On State Border of the Republic of Kazakhstan

Unofficial translation

The Law of the Republic of Kazakhstan dated 16 January 2013 № 70-V.

Unofficial translation

This Law regulates public relations in the field of protection of State Border of the Republic of Kazakhstan.

Chapter 1. GENERAL PROVISIONS Article 1. State Border of the Republic of Kazakhstan

State Border of the Republic of Kazakhstan (hereinafter – State Border) – a line and vertical plane passing on it determining the limits of the territory of the Republic of Kazakhstan (lands, waters, subsoil, air space) and dimensional range of actions of the state sovereignty of the Republic of Kazakhstan.

Article 2. Basic definitions used in this Law

The following basic definitions shall be used in this Law:

1) excluded by the Law of the Republic of Kazakhstan dated 09.01.2026 № 256-VIII (shall be enforced six months after the day of its first official publication).

1-1) special means - means intended for physical, traumatic, chemical, electrical, psychological, distracting, or other impacts on offenders, vehicles, and objects used by them in order to suppress illegal actions or individual protection and camouflage of military personnel, employees of authorized bodies and citizens participating in the protection of the State Border;

1-2) ensuring operations for subsoil use - activities for the transportation of persons, baggage, and cargo by ships involved and intended for exploration and production of minerals , as well as activities related to the use of ships in the maintenance and operation of ports, sea terminals, berthing facilities of the Republic of Kazakhstan and channels used to support exploration and mining operations;

2) barrier of engineering constructions and obstacles – land line allocated within frontier space of the Republic of Kazakhstan in permanent use, designed for ensuring of the activity of Frontier Service of the National Security Committee of the Republic of Kazakhstan;

3) inspection and examination complex – examination introscopytechnology (stationary, portable and mobile technical equipment of non-intrusive examination) equipped by image processing and analysis systems, used by authorized bodies for visual verification of railway and motor vehicle facilities, content of cargo modules of transport vehicles, containers without their opening by the method of non-intrusive (non-contact) examination;

4) baselines for counting the width of the territorial waters of the Republic of Kazakhstan on the Caspian Sea (hereinafter referred to as the baselines) - the lines of the average annual level (at minus 28.0 meters of the Baltic system of heights relative to the zero of the Kronstadt gauge), located on the mainland of the Republic of Kazakhstan and its islands, as well as straight lines that limit the lines of the internal waters of the Republic of Kazakhstan in bays, gulfs, firths and estuaries belonging to the Republic of Kazakhstan;

5) territorial waters of the Republic of Kazakhstan (hereinafter referred to as the territorial waters) - a sea belt fifteen nautical miles wide, measured in accordance with the norms of international law and the laws of the Republic of Kazakhstan from the baselines, to which the sovereignty of the Republic of Kazakhstan extends and the outer limit of which is the State Border;

5-1) fishing zone of the Republic of Kazakhstan (hereinafter referred to as the fishing zone) - a sea belt ten nautical miles wide, measured from the State Border (the outer limit of territorial waters), taking into account the principles and norms of international law, within which the Republic of Kazakhstan has the exclusive right to fish aquatic biological resources;

6) continental shelf of the Republic of Kazakhstan (hereinafter referred to as the continental shelf) - a section of the bottom and subsoil of the Caspian Sea (the Kazakhstani sector of the Caspian Sea), established by international treaties ratified by the Republic of Kazakhstan, to exercise the sovereign rights of the Republic of Kazakhstan to subsoil use and other legitimate economic and economic activities associated with the development of bottom and subsoil resources;

7) the border space of the Republic of Kazakhstan (hereinafter referred to as the border space) - the State border and the territory of the Republic of Kazakhstan adjacent to it to the outer limits of the border zone with the available internal waters of the Republic of Kazakhstan and territorial waters, the territory of checkpoints across the State border and other places where the passage is carried out through the State Border, the fishing zone, the continental shelf, as well as the airspace above them, within which border activities are carried out by authorized bodies;

8) physical protection of foreign establishments of the Republic of Kazakhstan (hereinafter – physical protection of foreign establishments) – component part of safety ensuring of foreign establishments of the Republic of Kazakhstan and their personnel, including set of measures on ensuring of internal security policy and access modes in foreign establishments of the Republic of Kazakhstan;

9) internal waters of the Republic of Kazakhstan (hereinafter – internal waters) – component part of the territory of the Republic of Kazakhstan that includes waters:

located ashore from the baselines;

creeks, bays, bolsters and firths restricted by straight line drawn from the coast to coast at the place of long-time average annual level;

ports of the Republic of Kazakhstan restricted by line passing through the most removed point of hydrotechnical and other permanent constructions of ports to the side of the sea;

Aral Sea located in the side of the coast from the State Border of the Republic of Kazakhstan to hydraulic workAklak in Berg passage (within Kazakhstani part of Big Aral sea);

Border rivers, lakes and other bodies of water, the banks of which belong to the Republic of Kazakhstan;

10) redemarkation – restoration of lost and repair of outdated border signs, installation of additional border signs issued by an international treaty ratified by the Republic of Kazakhstan;

11) service animals – dogs and horses intended for strengthening of border squads for the purpose of prevention, detection, establishment and suppression of infractions in frontier space, as well as physical, psychological, blocking and other effect on wrongful persons;

12) delimitation – determination of position and direction of the State Border under agreement between neighboring states drawn up by international treaty ratified by the Republic of Kazakhstan and graphically depicted on maps attached to this international treaty;

13) pass of persons, transport vehicles, cargos and goods through the State Border – recognition of legality of crossing (permit for crossing) the State Border by persons, transport vehicles, transfer of cargos and goods through the State Border;

13-1) another place where the pass through the State border is carried out is the territory (water area), which is not a point of entry, where pass of persons, vehicles, cargos and goods through the State border is carried out in exceptional cases;

14) crossing point on the State Border (hereinafter – crossing point) – territory (water area) within railway, automobilepassenger depot or station, marine or river port, international airport or aerodrome, as well as another specially allocated sector of the terrain in immediate neighborhood from the State Border with the relevant infrastructure on which the pass of persons, transport vehicles, cargos and goods are carried out;

15) cargos and goods transferred through the State Border (hereinafter – cargos and goods) – commercial and non-commercial cargos, goods, subjects, materials, means, substances, cabin baggage (luggage) and transport vehicles transferred through the State Border;

16) State Border management – measures taken by authorized bodies on creation and development of infrastructure of the State Border;

17) engineering and technical equipment of protection of the State Border (hereinafter – engineering and technical equipment) – means intended for prevention, detection and suppression of infractions in frontier space;

18) State Border infrastructure – set of barriers, objects, hydrotechnical, engineering and other constructions and obstaclesraised, equipped and used by authorized bodies for the purpose of protection of the State Border;

19) delineation of State Border – set of measures on international legal determination, documentary description and legal formalization of the State Border;

20) categorization of State Border – determination of the state of field of State Border on the basis of nature of their specific features (interrelations with neighboring states, threats of frontier safety, socio political position and residential density of border districts, ground relief) and legal position (status) of the State Border;

21) river valley line – a line joining the most lowered fields of the river bottom;

22) radiation control – verification of the level of ionizing radiation coming from cargos, goods and (or) transport vehicles transferred through the State Border and its comparison with natural background radiation;

22-1) service infrastructure – territory, buildings and constructions intended for improvement of conditions of movement of persons and transport vehicles, transfer of cargos (goods) and ensuring of the activity of controlling bodies in crossing points;

23) authorized bodies – state bodies carrying out protection of the State Border within their competence;

24) fairway – safety way for navigation of ships among obstacles (between islands, sand banks) marked by the aids to navigation (buoys, spars, leading marks);

24-1) digital queue system (hereinafter referred to as the digital queue system) is a software and hardware complex designed to reserve the entry time of motor vehicles at automobile checkpoints when leaving the Republic of Kazakhstan;

25) demarcation – determination and settlement of the State Border at location drawn up by international treaty ratified by the Republic of Kazakhstan;

26) frontier incident – accident on the State Border linked with violation of the regime of the State Border concerning the interests of the Republic of Kazakhstan, one or several neighboring states with it;

27) frontier safety – component part of the national security of the Republic of Kazakhstan representing security of political, economic, information, humanitarian and other interests of a person, association and state in frontier space;

28) frontier zone – part of territory of the Republic of Kazakhstan adjoining to frontier belt within administrative and territorial entities;

29) frontier belt – part of territory on a land field adjoining immediately to the State Border, and on the field where the State Border crosses border rivers, lakes and other bodies of water – adjoining immediately to the valley side of mentioned bodies of water, as well as territories of islands located in there where the regime of the State Border is in effect;

30) frontier representatives – authorized civil persons appointed from among the officers of Frontier Service of the National Security Committee of the Republic of Kazakhstan for solution of questions linked with maintenance of established regime of the State Border;

31) contact point of frontier representatives – separate building with specially equipped premises used by the Frontier Service of the National Security Committee of the Republic of

Kazakhstan for organization and conduct of meetings of the frontier representatives, as well as international meetings.

Footnote. Article 2 as amended by Law of the Republic of Kazakhstan № 130-V dated 04.07.2013 (shall be enforced upon expiry of ten calendar days after its first official publication); No 59-VI dated 05.05.2017(shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 19.04.2019 № 249-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); № 11-VII dated 23.02.2021 (refer to Article 2 for the enforcement procedure); dated 29.12.2022 № 174-VII (see Article 2 for the procedure of entry into force); dated 09.01.2026 № 256-VIII (shall be enforced six months after the day of its first official publication).

Article 3. Legislation of the Republic of Kazakhstan on State Border

1. Legislation of the Republic of Kazakhstan on the State Border is based on the Constitution of the Republic of Kazakhstan and consists of this Law and other regulatory legal acts of the Republic of Kazakhstan.

2. In international treaty ratified by the Republic of Kazakhstan establishes other rules than those provided by this Law, the rules of international treaty shall be applied.

Article 4. Frontier policy

1. Frontier policy represents harmonized, coordinated activity of the Government of the Republic of Kazakhstan and authorized bodies oriented to ensuring of frontier safety, prevention and suppression of infringement onsovereignty, integrity and inviolability of the territory of the Republic of Kazakhstan, protection of its State Border.

2. Frontier policy shall be implemented by:

1) international cooperation;

2) peaceful solution of frontier questions;

3) coordinated actions of authorized bodies.

3. Preparation of suggestions on formation of frontier policy of the Republic of Kazakhstan shall be carried out by the State frontier commission under the Government of the Republic of Kazakhstan.

The structure, powers and procedures of the State Border Commission are determined by the provision approved by the Prime Minister of the Republic of Kazakhstan.

Footnote. Article 4 as amended by Law of the Republic of Kazakhstan № 69-VI dated 13.06.2017 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 5. Principles of protection of the State Border

Principles of protection of the State Border are:

1) compliance with legality upon carrying out of the activity on protection of the State Border;

2) ensuring of integrity, inviolability and inalienability of the territory of the Republic of Kazakhstan;

3) compliance with the rights and freedoms of a human and citizen;

4) mutual responsibility of a person, association and the state upon protection of the State Border;

5) compliance with the regulations of the international law.

Article 6. Protection of the State Border

1. Protection of the State Border is to ensure national security of the Republic of Kazakhstan in frontier space and shall be carried out by the Government of the Republic of Kazakhstan and authorized bodies by taking policy, legal, organizational, economic, frontier, military and other measures within own competence.

Citizens and organizations of the Republic of Kazakhstan may participate in protection of the State Border.

2. The following regimes shall be introduced within frontier space for the purpose of protection of the State Border:

1) regime of the State Border;

2) regime in crossing points;

3) frontier regime;

4) regime of internal and territorial waters;

4-1) regime of the fishing zone;

5) regime of continental shelf.

Footnote. Article 6 as amended by the Law of the Republic of Kazakhstan dated 23.02.2021 № 11-VII (refer to Article 2 for the enforcement procedure).

Article 7. Protection of the State Border

1. Protection of the State Border as component part of protection of the State Border is to conduct the set of measures by authorized bodies on inadmissibility to change crossing the State Border, as well as detection and suppression of suppositions, signs and facts of violation of the regime of the State Border and regime in crossing points.

2. Protection of the State Border on land, in internal and territorial waters (including in the underwater environment) shall be carried out by the Border Service of the National Security Committee of the Republic of Kazakhstan.

3. Protection of the State Border in air space shall be carried out by Armed Forces of the Republic of Kazakhstan.

Footnote. Article 7 as amended by the Law of the Republic of Kazakhstan dated 23.02.2021 № 11-VII (refer to Article 2 for the enforcement procedure).

Article 8. Measures on protection of the State Border

1. Frontier Service of the National Security Committee of the Republic of Kazakhstan and Armed Forces of the Republic of Kazakhstan shall attract forces and means of authorized bodies, organizations and citizens for carrying out of measures on protection of the State Border in accordance with this Law, other regulatory legal acts of the Republic of Kazakhstan .

2. Measures on protection of the State Border shall be taken in recognition of categorization of its fields.

Chapter 2. ESTABLISHMENT, SETTLEMENT AND MANAGEMENT OF THE STATE BORDER Article 9. Establishment of the State Border

1. State Border shall be established in the course of delimitation, demarcation and redemarcation.

2. Actions linked with delimitation, demarcation and redemarcation of the State Border shall be carried out byjoint committee formed from representatives of the Republic of Kazakhstan and neighboring states.

3. State border shall be established:

1) on land – on characteristic points, lines of relief or clearly visible orientation points;

2) on the Caspian Sea - along the outer limit of territorial waters;

3) on Aral Sea – on line of border points joining the accesses of the State Border to coasts that is not displaced upon change of coastal configuration and water stage in sea;

4) on navigable rivers – in the middle of main fairway or river valley line, on unnavigable rivers, brooks – in their middle or in the middle of main river arm, on lakes and other bodies of water (with the exception of bodies of water mentioned in subparagraph 5) of paragraph 3 of this Article) – on equal spaced, median, straight or another line joining accesses of the State Border to margins of lake or other body of water.

State Border passing on river, brook, lake or other body of water shall not be displaced upon change of coastal configuration or water stage, as well as upon deviation of the river, brook channel;

5) on reservoirs of hydroelectric complexes and other artificial bodies of water – in accordance with the State Border crossing at the place before its inundation;

6) on bridges, dams and other constructions passing through rivers, brooks, lakes and other bodies of water – in the middle of these constructions or their technological axis independently from crossing the State Border on water.

Footnote. Article 9 as amended by the Law of the Republic of Kazakhstan dated 23.02.2021 № 11-VII (refer to Article 2 for the enforcement procedure).

Article 10. Settlement of the State Border

1. State Border at location shall be settled by clearly visible border marks in accordance with demarcation.

2. Forms, sizes, descriptions, constructions and procedure for installment of border marks shall be determined by the Government of the Republic of Kazakhstan.

Article 11. Management of the State Border

1. Management of the State Border shall be carried out in the manner provided by the regulatory legal acts of the Republic of Kazakhstan.

