2019 No. 78. Registered in the Ministry of Justice of the Republic of Kazakhstan on April 3, 2019 No. 18457.

Unofficial translation

In accordance with subparagraph 7) of Article 5 of the Law of the Republic of Kazakhstan "On cinematography", **I HEREBY ORDER:**

Footnote. The preamble is in the wording of the Order of the Minister of Culture and Sports of the Republic of Kazakhstan dated 02.03.2023 № 64 (shall be enforced ten calendar days after the date of its first official publication).

1. To approve the attached Rules for recognizing a film as national and issuing a national film certificate.

2. The Department of Culture and Art of the Ministry of Culture and Sports of the Republic of Kazakhstan, in the manner prescribed by the legislation of the Republic of Kazakhstan, to ensure:

1) state registration of this order in the Ministry of Justice of the Republic of Kazakhstan;
2) within ten calendar days from the date of the state registration of this order, its sending in electronic form in the Kazakh and Russian languages to the Republican state enterprise on the basis of the right of economic management “Republican Legal Information Center” for official publication and inclusion in the Reference Control Bank of regulatory legal acts of the Republic Kazakhstan;

3) within two working days after the entry into force of this order, its placement on the Internet resource of the Ministry of Culture and Sports of the Republic of Kazakhstan;

4) within two working days after the implementation of the measures provided for in this paragraph, submission of information to the Department of Legal Services of the Ministry of Culture and Sports of the Republic of Kazakhstan on implementation of the measures.

3. The supervising vice minister of culture and sports of the Republic of Kazakhstan shall be authorized to oversee the execution of this order.

4. This order shall come into force ten calendar days after the day of its first official publication.

Minister A

Mukhamediuly

Approved by the order of the
Minister of Culture and Sports of

Rules for recognizing a film as national and issuing a national film certificate

Footnote. The Rules are in the wording of the Order of the Minister of Culture and Information of the Republic of Kazakhstan dated 20.03.2025 № 101-HK (shall be enforced ten calendar days after the date of its first official publication).

Chapter 1. General provisions

1. These Rules for recognizing a film as national and issuing a national film certificate (hereinafter referred to as the Rules) are developed in accordance with subparagraph 7) of Article 5 of the Law of the Republic of Kazakhstan "On cinematography" (hereinafter referred to as the Law) and determine the procedure for recognizing a film as national and issuing a national film certificate.

2. Basic concepts used in these Rules:

- 1) film project – a set (package) of documents and materials (including the screenplay, director's statement, production budget, production schedule, marketing plan, and visual materials) that serve as the basis for the production and distribution of a film;
- 2) an applicant is an individual or legal entity who has submitted an application for the recognition of a film as a national and obtaining a certificate of a national film;
- 3) an authorized body – the central executive body responsible for the management and intersectoral coordination in the field of cinematography;
- 4) a certificate of a national film is a document of the established form certifying the right of an individual or legal entity to the measures of state support provided for by this Law;
- 5) film – an audiovisual work created on the basis of a creative concept, consisting of visual images and a soundtrack recorded on a medium and combined into a thematic whole, including, but not limited to, a film series or a filmed stage performance.

Chapter 2. Procedure for recognizing a film as national

3. To recognize a film as national, the applicant shall submit the following documents in Kazakh or Russian to the authorized body:

- 1) in any form, an application for recognition of a film as a national one addressed to the head of the authorized body. The following information is indicated in the application:

Title of the film

Country of production

Production studio

Year of production

Film format

Film timing

Number of episodes

Genre

Age category;

the authors of the film (script writer, director of photography, production designer, author of a musical work) with attached copies of their identity documents;

the producers of the film;

the language of the film, the languages of dubbing or subtitles, or voice-over translation of the film (if any);

the applicant's details (legal address, for a legal entity - business identification number; for an individual registered as an individual entrepreneur - individual identification number);

the date of filing the application and the signature of the applicant;

2) a copy of the film corresponding to the technical requirements on any media;

3) certificate of state registration (re-registration) of the legal entity - producer and copies of its constituent documents or copy of the identity document of the individual - producer;

4) copies of signed contracts with the film's crew (directors, cameramen, sound engineers, costume designers, editors, actors performing the main roles) and copies of their identity documents;

5) documents confirming the estimated cost of the film and the sources of its financing.

For films that have received state support in the form of funding for film projects seeking recognition as national films, the documents specified in part one of this paragraph shall be submitted by the applicant to the authorized body within 30 calendar days after the film has been submitted to the State Film Fund.

