



On approval of the Rules for establishing protection zones for the objects of ground-based space infrastructure in the Republic of Kazakhstan

Unofficial translation

Order of the Minister of Digital Development, Innovations and Aerospace Industry of the Republic of Kazakhstan dated July 12, 2019 № 162/RD. Registered in the Ministry of Justice of the Republic of Kazakhstan on July 19, 2019 № 19061

Unofficial translation

In accordance with subparagraph 16-2) of paragraph 1 of Article 9 of the Law of the Republic of Kazakhstan dated January 6, 2012 “On Space Activities” I ORDER:

1. To approve the attached Rules for establishing protection zones for the objects of ground-based space infrastructure in the Republic of Kazakhstan.

2. The Aerospace committee of the Ministry of Digital Development, Innovations and Aerospace Industry of the Republic of Kazakhstan, in the manner established by the legislation of the Republic of Kazakhstan, shall 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 state registration of this order, sending it in the Kazakh and Russian languages to the Republican state enterprise on the right of economic management "Institute of Legislation and Legal Information of the Republic of Kazakhstan" for official publication and inclusion to the Standard control bank of regulatory legal acts of the Republic of Kazakhstan;

3) placement of this order on the Internet resource of the Ministry of Digital Development, Innovations and Aerospace Industry of the Republic of Kazakhstan after its official publication;

4) within ten working days after the state registration of this order, submission of information on implementation of measures, provided for in subparagraphs 1), 2) and 3) of this paragraph to the Legal department of the Ministry of Digital Development, Innovations and Aerospace Industry of the Republic of Kazakhstan.

3. Control over execution of this order shall be assigned to the supervising Vice-Minister of Digital Development, Innovation and Aerospace Industry of the Republic of Kazakhstan.

4. This order shall be enforced upon expiry of ten calendar days its first official publication.

*Minister of Digital Development,
Innovations and Aerospace Industry
of the Republic of Kazakhstan*

“AGREED”

by the Ministry of Agriculture

Rules for establishing protection zones for the objects of ground-based space infrastructure in the Republic of Kazakhstan

Chapter 1. General provisions

1. These Rules for establishing protection zones for the objects of ground-based space infrastructure in the Republic of Kazakhstan (hereinafter - the Rules) are developed in accordance with subparagraph 16-2) of paragraph 1 of Article 9 of the Law of the Republic of Kazakhstan dated January 6, 2012 “On Space Activities” (hereinafter - the Law) and shall determine the procedure for establishing protection zones of for the objects of ground-based space infrastructure in the Republic of Kazakhstan.

2. The following definitions are used in these Rules:

- 1) objects of ground-based space infrastructure – objects of ground-based space infrastructure include:
 - scientific- technological and pilot-experimental base for space researches;
 - means of production of space technology and space rocket complexes designed to support space activities;
 - cosmodromes;
 - ground-based complexes for space objects control;
 - ground-based target complexes for receiving information from space objects, its processing and distribution.
- 2) protection zones of ground-based space infrastructure - land plots allotted for the purpose of ensuring safety and safe operation of objects of ground-based space infrastructure, with the exception of areas of fall of separating parts of rocket vehicles, within which activities that are incompatible with the purposes of establishing zones are restricted or prohibited.

Chapter 2. The procedure for establishing protection zones for the objects of ground-based space infrastructure in the Republic of Kazakhstan

3. Protection zones for the objects of ground-based space infrastructure in the Republic of Kazakhstan, in accordance with the land legislation of the Republic of Kazakhstan and the Law, relate to the zones with special conditions for the use of land.

4. Protection areas for the objects of ground-based space infrastructure shall be established for:

- 1) scientific-technological and pilot-experimental bases of space researches;
- 2) means of production of space technology and space rocket complexes designed to support space activities;
- 3) cosmodromes;
- 4) ground-based complexes for space objects control;
- 5) ground-based target complexes for receiving information from space objects, its processing and distribution.

For the objects of scientific-technological and pilot-experimental bases of space researches are established in the form of land plots at a distance of not less than 2 meters around the perimeter of the object.

For the objects of ground-based space infrastructure by means of production of space technology and space rocket complexes designed to support space activities, they are established in the form of land plots at a distance of not less than 300 meters along the perimeter of the object.

For the cosmodromes are established in the form of land plots at a distance of at least 10 kilometers around the perimeter of the object.

For the objects of ground-based complexes of space objects control they are established in the form of land plots at a distance of 100 meters along the perimeter of the object.

For the objects of ground-based target complexes for receiving information from space objects, its processing and distribution, they are established in the form of land plots at distance of not less than 300 meters along the perimeter of the object.