2. Infrastructure of the State Border shall be established proceeding from categorization of its fields in the manner determined by the Government of the Republic of Kazakhstan.

Chapter 3. REGIME OF THE STATE BORDER Article 12. Regime of the State Border

1. Regime of the State Border shall be valid on the State Border and in frontier belt in accordance with this Law and international treaties ratified by the Republic of Kazakhstan.

2. Regime of the State Border shall include procedure for:

1) maintenance of the State Border (with the exception of field of the State Border on Caspian Sea);

2) crossing the State Border;

3) pass of persons, transport vehicles, cargos and goods through the State Border;

4) entrance, temporary stay, residence, movement in frontier belt and carrying out of flights over frontier belt;

5) carrying on economic, commercial or other activity, conduct of public policy, cultural or other measures;

6) resolving of frontier incidents.

3. Frontier belt on fields of the State Border shall be established by the Government of the Republic of Kazakhstan.

Barrier of settling the State Border shall be provided on frontier line.

Article 13. Maintenance of the State Border

1. Maintenance of the State Border shall be carried out by authorized bodies and oriented to ensuring and support of the regime of the State Border.

2. Maintenance of the State Border shall include procedure for provision and ensuring of functioning the barrier of settling the State Border (establishment, preservation and maintenance work of border marks, their check inspection, provision of frontier narrow

clearings and paths), as well as conduct of verifications of crossing the State Border with neighboring state.

3. On fields of the State Border on which the process of demarcation is not completed, the procedure for preservation of border marks, their check inspections shall be determined by the National Security Committee of the Republic of Kazakhstan.

Article 14. Crossing of the State Border

1. Crossing of the State Border shall be carried out:

1) on land, border rivers, lakes and other bodies of water – at the places of crossing the State Border established on the ways of international railway, automobile, river and other communications;

2) in air space – at the places of crossing the State Border by international routes or on air corridors specially allocated for these purposes;

3) on sea – within sea corridors established on the ways of international marine communication.

Crossing of the State Border in other places shall be allowed in cases provided by the Laws of the Republic of Kazakhstan and international treaties ratified by the Republic of Kazakhstan.

2. The Border Service of the National Security Committee of the Republic of Kazakhstan, in the performance of duties for the protection of the State Border, shall be granted the right to cross the State Border differently, agreed with the border authority of the neighbouring state (except for the external border of territorial waters).

3. Order of crossing the State Border within international centre of near-bordercooperation with neighboring state, as well as procedure for stay of persons on its territory shall be regulated by international treaties ratified by the Republic of Kazakhstan and legislation of the Republic of Kazakhstan.

3-1. It is considered as an entry into the Republic of Kazakhstan and departure from the Republic of Kazakhstan, a person's crossing of the State border by railway vehicles when following:

from the territory of the Republic of Kazakhstan by transit through the territory of a foreign state to another part of the territory of the Republic of Kazakhstan;

from the territory of a foreign state by transit through the territory of the Republic of Kazakhstan to another part of the territory of the same foreign state.

Border, customs and other types of control in these cases shall not be carried out subject to the ban on the disembarkation (landing) of passengers, unloading (loading) of goods and goods when transiting through the territory of the Republic of Kazakhstan or the territory of a foreign state.

Maintenance of non-stop following of railway vehicles, control over observance of the ban on disembarkation (embarkation) of passengers, unloading (loading) of cargos and goods is the responsibility of the transport organization (carrier of passengers, cargo and goods).

4. For localization and liquidation of emergency situations of nature and technogenic character, the Laws of the Republic of Kazakhstan and international treaties ratified by the Republic of Kazakhstan may provide other order of crossing the State Border by accident rescue groups.

5. Requirements to settling and providing the fields of ways of international railway and automobile communication from the State Border to crossing points, procedure for travel, as well as requirements for providing Kazakhstani part of perimeter of international centre of near-border cooperation, located on the State Border shall be established by the Government of the Republic of Kazakhstan.

6. When persons and vehicles are traveling from the State Border to checkpoints and other places where a pass is carried out through the State Border or in the opposite direction, it is prohibited:

1) change of established traffic route;

2) stopping, disembarkment (landing) of persons, unloading (loading) of cargo and goods, lifting into the air, landing, or receiving any aircraft, including unmanned aerial vehicles.

7. In the interests of ensuring of national security of the Republic of Kazakhstan, as well as upon written application of neighboring states, the Government of the Republic of Kazakhstan shall temporary restrict or termination crossing of the State Border on its separate fields.

Notification on temporary restriction or termination of crossing the State Border shall be referred by the Ministry of Foreign Affairs of the Republic of Kazakhstan through diplomatic channels to interested states within seventy two hours from the date of adopting such decision .

Footnote. Article 14 as amended by Law of the Republic of Kazakhstan № 59-VI dated 05.05.2017 (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 16.11.2020 № 375-VI (shall come into effect ten calendar days after the day of its first official publication); № 11-VII dated 23.02.2021 (refer to Article 2 for the enforcement procedure); dated 29.12.2022 № 174-VII (shall be enforced upon expiry of sixty calendar days after the day of its first official publication).

Article 15. Crossing of the State Border on sea, rivers, lakes and other bodies of water

1. Kazakhstani and foreign (surface and submarine) vessels, warships, ice vehicles shall cross the State Border on sea, rivers, lakes and other bodies of water in accordance with the Laws of the Republic of Kazakhstan and international treaties ratified by the Republic of Kazakhstan.

2. Submarine foreign vessels (means) cross the State Border and proceed in territorial waters on the surface and with a raised flag.

3. Maritime traffic on border rivers, lakes and other bodies of water with crossing the State Border without call at ports of the Republic of Kazakhstan and neighboring states shall

be regulated by international treaty with neighboring state, ratified by the Republic of Kazakhstan.

4. Kazakhstani and foreign (overwater and underwater) vessels, foreign warships, ice vehicles when crossing the State Border and moving in internal and territorial waters with or without calling at ports (on roadsteads) of the Republic of Kazakhstan, as well as when moving from ports (from the roadstead) of the Republic of Kazakhstan to the State Border shall be obliged, at the request of the Border Service of the National Security Committee of the Republic of Kazakhstan to:

1) show the flag, if it is not hoisted;

2) change a course if it leads to prohibited district or the district temporary dangerous for sailing, as well as to safety zone established around artificial island, establishment or construction, or entails other violation of the sailing regime;

3) inform about the purpose of entry into internal or territorial waters, the reasons for deviation from the traffic pattern;

4) stop and accept inspection group for verification (inspection of vessel premises), represent vessel and navigation documents of crew members and passengers, documents for cargos or goods;

5) change a course and travel to the port of the Republic of Kazakhstan or other specified point;

6) perform other requirements provided by the Laws of the Republic of Kazakhstan and international treaties.

Provisions of subparagraphs 4) and 5) of paragraph 4 of this Article shall not apply to foreign war ships and foreign state vessels used in non-commercial purposes.

5. Kazakhstani and foreign vessels mentioned in paragraph 4 of this Article shall be prohibited:

1) for calling at port (in harbours) of the Republic of Kazakhstan where crossing point are not opened;

2) deviation from established traffic schemes, calling to the district prohibited for sailing or the district temporary dangerous for sailing, as well as to safety zone established around artificial island, establishment or construction, if it is announced in notices for sailors about such district or zone;

3) stopping, disembarking (embarking) people, unloading (loading) any cargo and goods (excluding bunkering ships standing in the outer roadstead of ports, with prior notification of the Border Service of the National Security Committee of the Republic of Kazakhstan), launching or taking on board any floating vessels, taking off, landing or taking on board any aircraft, including unmanned aerial vehicles, conducting commercial, research, exploration or other activities without the permission of the authorised body or in breach of the terms of such permission.

6. Foreign warships and other foreign government ships used for non-commercial purposes shall cross the State Border to enter internal and territorial waters upon prior permission of the Border Service of the National Security Committee of the Republic of Kazakhstan, requested through diplomatic channels no later than thirty calendar days before the date of the intended entry.

Footnote. Article 15 as amended by the Law of the Republic of Kazakhstan dated 23.02.2021 № 11-VII (refer to Article 2 for the enforcement procedure); dated 29.12.2022 № 174-VII (shall be enforced upon expiry of sixty calendar days after the day of its first official publication); № 188-VII of 19.05.2025 (shall come into effect upon expiration of ten calendar days after the day of its first official publication).

Article 16. Right of Kazakhstani vessels carrying on commercial activityon repeated crossing of the State Border on sea, rivers, lakes and other bodies of water

1. Kazakhstani vessels fishing in internal and territorial waters, in the fishing zone and over the continental shelf without transhipment of fishery products to foreign vessels, as well as to Kazakhstani vessels, in respect of which border control has been carried out, in the case of conducting fishing activities, the purpose of which is delivery of fishery products for the sale or production of fish and other products on the territory of the Republic of Kazakhstan, may repeatedly cross the State Border without passing through the border, customs and other types of control based on the permission of the Border Service of the National Security Committee of the Republic of Kazakhstan in the presence of technical means of control that provide constant automatic transmission of information about the position of the vessel.

2. Kazakhstani vessels mentioned by paragraph 1 of this Article shall be prohibited as follows:

1) entry into the internal and territorial waters of a foreign state, foreign ports;

2) landing (boarding) of persons, discharging (loading) of any cargos and goods on foreign vessels, as well as Kazakhstani vessels in respect of which the frontier control is carried out, with the exception of cases when it is caused by necessity of rescuing people and vessels or other emergency circumstances about which the captain of vessel shall inform Frontier Service of the National security Committee of the Republic of Kazakhstan.

3. Procedure for issuing permit for repeated crossing of the State Border, dimensional rangeand time limits of validity of such permit, as well as procedure for carrying out of control of Kazakhstani courts mentioned in paragraph 1 of this Article, shall be established by the Government of the Republic of Kazakhstan.

Footnote. Article 16 as amended by the Law of the Republic of Kazakhstan dated 16.11.2020 № 375-VI (shall come into effect ten calendar days after the day of its first official publication); № 11-VII dated 23.02.2021 (refer to Article 2 for the enforcement procedure).

Article 16-1. The right of Kazakhstani and foreign vessels involved in subsoil use operations to repeatedly cross the State Border

1. The right to repeatedly cross the State Border is granted to:

1) Kazakh and foreign ships departing from ports, sea terminals or berthing facilities of the Republic of Kazakhstan into the water space of the Kazakh sector of the Caspian Sea in order to carry out the state geological study of subsoil resources, exploration and production of minerals, as well as for the creation, use and operation of offshore facilities, floating drilling rigs with subsequent arrival at ports, sea terminals or berthing facilities of the Republic of Kazakhstan;

2) Kazakh and foreign ships departing into the water space of the Kazakh sector of the Caspian Sea from sea checkpoints of the Republic of Kazakhstan or other places where a passage through the State Border is carried out, in order to ensure subsoil use operations with subsequent arrival at the sea checkpoints of the Republic of Kazakhstan or other places where the passage through the State Border is carried out;

3) Kazakh and foreign ships departing from ports, sea terminals or berthing facilities of the Republic of Kazakhstan into the water space of the Kazakh sector of the Caspian Sea in order to ensure subsoil use operations within the framework of the implementation of projects , prioritized by the Government of the Republic of Kazakhstan, with subsequent arrival at ports, sea terminals or berthing facilities of the Republic of Kazakhstan.

Kazakh and foreign ships in the cases established by part one of this paragraph may repeatedly cross the State Border without passing the border and other types of control on the basis of the permission of the Border Service of the National Security Committee of the Republic of Kazakhstan if there are technical control means on the self-propelled ship that ensure continuous automatic transmission of information about the position of the ship.

Customs operations related to arrival or departure of vessels, in the case specified in part one of this Paragraph shall be carried out in accordance with the Customs Legislation of the Republic of Kazakhstan.

2. Kazakhstani and foreign vessels specified in paragraph 1 of this article shall be prohibited from:

1) entry into territorial waters (sea) of a foreign state, into the inland waters of a foreign state and into foreign ports;

2) disembarkation (embarkation) of people, unloading (loading) of any cargos and goods to foreign and Kazakhstani vessels in respect of which the border control has been carried out upon departure from the territory of the Republic of Kazakhstan, as well as those who did not pass border control upon arrival to the territory of the Republic of Kazakhstan, with the exception of cases when it is caused by the need to save people and ships or other emergency circumstances on which the ship's captain immediately informs the Frontier Service of the Committee for National Security of the Republic Kazakhstan.

3. The procedure for issuing a permit for repeated crossing of the State Border by Kazakh and foreign ships, involved in subsoil use operations, as well as in ensuring subsoil use operations, the spatial and temporal limits of such a permit, as well as the procedure for control over the ships, specified in paragraph 1 of this article, are established by the Government of the Republic of Kazakhstan.

Footnote. Chapter 3 is supplemented by Article 16-1 in accordance with Law of the Republic of Kazakhstan № 505-V dated 25.04.2016 (shall be enforced upon expiry of ten calendar days after the day its first official publication); as amended by Law of the Republic of Kazakhstan No 124-VI dated 26.12.20017; dated 19.04.2019 № 249-VI (the order of enforcement see Art. 3).

Article 17. Crossing of the State Border in air space

1. Aerial vehicles following from the place of crossing of the State Border to crossing points and back, as well as upon transit passage through the air space of the Republic of Kazakhstan shall be obliged to fulfill the following requirements of the Armed Forces of the Republic of Kazakhstan and authorized body in the scope of civil aviation of the Republic of Kazakhstan:

1) change a course if it leads to prohibited district or the district temporary dangerous for flights;

2) inform on the purposes of entry into air space of the Republic of Kazakhstan or reasons of deviation from flight plan;

3) carry out landing in specified place.

2. For aerial vehicles upon travelling from the State Border to crossing points or in the opposite direction, as well as transit flight through the air space of the Republic of Kazakhstan, with the exception of natural disasters, catastrophe, accident, emergency situation and other cases threatening life or health of people shall be prohibited as follows:

1) landing (departure) in airports or aerodromes that are not international, not mentioned in flight plan, as well as out of airports and aerodromes;

2) deviation from established (recommended) corridors and routes of travel, flight over the territory of prohibited zones and restricted flight areas published in documents of aeronautical information;

3) landing (boarding) of people, discharging (loading) of any cargos and goods.

The effect of subparagraph 3) of this paragraph does not apply to cases of crossing the State border, specified in paragraph 4 of this article.

3. In exceptional cases, when performing international flights related to the performance of technical, forced landings and humanitarian flights, as well as government tasks, the landing and departure of aircraft are made from airports or aerodromes that are not international. These flights are carried out in the presence of a temporary permit issued by authorized bodies in the spheres of civil and state aviation in agreement with the Committee

for National Security of the Republic of Kazakhstan, state revenue bodies of the Republic of Kazakhstan and other state bodies.