4. The documents submitted in accordance with paragraph 3 of these Rules shall be reviewed within twenty (20) working days from the date of their receipt by the authorized body.

In the event that the documents do not comply with paragraph 3 of these Rules, they shall be returned to the applicant without consideration within three (3) working days from the date of their receipt by the authorized body.

In the event that the application and the documents attached thereto are found to be non-compliant with the requirements specified in paragraph 3 of these Rules, the applicant shall have the right to resubmit the documents for consideration within five (5) working days from the date of receipt of their return, provided that the identified deficiencies have been remedied.

5. A film is recognized as national if the following grounds are combined:

1) if the film reflects the events of national history, modern life of the Republic of Kazakhstan, is dedicated to universal humanitarian, social and moral problems, events of world history having socio-cultural significance for the Republic of Kazakhstan, and (or) may contribute to strengthening the image and authority of the Republic of Kazakhstan at the international level;

2) in the production, distribution and screening of films, at least seventy percent of the total amount of work under the estimate is carried out by subjects of cinematographic activity registered in the territory of the Republic of Kazakhstan;

3) the producers of the film are a citizen of the Republic of Kazakhstan and (or) a legal entity registered in the territory of the Republic of Kazakhstan;

4) the composition of the authors of the film (script writer, director of photography, director of photography, production designer, author of a musical work) includes no more than fifty percent of persons who are not citizens of the Republic of Kazakhstan.

6. In accordance with the terms of an international treaty ratified by the Republic of Kazakhstan, a film shot jointly with foreign subjects of cinematographic activity may be recognized as national.

7. The documents submitted by the applicant within 5 working days from the date of receipt by the authorized body are submitted by the authorized body for consideration by the Expert council under the State center for support of national cinema (hereinafter referred to as the Expert council), established in accordance with paragraph 6 of Article 13 of the Law.

8. Based on the results of the review of the submitted documents, the Expert Council within 10 working days shall make a decision to recognize the film as national or to refuse to recognize the film as national, which shall be formalized by a protocol.

Films that have received state support in the form of film project funding are recommended for recognition by a national protocol of the Expert Council upon their completion.

9. Based on the minutes of the Expert Council on recognizing the film as national, within 5 working days from the date of the meeting of the Expert Council, an order is issued by the head of the authorized body or the person performing his duties on recognizing the film as national.

10. Recognition of a film as a national film shall be refused in case of non-compliance with the grounds stipulated in paragraph 5 of these Rules.

11. Refusal to recognize a film as national shall be made in writing, with the provision of a justified reason for the refusal, within the time periods specified in part one of paragraph 4 of these Rules.

12. The consideration of a complaint in an administrative (pre-trial) manner shall be carried out by a higher administrative body, an official considering the complaint. The complaint shall be submitted to the administrative body, official whose administrative act, administrative action (inaction) is being appealed.

Administrative body, official, whose decision, action (inaction) is appealed, no later than 3 working days from the date of receipt of the complaint shall send it and the administrative file to the body considering the complaint.

At the same time, the administrative body, official, whose decision, action (inaction) is appealed, has the right not to send the complaint to the body considering the complaint, if it

within 3 working days will make a decision or other administrative action, fully satisfying the requirements specified in the complaint.

A complaint shall be considered within the time periods established by the Administrative Procedural and Process-Related Code of the Republic of Kazakhstan.

Chapter 3. Procedure for issuing a national film certificate

13. For a film recognized as national, in accordance with Chapter 2 of these Rules, a national film certificate shall be issued.

14. The issuance of a national film certificate shall be carried out in writing, within the time periods specified in part one of paragraph 4 of these Rules.

15. The issuance of a national film certificate shall be carried out by the authorized body for free, in the form, in accordance with the Appendix to these Rules.

Appendix to the Rules for
recognizing a film as national and
issuing a national film certificate
Form

National film certificate Ministry of Culture and Information of the Republic of Kazakhstan

Film title: _____

Country-producer: _____

Studio-producer: _____

Year of production _____

Film format: _____

Film timing: _____

Number of episodes of a film _____

Film genre: _____

Language of film: _____

Film authors

Script writer (s): _____

Stage director (s): _____

Director (s) of photography: _____

Production designer (s): _____

— Author (s) of music: _____

— Producer (s): _____

— Date of issue of a national film certificate: _____

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(surname, name, patronymic (if any) of an authorized person)

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