5. Protection zones of ground-based space infrastructure are established by local executive bodies, taking into account the requirements of these Rules, without withdrawing land plots from the owners of land plots and land users.

6. Individuals and legal entities, including state bodies, branches and representative offices of legal entities shall take measures on prevention damage to the objects of ground-based space infrastructure, including conducting explanatory work among their employees on the procedure for carrying out works in the protection zones.

7. Construction of buildings and structures shall not be allowed in the protection zones for the objects of ground-based space infrastructure. Location and boundaries of protection zones are provided in the projects for construction of buildings and structures, and is agreed with local executive bodies of the Republic of Kazakhstan.

8. Protection zones for the objects of ground-based space infrastructure in the right of way of roads and railways are used by individuals and legal entities, carrying out activity in the

field of road and rail transport, in agreement with the authorized bodies in the field of roads and railways, as well as with organizations operating the objects of ground-based space infrastructure.

9. When granting lands, located in the protection zones for the objects of ground-based space infrastructure, for agricultural lands, vegetable garden and garden plots and for other agricultural purposes, a mark on the presence of zones with special conditions of use on the plots shall be made in the issued documents on the right to a land plot by the authorized body for land relations.

10. In case of decommissioning of the objects of ground-based space infrastructure, for which protection zones of ground-based space infrastructure objects are established, organizations operating them shall send a notification to the authorized body for land relations to ensure the possibility of involving lands in economic circulation and their subsequent provision for corresponding needs without marks on special conditions of use.

11. When allocating land plots for the construction of objects through which the objects of ground-based space infrastructure pass, the customers shall agree the acts of selection of land plots with organizations, operating the objects of ground-based space infrastructure in accordance with the land legislation of the Republic of Kazakhstan. Agreement of the act of land plots selection shall be carried out by organizations operating the objects of ground-based space infrastructure within a period of not more than 10 (ten) working days.

12. Placement of temporary objects within the protection zones for the objects of ground-based space infrastructure (kiosks, billboards, stops) shall also be agreed with organizations operating the relevant objects of ground-based space infrastructure for a period of not more than 10 (ten) working days.

13. Heads of construction and other organizations performing earthworks in the protection zones for the objects of ground-based space infrastructure, regardless of ownership, shall take measures on prevention damage to the objects of ground-based space infrastructure, including conducting explanatory work among their employees on the procedure for carrying out works in the protection zones.

14. Within the protection zones for the objects of ground-based space infrastructure, without the written consent and presence of a representative of the relevant organization, operating the objects of ground-based space infrastructure, it shall not be allowed to:

- 1) carry out all types of construction, installation and blasting works;
- 2) conduct works that are performed in the protection zones without a project, and during the production of which the objects of ground-based space infrastructure may be damaged (digging holes, planting trees, locating field camps, keeping livestock, storing materials, feed and fertilizers, arranging shooting ranges), as well as burning bonfires;
- 3) arrange picnics, driveways and parking of vehicles, tractors and mechanisms, barriers and other obstacles, temporary exits from roads, carry bulky goods near the objects of ground space infrastructure which dimensions are equal to or exceed the height of the suspension

wires on poles, build channels (irrigation ditches), dig trenches for connecting individual houses (structures) to utility networks (water supply, heating systems);

4) conduct construction and reconstruction of power lines, radio stations and other objects that emit electromagnetic energy and have a dangerous effect on the objects of ground-based space infrastructure;

5) carry out placement of temporary objects (kiosks, billboards, stops);

6) use of unmanned aerial vehicles.

15. Individuals or legal entities shall apply in written form to obtain a consent for performing works, specified in paragraph 14 of these Rules.

16. Organizations, operating the objects of ground-based space infrastructure shall consider the received requests, and within no more than 5 (five) working days after the receipt of the request, inspect the object and give a conclusion on the technical feasibility or impossibility of performing works.

17. Organizations, operating the objects of ground-based space infrastructure shall establish warning signs “Protection zone for the object of space infrastructure” indicating the size of the protection zone, address (name of the settlement) and phone number (in black) of the organization, operating the object of space infrastructure. The sign is mounted on a pole at a height of 1.7 meters above the surface of the earth and is a metal rectangle painted in light tone with a size of 1000x600 millimeters.

18. Individuals and legal entities, regardless of the ownership form of legal entities, shall agree with the local authorized bodies for land relations, architecture, urban planning and construction the presence or absence of underground utilities (water, heat, energy, gas distribution networks) on executive drawings at the points of intersection and convergence with the objects of space infrastructure.

19. Disputes between organizations that manage the objects of ground-based space infrastructure and individuals and legal entities (their branches and representative offices) shall be resolved in a judicial proceeding in accordance with the legislation of the Republic of Kazakhstan.