4. Kazakhstan aircrafts carrying people, cargos and goods from the territory of the Republic of Kazakhstan to artificial islands, installations and facilities, floating drilling rigs, including floating hotels located in the water area above the continental shelf, or from the mentioned artificial islands, installations and facilities, floating drilling rigs, including floating hotels, to the territory of the Republic of Kazakhstan, can repeatedly cross the State Border outside the designated air corridors without passing border and other types of control in the order established by the Government of the Republic of Kazakhstan. These Kazakhstan aircrafts shall be prohibited from flying into the airspace of foreign countries, landing (receiving on the board) persons who have passed border control upon departure from the territory of the Republic of Kazakhstan, as well as persons who have not passed border control upon arrival to the territory of the Republic of Kazakhstan, loading (unloading) of any cargos, goods, currency, animals to vessels (from vessels), in respect of which border and customs control has been carried out upon departure from the territory of the Republic of Kazakhstan, as well as to vessels (from vessels) with respect to which border and customs control was not carried out upon arrival to the territory of the Republic of Kazakhstan, except when it is caused by the need to save people, vessels or other extraordinary circumstances on which the commander of the Kazakhstan aircraft immediately informs the Border Service of the National Security Committee of the Republic of Kazakhstan, as well as authorized agencies for civil and state aviation.

When flying between the territory of the Republic of Kazakhstan and artificial islands, installations and facilities, floating drilling rigs, floating hotels located in the water space above the continental shelf, the aircraft can leave the territory of the Republic of Kazakhstan and land on the territory of the Republic of Kazakhstan from airfields, heliports and landing areas of the Republic of Kazakhstan, including those which are not open for international flights.

Customs operations related to arrival or departure of vessels, in the case specified in part one of this Paragraph shall be carried out in accordance with the Customs Legislation of the Republic of Kazakhstan.

Footnote. Article 17 as amended by Laws of the Republic of Kazakhstan № 248-V dated 07.11.2014 (shall be enforced upon expiry of ten calendar days after the day of its first official publication); № 505-V dated 25.04.2016 (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 03.04.2019 № 243-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 18. Involuntary crossing of the State Border

1. Involuntary crossing (outside established places, marine or air corridors) of the State Border is not a violation of procedure for crossing of the State Border, carried out in virtue of the following emergency circumstances:

1) natural disaster, catastrophe, accident, emergency situation and in other cases threatening to life or health of people, safety of Kazakhstani or foreign vessel, foreign war ship, ice vehicle, as well as aerial vehicle;

2) aerotowing of damaged Kazakhstani or foreign vessel, foreign war ship, ice vehicle;

3) carrying of rescued people;

4) rendering of emergency medical care to crew member or passengers of Kazakhstani or foreign vessel, foreign war ship, ice vehicle.

2. Captain (navigator) of Kazakhstani or foreign vessel, foreign war ship, ice vehicle, commander of aerial vehicle in case of involuntary crossing of the State Border or involuntary non-compliance with procedure for travelling from the State Border to crossing points or in the opposite direction determined by this Law shall be obliged to:

1) notify immediately the administration of the nearest Kazakhstani marine or river port, airport or aerodrome that shall inform immediately the Frontier Service of the National Security Committee Of the Republic of Kazakhstan and Ministry of Defense of the Republic of Kazakhstan;

2) act in accordance with instructions of authorized bodies, commander of frontier or war ship of the Republic of Kazakhstan, captain of marine, river vessel or commander of aerial vehicle of the Republic of Kazakhstan arrived for rendering of assistance or clarifying circumstances of the incident.

3. Other persons and transport vehicles in case of involuntary crossing of the State Border or involuntary non-compliance with procedure for travelling from the State Border to crossing points and in the opposite direction determined by this Law shall be obliged to:

1) immediately notify the administration of the nearest territorial subdivision (structural subdivision) of the Border Guard Service of the National Security Committee of the Republic of Kazakhstan about this;

2) act in accordance with instructions of a representative of the Frontier Service of the National Security Committee arrived for clarifying the circumstances of the incident.

Footnote. Article 18 as amended by the Law of the Republic of Kazakhstan dated 16.11.2020 № 375-VI (shall come into effect ten calendar days after the day of its first official publication).

Article 19. Pass of persons, transport vehicles, cargos and goods through the State Border. Crossing points

1. Passage of persons, means of transport, cargos and goods across the State Border are carried out at checkpoints opened in accordance with the legislation of the Republic of Kazakhstan and international treaties ratified by the Republic of Kazakhstan, as well as in

other places where pass through the State border is determined by the Government of the Republic Kazakhstan.

2. Rules of opening (closing), functioning (operation), categorization, classifying, management, as well as requirements on technical equipment and organizing works of crossing points shall be determined by the Government of the Republic of Kazakhstan.

3. List of crossing points shall be approved by the Government of the Republic of Kazakhstan.

4. There are subdivisions of control bodies responsible, within their competence, for organizing border, customs, transport, sanitary and quarantine, veterinary, phytosanitary control, and control over the movement of specific goods at the checkpoints.

4-1. For the organisation of military transportation, military personnel from the military communications authorities shall be stationed at checkpoints.

5. When persons are skipped at checkpoints, as well as in other places where a pass through the State border is carried out, the state border is the passport control line.

5-1. Entry into and exit from the territory of special economic zone, the limits of which fully or partially coincide with the sections of the Customs Border of the Eurasian Economic Union, officials of state authorities, employees of collection service operating in the territory of such special economic zone, as well as persons visiting such a special economic zone with official necessity shall be carried out in the order determined by the National Security Committee of the Republic of Kazakhstan.

The entry and exit of special automobile transport of collection service shall be carried out by inspection (if necessary) without opening sealed collection bags.

For security reasons of transported valuable goods, collection employees shall have the right to use personal protective equipment, to store and carry service weapons and its ammunition in the territory of special economic zone, the limits of which fully or partially coincide with the Customs Border of the Eurasian Economic Union, in accordance with the Legislation of the Republic of Kazakhstan.

6. Pass of persons, transport vehicles, cargos and goods through the State Border shall be carried out by Frontier Service of the National Security Committee of the Republic of Kazakhstan.

7. Pass of persons through the State Border shall be carried out in existence of documents for the right of entry to the Republic of Kazakhstan or departure from the Republic of Kazakhstan, as well as in the absence of restrictions in relation of these persons established by the Laws of the Republic of Kazakhstan.

8. Passage of vehicles, cargos and goods across the State border is carried out in the presence of permissive marks of the state revenue bodies and other controlling bodies for the right to import vehicles, cargos and goods to the Republic of Kazakhstan or export from the Republic of Kazakhstan.

8-1. The passage across the State Border of motor vehicles, cargo and goods, including with the use of the digital queue system, may be carried out on a paid basis in accordance with the procedure determined by the state body exercising leadership in the sphere of ensuring the receipt of taxes and other mandatory payments to the budget, and the authorized body in the sphere of customs affairs in coordination with the Border Service of the National Security Committee of the Republic of Kazakhstan.

In this case, non-residents – owners of motor vehicles and users of the digital queue system – non-residents who have a timely unexecuted resolution on the imposition of an administrative penalty in the form of a fine and (or) an order on a warning or the need to pay a fine in the sphere of ensuring road traffic safety, or arrears for travel on toll motor roads (sections), shall not be subject to registration in the digital queue system until the payment of such payments and fines.

Organizing the development, introduction and functioning of the digital queue system, as well as measures for the collection of fees for the passage across the State Border of motor vehicles, cargo and goods and for reserving a digital queue shall be carried out by the state body exercising leadership in the sphere of ensuring the receipt of taxes and other mandatory payments to the budget, and the authorized body in the sphere of customs affairs in coordination with the Border Service of the National Security Committee of the Republic of Kazakhstan through the application of a public-private partnership mechanism or the application of other mechanisms in accordance with the legislation of the Republic of Kazakhstan.

The provision of other paid services during the passage across the State Border of motor vehicles, cargo and goods with the use of the digital queue system within the framework of the public-private partnership mechanism shall be prohibited.

Unless otherwise provided for by legislative acts of the Republic of Kazakhstan, the amounts of fees for the passage across the State Border of motor vehicles, cargo and goods, as well as for their passage through the digital queue shall be determined by the state body exercising leadership in the sphere of ensuring the receipt of taxes and other mandatory payments to the budget, and the authorized body in the sphere of customs affairs in coordination with the antimonopoly body.

9. Passage through the State Border is considered completed upon completion of the border control procedure and upon departure of the person, vehicle or export of cargos and goods outside the border crossing point, as well as another place where pass through the State Border is carried out.

10. Foreigners and persons without citizenship who are not allowed or restricted to enter the Republic of Kazakhstan, as well as persons against whom a decision to prohibit their departure from the Republic of Kazakhstan, are not subject to pass through the State Border in accordance with the laws of the Republic of Kazakhstan. Foreigners and persons without citizenship who have arrived at the checkpoint or other place where the pass through the State

border is carried out and who do not have reasons to pass through the State border, in accordance with international treaties of the Republic of Kazakhstan, are returned to the country from which they arrived, or to the country of citizenship.

Footnote. Article 19 as amended by Laws of the Republic of Kazakhstan № 248-V dated 07.11.2014 (shall be enforced upon expiry of ten calendar days after the day of its first official publication); № 59-VI dated 05.05.2017 (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 03.04.2019 № 243-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 28.12.2022 № 173-VII (shall be enforced upon expiry of sixty calendar days after the day of its first official publication; dated 29.12.2022 № 174-VII (shall be enforced six months after the date of its first official publication); № 202-VIII of 30.06.2025 (shall be brought into effect upon expiration of sixty calendar days after the day of its first official publication); dated 09.01.2026 № 256-VIII (shall be enforced six months after the day of its first official publication).

Article 20. Simplified procedure for pass through the State Border. Simplified crossing points

1. Simplified procedure for pass through the State Border shall be established immediately at the places of crossing the State Border, on which simplified crossing points are built up in accordance with the international treaty ratified by the Republic of Kazakhstan.

2. Pass of cargos and goods in simplified crossing points through the State Border in commercial purposes shall be prohibited.

Article 21. Pass through the State Border upon occurrence of emergency situations of natural or technogenic character

Upon occurrence of emergency situations of natural and technogenic character, the pass through the State Border of accident rescue groups for localizing and liquidation of emergency situations of natural and technogenic character shall be carried out in the manner determined by the international treaties ratified by the Republic of Kazakhstan.

Article 22. Pass of vessels through the State Border in exceptional cases

In exceptional cases, pass of persons and transport vehicles through the State Border shall be carried out by territorial bodies of the national security of the Republic of Kazakhstan together with administration of airports or aerodromes, marine or river ports with the following notifying the relevant subdivision of the Frontier Service of the National Security Committee of the Republic of Kazakhstan in relation to:

1) aerial vehicles performing special international flights from airports or aerodromes that are not international;

2) Kazakhstani and foreign aerial vehicles performing international flights carrying out unscheduled landings in non-established places;

3) Kazakhstani vessels and ice vehicles performing international carriages, foreign (surface and submarine) vessels, foreign war ships, ice vehicles carried out involuntary calling at marine and river ports (in harbours) of the Republic of Kazakhstan, where there are no crossing points, coming to berths, quays or Kazakhstani coast.

Article 22-1. Pass in other places where passage through the state border is carried out

Pass in other places where passage through the State Border is carried out is performed by the Frontier Service of the Committee for National Security of the Republic of Kazakhstan with the maintenance of order established by the legislation of the Republic of Kazakhstan with respect to:

1) ships, involved in measures taken during the elimination of emergency situations and their consequences, as well as ships, involved in the implementation of priority projects determined by the Government of the Republic of Kazakhstan;

2) vehicles with or without cargo, which in their weight and (or) dimensions exceed the permissible standards and cannot proceed through the car checkpoint. Passage of this category of vehicles is carried out in the area immediately adjacent to the border crossing point;

3) railway vehicles in cases where the infrastructure of the border crossing point does not provide for the possibility of stopping them for the time necessary to carry out the established types of control, or the opening of a border crossing point is inexpedient due to economic reasons. Passage of this category of vehicles is carried out at the station closest to the checkpoint, where there is a necessary infrastructure, or on the route;

4) persons crossing the State Border, vehicles, cargo and goods moving across the State Border within the international centres of border cooperation of the Republic of Kazakhstan with neighbouring states. Herewith, the passage of employees of law enforcement and special state bodies of the Republic of Kazakhstan across the State Border to solve official tasks within the limits of the special economic zone, the limits of which fully or partially coincide with sections of the customs border of the Eurasian Economic Union, shall be carried out according to service certificates based on lists signed by the first head of the relevant their location of the territorial law enforcement or special state body of the Republic of Kazakhstan (by a person replacing him/her), agreed with the territorial body of the National Security Committee of the Republic of Kazakhstan and submitted to the territorial subdivision of the Border Service of the National Security Committee of the Republic of Kazakhstan, operating in the territory of such a special economic zone.

Footnote. Chapter 1 is supplemented by Article 22-1 in accordance with Law of the Republic of Kazakhstan № 59-VI dated 05.05.2017 (shall be enforced upon expiry of ten calendar days after the day of its first official publication); as amended by the Law of the

Republic of Kazakhstan dated 03.04.2019 № 243-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 19.04.2019 № 249-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 16.11.2020 № 375-VI (shall come into effect ten calendar days after the day of its first official publication).

Article 23. Frontier control in crossing points

1. Frontier control in crossing points is one of the types of frontier activity of the Frontier Service of the National Security Committee of the Republic of Kazakhstan.

2. Frontier control in crossing points in relation of persons, transport vehicles, cargos and goods shall include:

1) verification of documents and persons, including through the procedure for verifying identity based on fingerprint information, processing biometric personal data, as well as questioning persons to determine the legality of crossing the State Border, identifying violators of the procedure for crossing the State Border, as well as identify persons in respect of whom there are restrictions established by the laws of the Republic of Kazakhstan on entry into the Republic of Kazakhstan and exit from the Republic of Kazakhstan;

1-1) checking documents and persons, including by processing biometric personal data, as well as interviewing individuals to determine the legality of crossing the State Border, identifying violators of the order of crossing the State Border, as well as identifying individuals who have restrictions on entry to the Republic of Kazakhstan and departure from the Republic of Kazakhstan established by the laws of the Republic of Kazakhstan;

2) verification of existence of permissive marks of controlling bodies for the purpose of determining legality of transfer of transport vehicles, cargos and goods through the State Border, detection and suppression of violations of procedure for crossing the State Border;

3) examination of transport vehicles, cargos and goods, in necessary cases – special (in depth examination), for the purpose of detection and detention of violators of the procedure for crossing the State Border;

4) examination of persons in existence of signs of violating the procedure for crossing the State Border;

5) accompaniment of transport vehicles from the places of crossing of the State Border to crossing points or from the crossing points to the places of crossing of the State Border.

3. Conducting border control outside the checkpoints is not allowed, except for the cases provided for by paragraph 1 of Article 19 and by Articles 22 and 22-1 of this Law.

4. The standard of behavior of a serviceman of the Border Guard Service of the National Security Committee of the Republic of Kazakhstan during border control shall be determined by the Chairman of the National Security Committee of the Republic of Kazakhstan.

Footnote. Article 23 as amended by the Laws of the Republic of Kazakhstan dated 30.12.2016 № 41-VI (shall come into effect from 01.01.2021); № 59-VI dated 05.05.2017 (

shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

Article 24. Entry, temporary stay, residence, movement in frontier belt and carrying out of flights over frontier belt

1. Entry to frontier belt, temporary stay, residence or movement in there of persons without permission of the Frontier Service of the National Security Committee of the Republic of Kazakhstan shall be prohibited.

2. Entry of persons into the border strip shall be carried out in the places established for this purpose in the presence of identity documents or their presentation through the service of digital documents and special passes issued by the Border Service of the National Security Committee of the Republic of Kazakhstan.

3. Pass of heads of local executive and other state bodies to frontier belt upon their performance of official duties shall be carried out at the places established for this in existence of documents certifying identity.

4. Flights of aircraft that do not perform international flights in the airspace above the border strip shall be prohibited, except for flights performed by the aviation of the national security bodies of the Republic of Kazakhstan, by the aviation of other authorized bodies in the performance of the tasks assigned to them. Flights of aviation of authorized bodies in frontier belt shall be carried out upon authorization of the Ministry of Defence of the Republic of Kazakhstan in coordination with the Frontier Service of the National Security Committee of the Republic of Kazakhstan.

5. Restrictions provided by paragraphs 1 and 4 of this Article shall be also in force in a belt of the place from outer boundary of the frontier belt to the barrier of engineering constructions and obstacles of the Frontier Service of the National Security Committee, as well as in air space over it.

6. Flights of aerial vehicles not performing international flights shall be performed in the air space over other territory of frontier space upon authorization of the Ministry of Defence of the Republic of Kazakhstan with notifying the Frontier Service of the National Security Committee of the Republic of Kazakhstan.

Footnote. Article 24 as amended by the Law of the Republic of Kazakhstan dated 16.11.2020 № 375-VI (shall come into effect ten calendar days after the day of its first official publication); dated 14.07.2022 № 141-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 25. Carrying on of economic, commercial or other activity, conduct of public and political, cultural or other measures on the State Border and in frontier belt

1. For carrying on of economic, commercial or other activity, conduct of public and political, cultural or other measures on the State Border and in frontier belt, the Frontier Service of the National Security Committee of the Republic of Kazakhstan shall issue passes for entry and stay in frontier belt in the manner determined by the Government of the Republic of Kazakhstan.

Frontier Service of the National Security Committee of the Republic of Kazakhstan may introduce restrictions or temporary suspend the force of passes in accordance with this Law in recognition of interests of protecting the State Border.

2. Upon introduction of submissions to the Frontier Service of the National Security Committee of the Republic of Kazakhstan to receipt of pass, the individuals and legal entities shall introduce details on nature, place, participants, time of performance of works or conduct of measures, used commercial and other vessels, transport and other technical equipment, and in necessary cases – place and time of crossing of the State Border, if it is specified in international treaties of the Republic of Kazakhstan with neighboring state.

3. Economic, commercial or other activity, public and political, cultural or other measures , carried out (conducted) on the State Border and in frontier belt shall not:

1) inflict damage to national security of the Republic of Kazakhstan, neighboring states or contain a treat of inflicting damage;

2) create obstacles for maintenance of the State Border and performance of tasks by the Frontier Service of the National Security Committee of the Republic of Kazakhstan;

3) violate established order on the State Border.

4. Hunting in frontier belt for the purpose of trading shall be prohibited. Mentioned restriction shall be also in force at the place of area from outer boundary of frontier belt to the line of engineering and technical equipment of the Frontier Service of the National Security Committee of the Republic of Kazakhstan.

5. Upon recommendation of local executive bodies, the Frontier Service of the National Security Committee of the Republic of Kazakhstan shall establish the places of producing the water, bathe, live watering intake in the waters of frontier rivers, lakes and other bodies of water being in the frontier belt where temporary suspension of action of regime restrictions is allowed in existence of positive environment impact assessment and conformity of water sources with sanitary and epidemiological requirements.

Article 26. Quarantine belt

1. For the purpose of non-admission of transferring contagious diseases immediately along the State Border, the quarantine belt shall be built up.

2. Maintenance of quarantine regime within quarantine belt shall be determined in the manner provided by the legislation of the Republic of Kazakhstan.

Article 27. Resolution of frontier incidents

1. Resolution of frontier incidents shall be carried out in the manner established by the Laws of the Republic of Kazakhstan and international treaties ratified by the Republic of Kazakhstan.

2. Resolution of frontier incidents shall be reached by unilateral or investigations joint with neighboring state, consideration of frontier incidents at the meetings of frontier representatives of the Republic of Kazakhstan and neighboring state.

3. For exchange of information, the points of exchange of correspondence shall be established on the State Border.

4. Joint investigation on frontier incidents and other meetings of frontier representatives shall be conducted in contact points of frontier representatives. In case of necessity, mentioned activity may be organized immediately at the place of frontier incident.

5. Activity on resolution of frontier incidents shall be carried out by the Frontier Service of the National Security Committee of the Republic of Kazakhstan.

Upon resolution of frontier incidents in air space, the representatives of the Armed Forces of the Republic of Kazakhstan shall be engaged as experts.

6. Upon resolution of frontier incidents, the Frontier Service of the National Security Committee of the Republic of Kazakhstan may engage forces and efforts of other authorized bodies for investigation.

7. Frontier incidents not regulated by the Frontier Service of the National Security Committee of the Republic of Kazakhstan shall be resolved by the Ministry of Foreign Affairs of the Republic of Kazakhstan.

Article 28. Frontier representatives

1. Frontier representatives are governed by international treaties of the Republic of Kazakhstan, this Law and other regulatory legal acts of the Republic of Kazakhstan in their activity.

2. Activity of frontier representatives is one of the forms of international cooperation and is oriented to development of friendly relations of the Republic of Kazakhstan with neighboring states.

Article 29. Violation of regime of the State Border

1. Violation of regime of the State Border shall be recognized as non-compliance with established procedure for:

1) maintenance of the State Border (with the exception of field of the State Border on Caspian Sea);

2) crossing of the State Border;

3) pass of persons, transport vehicles, cargos and goods through the State Border;

4) departure, temporary stay, residence, movement in frontier belt and carrying out of flights over frontier belt;

5) carrying on economic, commercial or other activity, conduct of public and political, cultural or other measures on the State Border and in frontier belt;

6) resolution of frontier incidents linked with violation of the State Border with foreign states.

2. Any unauthorized violation of established procedure for crossing of the State Border by persons and transport vehicles is the violation of the State Border.

Article 30. Violators of the State Borders

Violators of the State Border shall be recognized:

1) persons who crossed or attempted to cross the State Border by any means outside the checkpoints or at checkpoints and other places where the pass through the State border is carried out, in violation of the established procedure for crossing it;

2) persons entered or trying to enter into Kazakhstani or foreign transport vehicles of foreign travelling for the purpose of illegal entry departure from the Republic of Kazakhstan;

3) foreign non-military ships and warships that entered the internal or territorial waters, as well as the Kazakhstani part of the waters of border rivers, lakes and other water bodies in violation of the established procedure for entering these waters, including foreign submarines and other submarines (objects) in case they cross the State Border in a submerged position or stay in this position during navigation and stay in the waters of the Republic of Kazakhstan;

4) aircraft and other flying machines, including unmanned aerial vehicles that crossed the State Border in violation of the established procedure, as well as those that violated the established rules for the use of airspace when flying from the State Border to airports or airfields of destination or transiting through the airspace of the Republic of Kazakhstan;

5) other persons and other facilities crossed or trying to cross the State Border without proper permission or in violation of established procedure.

Footnote. Article 30 as amended by Law of the Republic of Kazakhstan № 59-VI dated 05.05.2017 (shall be enforced upon expiry of ten calendar days after the day of its first official publication); № 11-VII dated 23.02.2021 (refer to Article 2 for the enforcement procedure); dated 29.12.2022 № 174-VII (shall be enforced upon expiry of sixty calendar days after the day of its first official publication).

Chapter 4. REGIME IN CROSSING POINTS Article 31. Regime in crossing points

1. This Law establishes regime in crossing points – procedure for entry of persons, transport vehicles into points of crossing, stay, movement and departure from them, import, locating, transfer, export of cargos and goods.

2. Territory of crossing point is restricted territory.

3. Regime in crossing points shall exclude possibility of:

1) illegal crossing of the State Border by persons, transport vehicles, cargos and goods;

2) access of third persons to closed places, premises (objects) in crossing points, as well as transport vehicles of foreign travelling.

4. Regime control in crossing point shall be carried out by the Frontier Service of the National Security Committee of the Republic of Kazakhstan and is to conduct verification and other measures on compliance with procedure for entry, stay, movement, departure of persons and transport vehicles; import, locating, transfer, export of cargos and goods in crossing point .

5. This chapter applies to other places where a pass through the State Border is carried out and to a railway vehicle while conducting border, customs and other types of control along the route and terminates upon completion.

Footnote. Article 31 as amended by Law of the Republic of Kazakhstan № 59-VI dated 05.05.2017 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 32. Procedure for entry, departure of persons and transport vehicles, import, export of cargos and goods in crossing points

1. Entry, departure of persons and transport vehicles, import, export of cargos and goods in crossing points shall be carried out in established places in existence of documents of persons for the right to entry in the Republic of Kazakhstan or departure from the Republic of Kazakhstan, as well as documents relating to transport vehicles.

2. Entry to checkpoints for military personnel of the Border Service of the National Security Committee of the Republic of Kazakhstan, military communications agencies, employees of state revenue agencies and other agencies, transport organizations involved in the registration and servicing of persons, vehicles, cargo and goods, as well as employees of law enforcement and special state bodies and other officials authorised to perform tasks assigned to them by the laws of the Republic of Kazakhstan at the checkpoint, shall be made using passes issued by:

1) in railway, automobile, marine and river crossing points – by the Frontier Service of the national Security Committee of the Republic of Kazakhstan;

2) in aviation crossing points – by the authorized body in the scope of civil aviation in coordination with the Frontier Service of the national Security Committee of the Republic of Kazakhstan.

3. Authorization-based procedure for entry, departure in crossing points (on the basis of special passes) shall be established in respect of official vehicle of abovementioned bodies and organizations.

Footnote. Article 32 as amended by Law of the Republic of Kazakhstan № 248-V dated 07.11.2014 (shall be enforced upon expiry of ten calendar days after the day of its first

official publication); dated 16.11.2020 № 375-VI (shall come into effect ten calendar days after the day of its first official publication); № 202-VIII of 30.06.2025 (shall take effect upon expiration of sixty calendar days after the day of its first official publication).

Article 33. Procedure for stay, movement of persons and transport vehicles, locating and transfer of cargos and goods in crossing points

1. In coordination with state revenue authorities, military communications authorities and other authorities, as well as transport organisations operating within their competence at the checkpoint, the Border Service of the National Security Committee of the Republic of Kazakhstan shall:

1) determine scheme of movement of persons and transport vehicles, transfer of cargos and goods in crossing point, as well as procedure for movement and places of parking points for official vehicle;

2) establish procedure for access in premises and other places where frontier and other types of control are carried out, as well as on transport vehicles of foreign travelling;

3) develop measures and ensure control of fulfillment of regime established in crossing point.

2. Places and parking periods in crossing points (except for automobile parking points) of transport vehicles of foreign travelling shall be determined by administration of transport organizations in coordination with the Frontier Service of the National Security Committee of the Republic of Kazakhstan.

3. Transport vehicles of foreign travelling shall begin movement for departure from the territory of crossing point, and equally change the place of parking point only upon authorization of the Frontier Service of the National Security Committee of the Republic of Kazakhstan.

4. Access of persons to transport vehicles, as well as of foreign travelling to cargos and goods, transferred in crossing points during the period of carrying out of frontier and other types of control shall be prohibited.

5. Embarkation (disembarkation) of passengers to vehicles abroad when they depart or arrive at the checkpoint is carried out with the permission of the Frontier Service of the Committee for National Security of the Republic of Kazakhstan, and loading (unloading) of cargos and goods is carried out with the permission of the state revenue authorities of the Republic of Kazakhstan in agreement with Frontier Service of the Committee for National Security of the Republic of Kazakhstan.

Footnote. Article 33 as amended by Laws of the Republic of Kazakhstan № 248-V dated 07.11.2014 (shall be enforced upon expiry of ten calendar days after the day of its first official publication); № 257 dated 28.11.2014 (see sub-paragraph 12) of Article 10 for the enactment procedure); № 202-VIII of 30.06.2025 (shall be enacted upon expiration of sixty calendar days after the day of its first official publication).

Article 34. Inspection of transport vehicles, cargos and goods

1. Inspection of vehicles, cargos and goods is carried out in established and specially equipped places (at any time of the day, if necessary, regardless of the time of departure of the transport vehicle established by the transport organization, including repeatedly) by the Frontier Service of the Committee for National Security of the Republic of Kazakhstan jointly with the bodies state revenues of the Republic of Kazakhstan.

2. Inspection of transport vehicles, cargos and goods on the State Border with the states-members of the Eurasian Economic Union shall be carried out by the Border Service of the National Security Committee of the Republic of Kazakhstan.

3. Sealed carriages, containers, cars, holds and other premises of vehicles, as well as cargos and goods for which special passes are issued, are opened upon the request of the Frontier Service of the Committee for National Security of the Republic of Kazakhstan jointly with the state revenue bodies of the Republic of Kazakhstan for inspection in cases when the integrity of the package, seals are broken as well as if there are signs of hiding of unauthorized persons in them.

Footnote. Article 34 as amended by Law of the Republic of Kazakhstan № 248-V dated 07.11.2014 (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 26.12.2017 № 124-VI (shall be enforced from 01.01.2018).

Article 35. Access of separate categories of persons to crossing points

1. Servants of diplomatic representatives and consular institutions, as well as representatives of international organizations equated to them, accredited in the Republic of Kazakhstan shall be allowed to premises and other places in crossing points where frontier and other types of control are carried out, with the availability of valid passes issued by the Ministry of Foreign Affairs of the Republic of Kazakhstan.

2. Ambassadors of foreign states in the Republic of Kazakhstan shall be allowed to mentioned regime zones on the basis of accredited certificates.

3. Military personnel of the Border Service of the National Security Committee of the Republic of Kazakhstan, military communications agencies, employees of state revenue agencies and other agencies, transport organisations who have passes of the established form but are not involved in the organisation and control of the service, as well as shifts for the registration and servicing of persons, vehicles, cargo and goods, shall be prohibited from being on the territory of the checkpoint.

4. Citizens of the Republic of Kazakhstan arrived to crossing points that lost documents for the right to entry to the territory of the Republic of Kazakhstan during stay abroad shall be

remained in crossing points on a voluntary basis for the period required for establishment of their identity. Procedure for their maintenance in crossing points shall be determined by the National Security Committee of the Republic of Kazakhstan.

5. In case when identity of a citizen of the Republic of Kazakhstan arrived to crossing point may not be confirmed, he (she) shall be subject to transfer to bodies of internal affairs of the Republic of Kazakhstan on territoriality.

Upon request of the Frontier Service of the National Security Committee of the Republic of Kazakhstan, bodies of internal affairs of the Republic of Kazakhstan shall inform about adopted decision in relation to mentioned citizens of the Republic of Kazakhstan.

Footnote. Article 35 as amended by Law of the Republic of Kazakhstan № 248-V dated 07.11.2014 (shall be enforced upon expiry of ten calendar days after the day of its first official publication); № 202-VIII of 30.06.2025 (shall come into effect upon expiration of sixty calendar days after the day of its first official publication).

Article 36. Official duties of state revenue bodies and other bodies, transport organizations operating at border crossing points on the maintenance of the established regime

Footnote. The title of Article 36 in the new wording of Law of the Republic of Kazakhstan № 257 dated 28.11.2014 (see sub-paragraph 12) of Aricle 10 for the enactment procedure).

1. Servants of transport organizations participated in international carriages, as well as owners of transport vehicles shall be obliged to:

1) take measures to non-admission of entering on transport vehicles of third persons, carrying of unauthorized cargos and goods on them;

2) open stamped (sealed) carriages, containers, automobiles, holds and other premises of transport vehicles, as well as cargos and goods at the border inspection posts upon the request of the National Security Committee of the Republic of Kazakhstan to inspect them. At crossing points, where there is subdivision of state revenue bodies, opening shall be performed in the presence of their representatives;

3) notify passengers on arrival to crossing point and coming frontier control, limit movement of passengers on transport vehicle, inform representatives of the National Security Committee of the Republic of Kazakhstan on number of passengers and their behavior in path of travel.

2. Heads of state revenue bodies and other bodies, transport organizations operating at the checkpoint, notify the Frontier Service of the Committee for National Security of the Republic of Kazakhstan:

1) on employees remained after the end of work;

2) on persons dismissed from work or suspended from fulfillment of obligations in crossing point, with representation of passes withdrawn from them within twenty-four hours

after their dismissal, transfer to other office or area of work or creation of other circumstances .

Footnote. Article 36 as amended by Law of the Republic of Kazakhstan № 248-V dated 07.11.2014 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 37. Economic and other activity in crossing points

List of types of economic and other activity carried out in crossing points shall be established by the Government of the Republic of Kazakhstan.

Article 38. Violation of the regime in crossing points

Non-compliance of persons, transport vehicles, import, stay, movement, export of cargos and goods with procedure for entry to points of crossing, stay, movement and departure from them established in accordance with this Law shall be recognized as violation of the regime in crossing points.

Chapter 5. FRONTIER REGIME Article 39. Frontier zone

1. Within the territory of near-border administrative and territorial entities, the Government of the Republic of Kazakhstan shall establish frontier zone in which the frontier regime determined by this Law is in force.

2. Frontier regime – established procedure for entry, temporary stay, residence or movement, conduct of public and political, cultural or other activities in frontier zone.

3. Main designation of frontier regime is to ensure established procedure in the frontier zone by creation of necessary conditions for protection of the State Border.

4. Road (information) signs shall be installed at the entrances to the border zone by local executive bodies.

5. In frontier zone, land lines (fields) being used for management and maintenance of engineering and technical constructions and obstacles, communications, crossing points and other objects of infrastructure of the State Border shall be allocated in permanent use of the Frontier Service of the National Security Committee of the Republic of Kazakhstan without compensation in the manner established by the Laws of the Republic of Kazakhstan.

6. Upon recommendations of local executive bodies coordinated with the National Security Committee of the Republic of Kazakhstan and Ministry of Internal Affairs of the Republic of Kazakhstan, the list of near-border territories included in frontier zone where the Government of the Republic of Kazakhstan may exclude or suspend the force of separate regime limits shall be established.

7. Control of frontier regime shall be carried out by the Frontier Service of the National Security Committee of the Republic of Kazakhstan and Ministry of Internal Affairs of the Republic of Kazakhstan.

Footnote. Article 39 as amended by the Law of the Republic of Kazakhstan dated 24.11.2021 № 75-VII (shall come into effect ten calendar days after the day of its first official publication).

Article 40. Entrance to frontier zone

1. Entry of citizens of the Republic of Kazakhstan into the border zone shall be carried out on the basis of identity documents or upon their presentation through the digital document service.

2. The entry of foreigners and stateless persons into the border zone shall be carried out based on identity documents.

3. In case of travel of foreign persons and stateless persons on the ways of international railway and automobile communications to the crossing point for the purpose of departure from the Republic of Kazakhstan, their entrance to frontier zone shall be performed on documents certifying identity. Change of a route of travel by this category of persons shall be prohibited.

Footnote. Article 40 as amended by the Law of the Republic of Kazakhstan dated 13.05.2020 № 327-VI (shall come into effect ten calendar days after the day of its first official publication); dated 14.07.2022 № 141-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 41. Temporary stay, residence and movement in frontier zone

1. Persons in the border zone must always carry identification documents with them.

2. Foreign persons (inhabitants of frontier districts of neighboring states) entered to the Republic of Kazakhstan through the simplified crossing points shall move in frontier zone on the documents certifying identity and special passes issued by the Frontier Service of the National Security Committee of the Republic of Kazakhstan, if that is provided by international treaties of the Republic of Kazakhstan with neighboring state.

3. Control of entrance, temporary stay, residence and movement in frontier zone shall be imposed on the Frontier Service of the National Security Committee of the Republic of Kazakhstan and Ministry of Internal Affairs of the Republic of Kazakhstan that establishes the places for entrance to frontier zone on agreement.

Footnote. Article 41 as amended by the Law of the Republic of Kazakhstan dated 13.05.2020 № 327-VI (shall come into effect ten calendar days after the day of its first official publication).

Article 42. Conduct of public and political, cultural or other activities in frontier zone

1. Conducting socio-political, cultural or other events in the border zone shall be carried out with the notification of the nearest subdivision of the Border Service of the National Security Committee of the Republic of Kazakhstan in writing in any form.

2. Notification shall be introduced by immediate organizer of the planned measure and shall contain details on nature, place, time and number of its participants.

3. Frontier Service of the National Security Committee of the Republic of Kazakhstan shall have the right to introduce representations to local executive or other authorized bodies, as well as immediate organizer of measure on taking additional measures, oriented to elimination of reasons and conditions enabling commission of infractions in frontier zone.

Footnote. Article 42 as amended by the Law of the Republic of Kazakhstan dated 16.11.2020 № 375-VI (shall come into effect ten calendar days after the day of its first official publication).

Article 43. Violation of frontier regime

Non-compliance with procedure for entrance (passage), temporary stay or movement, carrying on economic, commercial or other activity, conduct of public and political, cultural or other activities in frontier zone established in accordance with this Law shall be recognized as violation of the frontier regime.

Chapter 6. THE REGIME OF INTERNAL AND TERRITORIAL WATERS

Footnote. The heading of Chapter 6 as amended by the Law of the Republic of Kazakhstan dated 23.02.2021 № 11-VII (refer to Article 2 for the enforcement procedure).

Article 44. The regime of internal and territorial waters

Footnote. The heading of Article 44 as amended by the Law of the Republic of Kazakhstan dated 23.02.2021 № 11-VII (refer to Article 2 for the enforcement procedure).

1. Within the boundaries of internal and territorial waters, the regime of internal and territorial waters is in force, which shall establish the procedure for:

registration, maintenance, exit from base points and return to base points, stay on the water of Kazakhstani small-sized self-propelled and non-self-propelled (overwater and underwater) vessels (facilities) and ice vehicles in internal and territorial waters;

navigation (operation) in internal and territorial waters of Kazakhstani ships, foreign ships and warships, ice vehicles;

conducting fishing, research, prospecting or other activities in internal and territorial waters, including those aimed at preserving the natural mineral or living resources of the continental shelf.

2. The regime of internal and territorial waters shall be established by this Law and international treaties ratified by the Republic of Kazakhstan.

3. The main purpose of the regime of internal and territorial waters shall be to create the necessary conditions for the protection of the State Border.

Footnote. Article 44 as amended by the Law of the Republic of Kazakhstan dated 23.02.2021 № 11-VII (refer to Article 2 for the enforcement procedure).

Article 45. Accounting of undersizedself-propellingand non-propelling(surface and submarine) vessels (facilities) and ice vehicles

1. Kazakhstani small size self-propelled and non-self-propelled (overwater and underwater) vessels (facilities) and ice vehicles used in internal and territorial waters must be taken into account by the Border Service of the National Security Committee of the Republic of Kazakhstan.

2. Accounting for vessels and ice vehicles shall not apply to warships and other vessels of the Naval Forces of the Armed Forces of the Republic of Kazakhstan and the Border Service of the National Security Committee of the Republic of Kazakhstan, Kazakhstani small vessels and ice vehicles belonging to authorized bodies performing tasks within its competence in internal and territorial waters, as well as those belonging to organizations in the performance of international transportation, assigned to the relevant sea or river ports and past state registration in the manner prescribed by the legislation of the Republic of Kazakhstan.

3. Kazakhstani undersized self-propellingand non-propelling(surface and submarine) vessels (facilities) and ice vehicles on which the citizens arrive to Caspian Sea seaside, banks of frontier rivers, lakes and other bodies of water protected by the Frontier Service of the National Security Committee of the Republic of Kazakhstan, shall be placed on temporary registration by the Frontier Service of the National Security of the Republic of Kazakhstan.

Footnote. Article 45 as amended by the Law of the Republic of Kazakhstan dated 23.02.2021 № 11-VII (refer to Article 2 for the enforcement procedure).

Article 46. Maintenance of undersized self-propellingand non-propelling(surface and submarine) vessels (facilities) and ice vehicles

1. Kazakhstani undersized self-propellingand non-propelling (surface and submarine) vessels (facilities) and ice vehicles shall be attached to the relevant quays, berths, mooring places or at the place of their maintenance and have permanent parking point.

2. National Security Committee of the Republic of Kazakhstan in relation of separate types of Kazakhstani undersized self-propellingand non-propelling (surface and submarine) vessels (facilities) and ice vehicles shall establish the other procedure for maintenance, on which registering documents of owner shall be specially stamped.

3. For identifying Kazakhstani undersized self-propelling and non-propelling (surface and submarine) vessels and facilities and ice vehicles, owners shall sign assigned registering numbers and inscriptions on board bow side and stern. For identifying from the air, the

numbers shall be also signed on top part of sail, and in its existence – on specially equipped platform in bow side.

Mentioned requirement shall apply to their staff and non-staff life-saving equipment (lifeboats, ring buoys, safety-belts).

Article 47. Quays, berths and mooring places of undersized self-propelling and non-propelling (surface and submarine) vessels (facilities) and ice vehicles

1. Quays, berths and mooring places of undersized self-propelling and non-propelling (surface and submarine) vessels (facilities) and ice vehicles on Caspian Sea seaside, banks of frontier rivers, lakes and other bodies of water shall be built up by organizations on the basis of permits of the relevant local executive bodies coordinated with the Frontier Service of the National Security Committee of the Republic of Kazakhstan.

2. Quays, berths and mooring places shall have:

1) fence that excludes the possibility of access of third persons to the territory;

2) brace for undersized self-propelling and non-propelling (surface and submarine) vessels (facilities) and ice vehicles kept on water and coast, as well as places for their storage;

3) special premises for storage of sails and oars;

4) premises for security;

5) communication facilities with the relevant subdivision of the Frontier Service of the National Security Committee of the Republic of Kazakhstan.

3. Heads of organizations – owners of quays, berths and mooring places shall be obliged to ensure their proper equipment, protection and communication facilities with the relevant subdivision of the Frontier Service of the National Security Committee of the Republic of Kazakhstan.

Article 48 Access to internal and territorial waters of Kazakhstani undersized self-propelling and non-propelling (overwater and underwater) vessels (facilities) and ice vehicles

Footnote. The heading of Article 48 as amended by the Law of the Republic of Kazakhstan dated 23.02.2021 № 11-VII (refer to Article 2 for the enforcement procedure).

1. Entry into the internal and territorial waters of Kazakhstani small-sized self-propelled and non-self-propelled (overwater and underwater) vessels (facilities) and ice vehicles, unless otherwise established by this Law, shall be carried out based on passes issued by the Border Service of the National Security Committee of the Republic of Kazakhstan in the manner determined by the Government of the Republic of Kazakhstan.

2. When making submissions to the Border Guard Service of the National Security Committee of the Republic of Kazakhstan for obtaining passes, individuals and legal entities shall enter information on the purpose, time and route (areas) of entry into internal and territorial waters of small self-propelled and non-self-propelled (surface and underwater)

vessels (means) and means of transportation on ice, their type and registration numbers, as well as places of assignment. Submissions shall be coordinated with the relevant territorial subdivision of the National Security Committee of the Republic of Kazakhstan within three working days.

3. Upon conduct of search activity in frontier space, the Frontier Service of the National Security Committee shall have the right to introduce restrictions or suspend the force of passes on a temporary basis, about which the state and local executive bodies shall be notified .

4. Entry into the internal and territorial waters of Kazakhstani small-sized self-propelled and non-self-propelled (overwater and underwater) vessels (facilities) and ice vehicles shall be allowed only during daylight hours with a return before dark to the piers, berths and places of deployment at their place of registration, or to the coast unless a different order of maintenance is determined concerning these vessels (facilities).

This restriction shall not apply to Kazakhstani fishing vessels using the right to repeatedly cross the State Border in accordance with paragraph 1 of Article 16 of this Law.

5. Self-propelled and non-self-propelled (overwater and underwater) vessels (facilities) and ice vehicles of other authorized bodies (except for the Armed Forces of the Republic of Kazakhstan), performing tasks within their competence in internal and territorial waters, shall notify the Border Service of the Committee of National security of the Republic of Kazakhstan before entering the specified water areas at any time of the day.

6. Upon recommendations of local executive bodies and organizations coordinated with territorial bodies of the national security and internal affairs of the Republic of Kazakhstan, the National Security Committee shall establish the list of fields of the Caspian Sea seaside on an annual basis, where force of regime restrictions shall be suspended – free access to the sea at a distance up to two miles, sailing and (or) operation of Kazakhstani undersized self-propelled and non-propelled (surface and submarine) vessels and ice vehicles in marked water body, used by individuals and legal entities for the rest, tourism and sport.

7. The control of accounting for maintenance, exit (release) into internal and territorial waters, return to the base points of small self-propelled and non-self-propelled (overwater and underwater) vessels (facilities) and ice vehicles shall be assigned to the Border Service of the National Security Committee of the Republic of Kazakhstan.

Footnote. Article 48 as amended by the Law of the Republic of Kazakhstan dated 23.02.2021 № 11-VII (refer to Article 2 for the enforcement procedure); dated 06.04.2024 № 71-VIII (shall enter into force upon expiry of sixty calendar days after the day of its first official publication).

Article 49. The procedure for navigation (operation) in the internal and territorial waters of Kazakhstani self-propelled and non-self-propelled (overwater and underwater) vessels (facilities) and ice vehicles

Footnote. The heading of Article 49 as amended by the Law of the Republic of Kazakhstan dated 23.02.2021 № 11-VII (refer to Article 2 for the enforcement procedure).

1. Navigation and (or) operation in internal and territorial waters of Kazakhstani self-propelled and non-self-propelled (overwater and underwater) vessels (facilities) and ice vehicles, including small ones, shall be allowed only in permitted or established (defined) areas or in accordance with established traffic patterns provided with navigation and hydrographic equipment. They shall be prohibited from:

1) going beyond the limits of the permitted or established (defined) area, deviation from the established traffic patterns, entry into the area prohibited for navigation or temporarily dangerous for navigation, as well as into the safety zone established around an artificial island , installation or structure if such an area or zone declared in Notices to Mariners;

2) stop, disembarkment (landing) of people, unloading (loading) of any cargo and goods, launching or taking on board any floating craft, lifting into the air, landing or taking on board any aircraft, including unmanned aerial vehicles, in cases, unless a different procedure is stipulated by this Law and other laws of the Republic of Kazakhstan.

2. Ships and boats of the Border Service of the National Security Committee of the Republic of Kazakhstan in internal and territorial waters shall be allowed to sail at night without installed lights. In these cases, commanders of ships and boats shall be obliged to take measures to exclude the possibility of collision with other vessels (facilities) or the creation of other emergencies.

3. In certain areas of territorial waters, authorized bodies shall restrict the navigation of Kazakhstani self-propelled and non-self-propelled (overwater and underwater) vessels (facilities) and ice vehicles, including small-sized, of which notification shall be given in advance to seafarers.

Footnote. Article 49 as amended by the Law of the Republic of Kazakhstan dated 23.02.2021 № 11-VII (refer to Article 2 for the enforcement procedure); dated 29.12.2022 № 174-VII (shall be enforced upon expiry of sixty calendar days after the day of its first official publication).

Article 50. Procedure for sailing (operation) of foreign vessels (facilities) and ice vehicles of foreign war ships

1. The requirements of Articles 45, 46, 48, 49, 52 of this Law shall apply to foreign self-propelled and non-self-propelled (overwater and underwater) vessels (facilities), ice vehicles, which are temporarily operated in internal and territorial waters.

2. Foreign self-propelled and non-self-propelled (overwater and underwater) vessels (facilities), as well as foreign warships passing through territorial waters, must comply with the generally recognized norms of international law, international treaties and the legislation of the Republic of Kazakhstan.

3. In case of violation by a foreign warship of the procedure established by the Republic of Kazakhstan for navigation in the territorial waters, the Border Service of the National Security Committee of the Republic of Kazakhstan and the Armed Forces of the Republic of Kazakhstan shall demand it immediately to leave the territorial waters.

Footnote. Article 50 as amended by the Law of the Republic of Kazakhstan dated 23.02.2021 № 11-VII (refer to Article 2 for the enforcement procedure).

Article 51 Conducting commercial, research, prospecting or other activities in internal and territorial waters, including those oriented to the preservation of mineral or living resources of the continental shelf

Footnote. The heading of Article 51 as amended by the Law of the Republic of Kazakhstan dated 23.02.2021 № 11-VII (refer to Article 2 for the enforcement procedure).

1. Conducting commercial, research, prospecting or other activities in internal and territorial waters, including those oriented to the preservation of mineral or living resources of the continental shelf, shall not damage the economic, environmental, defence and other security of the Republic of Kazakhstan or contain a threat of causing such damage, as well as create obstacles for the performance of tasks by the Border Service of the National Security Committee of the Republic of Kazakhstan and other authorized bodies.

2. When filing submissions to the Border Service of the National Security Committee of the Republic of Kazakhstan for access to the territorial waters, state bodies of the Republic of Kazakhstan and organizations that intend to conduct marine scientific research and (or) exploration activities in territorial waters, in addition to the information specified in paragraph 2 of Article 48 of this Law shall be obliged to provide full information about:

1) nature and purposes of project;

2) methods and funds that will be used including name, type and class of vessels, description of scientific equipment;

3) precise geographic data by districts in which the project will be carried out;

4) date of arrival and departure of research vessels or in the relevant cases of placement and removal of equipment;

5) names of organization, head or person liable for the project.

3. The Hydrographic Support Service of the Naval Forces of the Armed Forces of the Republic of Kazakhstan shall be notified about upcoming marine scientific research and (or) survey activities in territorial waters at least ten calendar days before the date of commencement of work.

4. Access to internal and territorial waters, including ice fishing for amateur fishermen, tourists, athletes, shall be carried out on a general basis in accordance with the procedure established by this Law.

5. Control over the conduct of fishing, research, prospecting or other activities in internal and territorial waters, including oriented to the preservation of mineral or living resources of

the continental shelf, shall be assigned to the authorized state body in the field of protection, reproduction and use of the animal world, which carries out these activities jointly with the National Security Committee of the Republic of Kazakhstan, the Ministry of Internal Affairs of the Republic of Kazakhstan and the Ministry of Defense of the Republic of Kazakhstan.

Footnote. Article 51 as amended by the Law of the Republic of Kazakhstan dated 23.02.2021 № 11-VII (refer to Article 2 for the enforcement procedure).

Article 52. Violation of the regime of internal and territorial waters

Footnote. The heading of Article 52 as amended by the Law of the Republic of Kazakhstan dated 23.02.2021 № 11-VII (refer to Article 2 for the enforcement procedure).

1. Violation of the regime of internal and territorial waters shall be identified the violation established by this Law of the procedure of:

1) registration, maintenance, exit from base points and return to base points, stay on the water of Kazakhstani small-sized self-propelled and non-self-propelled (overwater and underwater) vessels (facilities) and ice vessels (facilities) in internal and territorial waters;

2) conduct in the internal and territorial waters, the Kazakhstani part of the waters of border rivers, lakes and other water bodies of fishing, research, prospecting or other activities.

2. In case of detection of offences related to violation of the regime of internal and territorial waters, the Border Service of the National Security Committee of the Republic of Kazakhstan, as well as other authorized bodies specified in this chapter, shall take the necessary measures to stop illegal activities in accordance with this Law.

Footnote. Article 52 as amended by the Law of the Republic of Kazakhstan dated 23.02.2021 № 11-VII (refer to Article 2 for the enforcement procedure).

Chapter 6-1. FISHING ZONE MODE

Footnote. The Law is supplemented by Chapter 6-1 in accordance with the Law of the Republic of Kazakhstan dated 23.02.2021 № 11-VII (refer to Article 2 for the enactment procedure).

Article 52-1. Fishing zone mode

1. In the fishing zone, the regime of the fishing zone shall be in force - the procedure for fishing and researching aquatic biological resources.

2. The regime of the fishing zone shall be established by the laws of the Republic of Kazakhstan, international treaties ratified by the Republic of Kazakhstan, and other regulatory legal acts.

3. The main purpose of the regime of the fishing zone shall be to ensure the established procedure for fishing and research of aquatic biological resources.

4. Control over compliance with the regime of the fishing zone shall be assigned to the authorized state body in the field of protection, reproduction and use of wildlife and the Border Service of the National Security Committee of the Republic of Kazakhstan.

5. The procedure for conducting fishing and research of aquatic biological resources in the fishing zone shall be determined by the authorized state body in the field of protection, reproduction, and use of wildlife.

Article 52-2. Conduct fishing and research of aquatic biological resources in the fishing zone

1. Conduct of fishing and research of aquatic biological resources in the fishing zone shall not harm the economic, environmental, defence and other security of the Republic of Kazakhstan or contain a threat of causing such damage, as well as creating obstacles to the performance of tasks by the Border Service of the National Security Committee of the Republic of Kazakhstan and other authorized bodies.

2. The authorized state body in the field of protection, reproduction and use of wildlife shall notify the Border Service of the National Security Committee of the Republic of Kazakhstan of the issued permits for the use of wildlife to catch aquatic biological resources in the fishing zone and common water area.

Article 52-3. Violation of the regime of the fishing zone

1. Violation of the established procedure for fishing and research of aquatic biological resources shall be recognized as a violation of the regime of the fishing zone.

2. In case of detection of offences related to violation of the regime of the fishing zone, the authorized state body in the field of protection, reproduction and use of wildlife and the National Security Committee of the Republic of Kazakhstan shall apply the necessary measures to stop illegal activities in accordance with the laws of the Republic of Kazakhstan and international treaties ratified by the Republic of Kazakhstan.

Chapter 7. REGIME OF CONTINENTAL SHELF Article 53. Regime of continental shelf

1. Regime of continental shelf – procedure for carrying out of activity linked with prospecting and resource development of sea bottom and subsoil, creation and use of artificial islands, installations and constructions, their conservation and dismantling, burial of wastes and other materials, as well as conduct of marine scientific researches on continental shelf shall be established within the continental shelf.

2. Regime of continental shelf shall be established by the Laws of the Republic of Kazakhstan and international treaties ratified by the Republic of Kazakhstan.

3. Is excluded by Law of the Republic of Kazakhstan № 505-V dated 25.04.2016 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

4. Main purpose of the regime of continental shelf is to ensure established procedure for carrying out of activity linked with prospecting and resource development of the continental shelf.

5. Control of compliance with regime of continental shelf shall be imposed on authorized agency for subsurface resources survey and the Border Service of the National Security Committee of the Republic of Kazakhstan.

Footnote. Article 53 as amended by Law of the Republic of Kazakhstan № 505-V dated 25.04.2016 (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 27.12.2017 № 126-VI (shall be enforced upon expiry of six months after its first official publication).

Article 54. Violation of regime of continental shelf

1. Violation of procedure for carrying out of activity on continental shelf linked with prospecting and resource development of marine bottom and subsoil, creation and use of artificial islands, installments and constructions, their conservation and dismantling, burial of wastes and other materials, as well as conduct of marine scientific researches shall be recognized as violation of regime of continental shelf.

2. In case of detection of infractions linked with violation of regime of continental shelf, the authorized agency for subsurface resources survey and the National Security Committee of the Republic of Kazakhstan shall apply necessary measures for termination of illegal activity in accordance with this Law.

Footnote. Article 54 as amended by the Law of the Republic of Kazakhstan dated 27.12.2017 № 126-VI (shall be enforced upon expiry of six months after its first official publication).

Chapter 8. COMPETENCE OF THE GOVERNMENT OF THE REPUBLIC OF KAZAKHSTAN, OTHER STATE BODIES OF THE REPUBLIC OF KAZAKHSTAN IN THE FIELD OF PROTECTION OF STATE BORDER Article 55. Competence of the Government of the Republic of Kazakhstan

Government of the Republic of Kazakhstan shall:

1) issue regulatory legal acts on the issues of safety ensuring of the State Border;

2) determine procedure for establishment of infrastructure of the State Border;

3) determine the rules of categorization of the State Border;

4) establish the limits of frontier belt, quarantine belt and frontier zone;

5) determine procedure for issuance of passes for entrance and stay in frontier belt;

6) establish baselines, as well as geographic points (indicating the main geodetic data) to determine the outer limit of territorial waters;

7) introduce temporary restrictions or terminate crossing of the State Border on its separate fields;

8) adopt decision on establishment of quarantine zone with introduction of quarantine regime or its cancellation in territories of two and more oblasts;

9) determine the rules of opening (closing), functioning (operation), categorization, classification and organization of work of crossing points, service infrastructure;

10) approve the list of crossing points;

10-1) defines other places where pass through the State border is carried out;

10-2) upon agreement with the Committee for National Security of the Republic of Kazakhstan, determine the procedure for exemption from passage of border, customs and other types of control when crossing the State Border with respect to railway vehicles following non-stop transit through the Republic of Kazakhstan;

10-3) determines the procedure for conducting border, customs and other types of control for passenger transportation by rail carried out along the route;

11) establish requirements to designation and equipment of the space intervals of international railway and automobile communication from the State Border to crossing points, procedure for travelling on them, as well as requirements to equipment of Kazakhstani part of perimeter of international centre of near-border cooperation located on the State Border;

12) determine the procedure for issuing permits for the repeated crossing of the State Border by Kazakhstani vessels for fishing activities in internal and territorial waters, the fishing zone and over the continental shelf, the spatial and temporal limits of validity of permits, as well as the procedure for exercising control over these vessels;

12-1) determines the procedure for issuing permits for repeated crossing of the State Border by Kazakh and foreign ships and Kazakh aircraft involved in subsoil use operations and support for subsoil use operations, spatial and temporal limits of the validity of permits, as well as the procedure for control over these ships;

13) establish the list of near-border territories included in frontier zone where validity of separate restrictions included in frontier regime may be excluded or suspended upon recommendation of local executive bodies, coordinated with the National Security Committee of the Republic of Kazakhstan and Ministry of Internal Affairs of the Republic of Kazakhstan ;

14) establish the list of types of economic and other activity carried out in crossing points;

15) determine the forms, amounts, description, construction and procedure for installment of border marks;

16) establish sea lanes and traffic separation schemes in territorial waters;

17) is excluded by Law of the Republic of Kazakhstan № 69-VI dated 13.06.2017 (shall be enforced upon expiry of ten calendar days after the day of its first official publication);

18) approve the rules of attracting citizens to protection of the State Border within frontier space;

19) carry out other powers provided by the Constitution, Laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan.

Footnote. Article 55 as amended by Law of the Republic of Kazakhstan № 130-V dated 04.07.2013 (shall be enforced upon expiry of ten calendar days after its first official publication); № 505-V dated 25.04.2016 (shall be enforced upon expiry of ten calendar days after the day of its first official publication); № 59-VI dated 05.05.2017 (shall be enforced upon expiry of ten calendar days after the day of its first official publication); № 69-VI dated 13.06.2017 (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 19.04.2019 № 249-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); № 11-VII dated 23.02.2021 (refer to Article 2 for the enforcement procedure).

Article 56. Competence of the National Security Committee of the Republic of Kazakhstan

National Security Committee of the Republic of Kazakhstan shall:

1) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

2) ensure, within its powers, the protection and protection of the State Border on land, in internal and territorial waters, in the fishing zone, on the continental shelf and at checkpoints, the protection of the interests of the individual, society and the state on the State Border;

3) organize and ensure intelligence, counterintelligence and operational-investigative activity oriented to ensuring of frontier safety of the Republic of Kazakhstan within its competence;

4) develop and approve regulatory legal acts regulating the activities of the Border Service of the National Security Committee of the Republic of Kazakhstan on the organization and implementation of protection and safeguarding of the State Border;

5) participate in delimitation, demarcation and redemarcation of the State Border, preparation of required documents and materials for the purpose of establishment of regime of the State Border;

6) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

7) carry out analysis and forecasting of political, social and economic and criminogenic situation in frontier space and on channels of international communications;

8) in accordance with the criminal procedural legislation of the Republic of Kazakhstan and the legislation of the Republic of Kazakhstan on administrative offences, shall carry out the pre-trial investigation in cases of criminal offences and proceedings in cases of administrative offences within its jurisdiction, take part in clarifying the circumstances of offences and verifying persons, detained in the border area;

9) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

10) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

11) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

12) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

13) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

14) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

15) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

16) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

17) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

18) excluded by the Law of the Republic of Kazakhstan dated 16.11.2020 № 375-VI (shall come into effect ten calendar days after the day of its first official publication);

19) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

20) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

21) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

22) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

23) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

24) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

25) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

26) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

27) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

28) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

29) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

29-1) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into

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30) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

31) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

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34) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

35) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

36) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

36-1) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

37) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

37-1) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

37-2) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

38) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

39) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

40) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

41) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

42) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

42-1) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

43) participate in the work of draft committees for the period of conducting calling of citizens to military service;

44) carry out monitoring and selection of conscripts for the needs of the Frontier Service of the National Security Committee of the Republic of Kazakhstan on the basis of summary data represented by local bodies of military administration of the Republic of Kazakhstan;

45) carry out other powers provided by the Laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan.

Footnote. Article 56 as amended by Laws of the Republic of Kazakhstan № 248-V dated 07.11.2014 (shall be enforced upon expiry of ten calendar days after the day of its first official publication); № 69-VI dated 13.06.2017(shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 03.04.2019 № 243-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 16.11.2020 № 375-VI (shall come into effect ten calendar days after the day of its first official publication); № 11-VII dated 23.02.2021 (refer to Article 2 for the enforcement procedure); dated 29.12.2022 № 174-VII (shall be enforced upon expiry of sixty calendar days after the day of its first official publication); dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

Article 57. Competence of the state revenue bodies of the Republic of Kazakhstan

Footnote. The title of Article 57 in the new wording of Law of the Republic of Kazakhstan № 248-V dated 07.11.2014 (shall be enforced upon expiry of ten calendar days after the day of its official publication).

State Revenue Bodies of the Republic of Kazakhstan:

1) organize and conduct measures on protection of economic and other interests of person, society and state on the State Border;

2) answer for organization of customs and other types of control within their competence, carry out drawing up of permissive documents for import in the Republic of Kazakhstan or export from the territory of the Republic of Kazakhstan of transport vehicles, cargos and goods;

3) provide assistance to the Frontier Service of the National Security Committee of the Republic of Kazakhstan in ensuring of protection of the State Border in accordance with this Law and regulatory legal acts of the Republic of Kazakhstan;

4) inform the Frontier Service of the National Security Committee of the Republic of Kazakhstan on the issues of ensuring of regime in crossing points, other details included in their competence;

5) is excluded by Law of the Republic of Kazakhstan № 249-V dated 10.11.2014 (shall be enforced upon expiry of ninety calendar days after the day its first official publication);

6) carry out maintenance of engineering and technical constructions and obstacles, communications of crossing points being on a balance, as well as ensure operation and preservation of used equipment;

7) carry out other powers provided by the Laws of the Republic of Kazakhstan, acts of the President of the Republic of Kazakhstan and Government of the Republic of Kazakhstan.

Footnote. Article 57 as amended by Laws of the Republic of Kazakhstan № 248-V dated 07.11.2014 (shall be enforced upon expiry of ten calendar days after the day of its first official publication); № 249-V dated 10.11.2014 (shall be enforced upon expiry of ninety calendar days after the day of its first official publication).

Article 58. Competence of the Ministry of Foreign Affairs of the Republic of Kazakhstan

Ministry of Foreign Affairs of the Republic of Kazakhstan shall:

1) coordinate activity of state bodies of the Republic of Kazakhstan on the issues linked with delimitation, demarcation and redemarcation, participate in negotiations on conclusion of agreements on regime of the State Border;

2) carry out foreign political, international legal protection of the State Border;

3) draw up documents for the right citizens of the Republic of Kazakhstan, foreign persons and stateless persons of entrance to the Republic of Kazakhstan and departure from the Republic of Kazakhstan within its competence;

4) inform the Frontier Service of the National Security Committee on changes in frontier and visa policy of foreign states in respect of the Republic of Kazakhstan, procedure for passing through the state borders in other states, on conduct of delimitation, demarcation or redemarcation of the State Border with neighboring states;

5) permit the issues of compliance with regime of the State Border and frontier incidents by diplomatic means and methods, not regulated by frontier representatives of the Frontier Service of the National Security Committee of the Republic of Kazakhstan;

6) carry out issuance of passes to servants of diplomatic representatives and consular institutions, as well as equated to them representatives of international organizations, accredited in the Republic of Kazakhstan, for access in premises and other places in crossing points where frontier and other types of control are carried out;

7) carry out exchange of lists of frontier representatives with neighboring states;

8) adopt decisions on use of funds for sending civil servants of authorized bodies abroad upon conduct of international measures on the issues of protection of the State Border;

9) carry out other powers provided by the Laws of the Republic of Kazakhstan, acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan.

Article 59. Competence of the Ministry of Internal Affairs of the Republic of Kazakhstan

Ministry of Internal Affairs of the Republic of Kazakhstan shall:

1) carry out control of entrance, temporary stay, residence and movement of persons in frontier zone on an independent basis or jointly with the Frontier Service of the National Security Committee of the Republic of Kazakhstan;

2) determine the procedure for issuing, issue certificates of a resident of the border zone to citizens of the Republic of Kazakhstan, foreigners and stateless persons permanently residing in the border zone;

3) ensure public order upon conduct public and political, cultural and other measures in frontier zone and frontier belt;

4) inform the Frontier Service of the National Security Committee of the Republic of Kazakhstan on condition of legal order in frontier space, persons left the place of residence upon unknown circumstances, criminal groups and persons having wrongful aspiration in respect of the State Border and Frontier Service of the National Security Committee of the Republic of Kazakhstan;

5) provide assistance to the National Security Committee of the Republic of Kazakhstan in search for persons violated the State Border, and other law-breakers, as well as clarification and verification of circumstances of infractions;

6) ensure participation of forces and facilities of bodies of internal affairs in protection of the State Border in cases and in the manner established by this Law and other Laws of the Republic of Kazakhstan;

7) restrict on a temporary basis or prohibit access of citizens of the Republic of Kazakhstan, foreign persons and stateless persons on separate fields of area or objects located in frontier space upon recommendation of the Frontier Service of the National Security Committee of the Republic of Kazakhstan;

8) hold persons in detention, detained by the Frontier Service of the National Security Committee of the Republic of Kazakhstan in detention facilities, temporary detention facilities of bodies of internal affairs in accordance with the criminal procedure legislation of the Republic of Kazakhstan;

9) participate in legal nurturing of population of the Republic of Kazakhstan, carry out preventive measures of infractions in frontier space on an independent basis or jointly with the National Security Committee of the Republic of Kazakhstan;

10) carry out other powers provided by the Laws of the Republic of Kazakhstan, acts of the President of the Republic of Kazakhstan and Government of the Republic of Kazakhstan.

Footnote. Article 59 as amended by the Law of the Republic of Kazakhstan dated 13.05.2020 № 327-VI (shall come into effect ten calendar days after the day of its first official publication).

Article 60. Competence of the authorized body in the field of transport and communications

The authorized body in the field of transport and communications:

1) within the limits of its competence, creates the infrastructure of air, railway, sea (river) and automobile checkpoints on the State border of the Republic of Kazakhstan;

1-1) organizes the design and construction of buildings and structures of the border divisions (departments) of the Border Service of the National Security Committee of the Republic of Kazakhstan, as well as automobile checkpoints across the State Border;

2) excluded by the Law of the Republic of Kazakhstan dated 24.11.2021 № 75-VII (shall come into effect ten calendar days after the day of its first official publication);

3) exercises other powers provided for by the legislation of the Republic of Kazakhstan.

Footnote. Article 60 in the new wording of Law of the Republic of Kazakhstan № 249-V dated 10.11.2014 (shall be enforced upon expiry of ninety calendar days after the day of its first official publication); as amended by the Law of the Republic of Kazakhstan dated 24.11.2021 № 75-VII (shall come into effect ten calendar days after the day of its first official publication); dated 30.06.2022 № 130-VII (shall be enforced upon expiry of sixty calendar days after the day of its first official publication).

Article 61. Competence of the authorized body in the field of geodesy, cartography, and spatial data

Footnote. The heading of Article 61 is in the wording of the Law of the Republic of Kazakhstan dated 21.12.2022 № 167-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

The authorized body in the field of geodesy, cartography, and spatial data:

1) carry out control of presentation of the State Border on cartographic documents, ensure geodesic determination of border marks within own competence;

2) carry out other powers provided by the Laws of the Republic of Kazakhstan, acts of the President of the Republic of Kazakhstan and Government of the Republic of Kazakhstan.

Footnote. Article 61 as amended by the Law of the Republic of Kazakhstan dated 21.12.2022 № 167-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 62. Competence of local executive bodies and other state bodies of the Republic of Kazakhstan

1. Local executive bodies of the Republic of Kazakhstan shall:

1) issue regulatory legal acts oriented to creation of conditions for protection of the State Border within their competence;

2) inform the Frontier Service of the National Security Committee of the Republic of Kazakhstan on the issues related to situation in frontier space;

3) provide land plots for the needs of defense and protection of the State Border in accordance with the legislation of the Republic of Kazakhstan;

4) provide assistance to authorized bodies carrying out protection of the State Border, consider and fulfill their representations and other acts of response provided by the legislation of the Republic of Kazakhstan;

4-1) organize accounting, storage, evaluation and further use of property seized by the Border Service of the National Security Committee of the Republic of Kazakhstan in the suppression of offences in the border space and recognized as ownerless in the manner established by the legislation of the Republic of Kazakhstan;

5) appoint responsible civil servants and organize activity of coordination councils on frontier issues, created under akimats of frontier districts (cities) with imposition of functions of coordination on them (in own territories) for fulfilling requirements of this Law, other regulatory legal acts in the field of protection of the State Border by bodies, organizations, public associations and citizens for operative resolution of issues of frontier safety ensuring of the Republic of Kazakhstan;

6) create conditions for participation of citizens on voluntary basis in protection of the State Border;

7) carry out other powers imposed on local executive bodies by the legislation of the Republic of Kazakhstan on behalf of local state administration.

1-1. The authorized body in the field of hydrocarbons develops the procedure for issuing permits for repeated crossing of the State Border by Kazakh and foreign ships and Kazakh aircraft involved in subsoil use operations and support for subsoil use operations, spatial and temporal limits of the validity of permits, as well as the procedure for control over these ships
.

1-2. The authorized state body in the field of protection, reproduction and use of wildlife shall develop and approve the procedure for notifying the Border Service of the National Security Committee of the Republic of Kazakhstan on the issuance of permits for the use of wildlife to catch aquatic biological resources in the fishing zone and common water space.

2. Other state bodies of the Republic of Kazakhstan shall provide assistance in protection of the State Border to the Frontier Service of the National Security Committee of the Republic of Kazakhstan, Armed Forces of the Republic of Kazakhstan within their competence.

Footnote. Article 62 as amended by Law of the Republic of Kazakhstan № 505-V dated 25.04.2016 (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 19.04.2019 № 249-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 16.11.2020 № 375-VI (shall come into effect ten calendar days after the day of its first official publication); № 11-VII dated 23.02.2021 (refer to Article 2 for the enforcement procedure).

Article 63. Cooperationof authorized bodies participated in protection of the State Border

1. Authorized bodies mentioned in Articles 56-62 of this Law shall interact with each other, implement joint measures and inform each other on the issues related to their competence upon fulfillment of the tasks imposed on them on protection of the State Border.

2. Frontier Service of the National Security Service of the Republic of Kazakhstan, Ministry of Defense of the Republic of Kazakhstan shall:

1) organize cooperation of own forces and forces of authorized bodies participated in protection of the State Border or carrying out own activity concerning the interests of protection of the State Border immediately on the State Border;

2) carry out cooperation with the relevant state bodies of foreign states.

Chapter 9. FRONTIER SERVICE OF THE NATIONAL SECURITY COMMITTEE OF THE REPUBLIC OF KAZAKHSTAN Article 64. Frontier service of the National Security Committee of the Republic of Kazakhstan

1. The Border Service of the National Security Committee of the Republic of Kazakhstan shall be an authorized body that protects and guards the State Border on land, in internal and territorial waters (including the underwater environment) to ensure the integrity and inviolability of the State Border, maintain law and order in border space.

2. The Border Service of the National Security Committee of the Republic of Kazakhstan shall have a flag, including a naval one, identification marks used by the Armed Forces of the Republic of Kazakhstan, and military units - combat banners of the established pattern.

3. Tasks of the frontier Service of the National Security Committee of the Republic of Kazakhstan are:

1) ensuring of regime of the State Border and regime in crossing points;

2) performance of obligations arising from international treaties of the Republic of Kazakhstan on the State Border, participation in its delimitation, demarcation and redemarcation;

3) participation in solution of tasks of defense national security of the Republic of Kazakhstan;

4) participation in the protection of the economic interests of the Republic of Kazakhstan on the State Border, in the fishing zone and on the continental shelf;

5) exercising control independently or jointly with authorized bodies over compliance with established regimes in the border zone, in internal and territorial waters, in the fishing zone and on the continental shelf;

6) assistance to law enforcement, environmental bodies of the Republic of Kazakhstan in protection of citizens, natural resources and environment, observance with migration legislation of the Republic of Kazakhstan in frontier space.

4. Other tasks may be imposed on the Frontier Service of the National Security Committee of the Republic of Kazakhstan by other Laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan.

Footnote. Article 64 as amended by the Law of the Republic of Kazakhstan dated 16.11.2020 № 375-VI (shall come into effect ten calendar days after the day of its first

official publication); № 11-VII dated 23.02.2021 (refer to Article 2 for the enforcement procedure).

Article 65. Activity of the Frontier Service of the National Security Committee of the Republic of Kazakhstan

1. Frontier Service of the National Security Committee of the Republic of Kazakhstan shall carry out its activity on the basis of international treaties and legislation of the Republic of Kazakhstan on the State Border, in frontier space and upon performance of tasks on protection of foreign establishments of the Republic of Kazakhstan.

2. as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

3. as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

Footnote. Article 65 as amended by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

Article 66. Obligations of the Frontier Service of the National Security Committee of the Republic of Kazakhstan

Upon defense and protection of the State Border, the Frontier Service of the National Security Committee of the Republic of Kazakhstan shall be obliged to:

1) suppress any attempts of changing the crossing of the State Border, development of the territory of the Republic of Kazakhstan;

2) participate in resolution of tasks on defense of the Republic of Kazakhstan within its competence, as well as in ensuring of emergency or military situation regimes;

3) rebuff an armed invasion to the territory of the Republic of Kazakhstan, suppress armed and other provocations on the State Border, protect population, state and private property from mentioned penal incursions;

4) prevent and suppress attempts to cross the State border by persons and vehicles outside designated checkpoints or other places where pass through the State border is carried out, as well as illegal crossing at checkpoints or other places where there is a pass through the State border, identify and detain offenders of the State Border and other offenders in the border area;

5) carry out in accordance with the established procedure, in the presence of properly issued documents and the passage of established types of control, the pass of persons, vehicles, cargos and goods;

6) ensure performance of regime of the State Border and regime in crossing points;

7) control independently or jointly with the authorized bodies the observance of the border regime, the established regimes of internal and territorial waters, the fishing zone and

the continental shelf, to organize the service of control posts at the points of entry into the border zone;

8) carry out preventive measures within own competence;

9) check documents of persons going through the State Border for the right of entrance to the Republic of Kazakhstan and departure from the Republic of Kazakhstan, mark them, seize such documents on a temporary basis, as well as seize invalid documents;

9-1) to carry out the procedure of confirmation of identity by dactyloscopic information in respect of individuals who have undergone dactyloscopic registration when crossing the State border of the Republic of Kazakhstan;

10) restrict the entry of foreigners and stateless persons who, in accordance with the laws of the Republic of Kazakhstan, are not allowed to enter the Republic of Kazakhstan, as well as foreigners and stateless persons who refused to undergo the procedure for verifying their identity based on fingerprint information, who did not fulfil judicial decisions and resolutions of authorized bodies on the imposition of a fine;

11) not allow to pass with the leaving at checkpoints and other places where pass through the State border is carried out, citizens of the Republic of Kazakhstan and other persons who have lost identity documents during their stay abroad or in the Republic of Kazakhstan, before establishing their identity;

12) carry out detention and personal inspection in accordance with the Laws of the Republic of Kazakhstan;

13) suspend, inspect and detain transport vehicles, admitted violation of established regimes in frontier space, deliver (convoy) them to location of subdivisions of the Frontier Service of the National Security Committee of the Republic of Kazakhstan for clarification of circumstances of infraction;

14) detain and seize explosive, poisonous, radioactive, narcotic substances, weapon, ammunition, other cargos and goods transferred through the State Border prohibited for import to the Republic of Kazakhstan or export from the Republic of Kazakhstan, as well as cargos and goods transferred by contraband in established manner on an independent basis or jointly with authorized bodies;

15) provide assistance to Armed Forces of the Republic of Kazakhstan in protection of the State Border in air space;

16) provide assistance to law enforcement and environment bodies of the Republic of Kazakhstan in protection of citizens, natural resources and environment in frontier space;

17) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

17-1) as excluded by the Law of the RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

18) carry out control of crossing of the State Border in underwater environment;

19) use the available means for identification (classification) of underwater objects in internal and territorial waters, as well as outside them up to the borders of foreign states in the event of a threat of illegal crossing or illegal crossing of the State Border;

20) carry out anti-submarine and counter sabotage measures in underwater environment on behalf of protection of the State Border;

21) ensure the production and consider cases of administrative offences referred to its jurisdiction in accordance with the legislation of the Republic of Kazakhstan on administrative offences;

22) carry out pre-trial investigation on criminal offences referred to its jurisdiction in accordance with the criminal procedure legislation of the Republic of Kazakhstan;

23) carry out physical protection of foreign establishments, procedure for organizing and carrying out of which shall be determined by the Chairman of the National Security Committee of the Republic of Kazakhstan in coordination with the Ministry of Foreign Affairs of the Republic of Kazakhstan and authorized body in the scope of external intelligence.

Physical protection of foreign establishments shall be carried out by military servants of the Frontier Service of the National Security Committee of the Republic of Kazakhstan attached to the Ministry of Foreign Affairs of the Republic of Kazakhstan.

The list of foreign establishments of the Republic of Kazakhstan in which physical protection is ensured, shall be determined by the Government of the Republic of Kazakhstan;

24) fulfill other obligations provided by this Law, other Laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan.

Footnote. Article 66 as amended by the Laws of the Republic of Kazakhstan dated 30.12.2016 № 41-VI (shall come into effect from 01.01.2021); № 59-VI dated 05.05.2017 (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 16.11.2020 № 375-VI (shall come into effect ten calendar days after the day of its first official publication); № 11-VII dated 23.02.2021 (refer to Article 2 for the enforcement procedure); dated 23.12.2023 № 51-VIII (see Article 2 for the enry into force).

Article 67. Rights of the Frontier Service of the National Security Committee of the Republic of Kazakhstan

1. Within frontier space, the Frontier Service of the National Security Committee of the Republic of Kazakhstan shall have the right to:

1) carry out installation, erect and install the necessary engineering and technical facilities , structures and barriers;

2) carry out the construction of communications, activities for the maintenance, repair, reconstruction of weapons and military equipment, place and use equipment and weapons;

3) participate in delimitation, demarcation and redemarcation of the State Border, necessary documents development and materials for the purpose of establishment of regime of the State Border with neighboring states;

4) be in any fields of location (place border squads), as well as in the territories of specially protected and environmental protected zones, as well as move on them upon fulfillment of official duties, call on landowners (landholders) allocation of places for movement of border squads, equipment and maintenance of passages through fence in proper condition or passages through other obstacles;

5) carry out counter-intelligence and operational-search activities, as well as intelligence activities in the field of border policy and operational security of the State Border, territorial waters, fishing zone and continental shelf and take measures to ensure their security in accordance with the legislation of the Republic of Kazakhstan;

6) coordinate the activity of authorized bodies and organizations within own powers in the field of implementation of frontier policy and ensuring of frontier safety of the Republic of Kazakhstan, organize interaction of own forces and authorized bodies participated in protection of the State Border or carrying out the activity concerning the interests of protection of the State Border;

7) introduce representations being compulsory for fulfillment on elimination of the reasons and conditions enabling commission of infractions in frontier space or precluding the activity of the Frontier Service of the National Security Committee of the Republic of Kazakhstan to the state bodies, public associations, organizations;

8) organize and carry out cooperation in protection of the State Border with frontier bodies of foreign states on the basis of generally accepted principles and rules of international Law, as well as international treaties of the Republic of Kazakhstan;

9) as excluded by the Law of RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

10) carry on correspondence with frontier representatives of neighboring states on the issues of maintenance of regime of the State Border, resolution of frontier incidents, exchange of information, invite the representatives of neighboring states to the territory of the Republic of Kazakhstan and move into the territory of neighboring states on mutual agreement for holding negotiations on frontier issues in the manner established by this Law;

11) request and receive without compensation information from authorized bodies, organizations and public associations required for fulfillment of obligations;

11-1) receive and use fingerprint information contained in the database of fingerprint information of the internal affairs bodies, in accordance with the legislation of the Republic of Kazakhstan;

12) involve, voluntarily, in solving problems in the field of protecting the State Border, citizens as part of voluntary squads, as freelancers of the Border Service of the National Security Committee of the Republic of Kazakhstan and in other forms, to encourage citizens

who have distinguished themselves in protecting the State Border, and persons who meet the requirements, to recommend for admission to the military, special educational institutions of the national security bodies of the Republic of Kazakhstan;

13) participate in legal nurturing of population of the Republic of Kazakhstan, conduct preventive measures oriented to prevention of infractions in frontier space, use mass media for informing population on infractions, search for law-breakers and for other purposes;

14) use armament and military technology, special facilities, service animals and physical force in accordance with this Law;

15) as excluded by the Law of RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

16) as excluded by the Law of RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

17) as excluded by the Law of RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

18) as excluded by the Law of RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

19) carry out jointly with the state revenue bodies, in the established order, the inspection of vehicles, cargos and goods transported across the State Border;

20) accompany transport vehicles and place border squads on them;

21) in case strengthening of protection of the State Border in the manner determined by joint decisions with the Ministry of Defense of the Republic of Kazakhstan and Ministry of Internal Affairs of the Republic of Kazakhstan use allocated forces and facilities by them;

22) enter into living and non-living premises of citizens, in the territory and in premises of organizations, as well as inspect them (with the following notification of the relevant prosecutor within twenty four hours) at any time in case pursuing law-breakers without encumbrance (in necessity with damage to locking devices);

23) establish control posts, to restrict temporarily or to prohibit movement of persons and transport vehicles, not to allow citizens to separate fields of area, to oblige them to remain there or abandon these fields for the purpose of protection of health and life of people in case of conduct of frontier searches and operations, other measures of inquiry inquest on an independent basis;

24) restrict production of different works in frontier belt on temporary basis, with the exception of defense works, works linked with performance of international obligations and liquidation of consequences arising upon emergency situations of natural and technogenic character in case of security threat of the Republic of Kazakhstan with notification of local executive and other authorized bodies of the Republic of Kazakhstan;

25) use communication facilities for official purposes, and during holding off of armed attacks in the territory of the Republic of Kazakhstan, impediment to illegal mass crossings and other provocations on the State Border, conduct of research measures, delivery of persons

suspected in commission of infractions – transport vehicles of organizations, and in necessary cases – transport vehicles of citizens with the following compensation of expenses or inflicted harm to owners upon their requirement in the manner established by the Laws of the Republic of Kazakhstan;

26) prohibit disembarkation and stay onshore for crew members of foreign non-military vessels and other persons on them who have committed offences when crossing the State Border, navigating in internal and territorial waters or while ships are staying in Kazakhstani ports;

27) enforce the established order on the State Border, termination of unlawful acts preventing activity of the Frontier Service of the National Security Committee of the Republic of Kazakhstan from citizens, to take the relevant measures provided by the Laws of the Republic of Kazakhstan in case of non-compliance with these requirements;

28) detain violators of regimes established in frontier space in the premises of the Frontier Service of the National Security Committee of the Republic of Kazakhstan, specially equipped for detention of persons subject to administrative detention;

29) place persons subject to administrative detention indetention facilities, temporary detention facilities and premises specially equipped for detention of persons in accordance with criminal procedure legislation of the Republic of Kazakhstan;

30) invite persons in subdivisions of the Frontier Service of the National Security Committee of the Republic of Kazakhstan for the purpose of receiving explanations from them on the circumstances of violating the regimes established in frontier space known to them;

31) is excluded by Law of the Republic of Kazakhstan № 249-V dated 10.11.2014 (shall be enforced upon expiry of ninety calendar days after the day its first official publication);

32) as excluded by the Law of RK dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

33) to carry out radiation control at checkpoints and other places where pass through the State border is carried out, in which there are no state revenue bodies, using technical means of radiation monitoring in automatic or manual mode;

34) carry out organization of operation of inspection and examination complexes containing radioactive substances, as well as control of radiation safety in bodies of national security during handling with radioactive substances, devices or equipment containing radioactive substances or in which ionizing radiation is generated;

35) carry out other powers provided by the Laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan.

2. In addition, in internal and territorial waters, the fishing zone, the Kazakhstani part of the waters of border rivers, lakes and other bodies of water concerning Kazakhstani and foreign (overwater and underwater) vessels, ice vehicles, the Border Service of the National Security Committee of the Republic of Kazakhstan shall have the right to:

1) stop a vessel and conduct its examination, if it doesn't answer to challenge signals, is in district prohibited for sailing, violates procedure for calling into waters of the Republic of Kazakhstan, sailing and stay in there. Examination of vessel includes verification of vessel and navigational documents, documents of crew members and passengers, documents for cargo, and vessel premises in necessary cases. Following the result of examination of the vessel, it may be permitted to continue sailing (stay) in waters of the Republic of Kazakhstan in compliance with established rules or it may be proposed to abandon the waters of the Republic of Kazakhstan or detained in accordance with the criminal procedure or administrative legislation of the Republic of Kazakhstan;

2) detain persons,who are the subject to criminal or administrative responsibility, in accordance with the legislation of the Republic of Kazakhstan, to transfer these persons to bodies of inquiry and investigation or the relevant bodies, unless otherwise provided by the international treaty of the Republic of Kazakhstan;

3) pursue and detain ships (ice vehicles) that have violated international treaties or the legislation of the Republic of Kazakhstan, before they enter the territorial waters of their country or a third state, if the pursuit was initiated in internal or territorial waters, a fishing zone or water space above the continental shelf after giving a visual or audible signal to stop (from a distance allowing them to see or hear this signal) and was carried out continuously.

3. Upon protection of the State Border in underwater environment, the Frontier Service of the National Security Committee of the Republic of Kazakhstan shall have the right to:

1) involve the forces and means of other authorized bodies to clarify the situation in the underwater environment in internal and territorial waters in the manner prescribed by the legislation of the Republic of Kazakhstan;

2) upon detection of underwater objects in internal and territorial waters, survey the purpose of entering these waters, demand a change in course, offer them to leave the underwater state, show their flag, stop and inspect them, take other measures to prevent or stop the actions of the detected underwater objects;

3) detain persons subject to criminal or administrative responsibility in accordance with the legislation of the Republic of Kazakhstan, to transfer these persons to bodies of inquiry and investigation or the relevant bodies, unless otherwise provided by international treaties of the Republic of Kazakhstan;

4) detain submarines that have violated the established procedure for crossing the State Border and (or) navigation in internal and territorial waters, deliver (convoy) them to the ports of the Republic of Kazakhstan, other places to clarify the circumstances of the offence, transfer these funds to bodies of inquiry and investigation;

5) apply armament and military technology in accordance with the Laws of the Republic of Kazakhstan.

4. In case conduct of frontier searches and operations in the territory of the Republic of Kazakhstan, the Frontier Service of the National Security Committee of the Republic of Kazakhstan may use the rights granted to it beyond the borders of frontier space.

5. When solving official tasks for the protection of the State Border, ships, boats, aeroplanes and helicopters (other aircraft) used by the national security bodies of the Republic of Kazakhstan and the Armed Forces of the Republic of Kazakhstan shall be granted the right to:

1) use of water and air space, sea and river ports, airports and aerodromes (landing areas) of the Republic of Kazakhstan, regardless of their belonging and destination;

2) get navigation, meteorological, hydrographic and other information;

3) have airport (airfield) support of flights and navigation.

At the same time, the expenses for the provision of services provided for in part one of this paragraph are paid for at the expense of budgetary funds in accordance with the legislation of the Republic of Kazakhstan. The provision of these services can be done without prepayment.

6. Military servants of the Frontier Service of the National Security Committee of the Republic of Kazakhstan carrying out physical protection of foreign establishments shall have the right to carriage, bearing, keeping and apply of weapon, special means, service animals, as well as physical force in the manner and in cases provided by the Laws of the Republic of Kazakhstan.

Footnote. Article 67 as amended by Law of the Republic of Kazakhstan № 248-V dated 07.11.2014 (shall be enforced upon expiry of ten calendar days after the day of its first official publication); № 249-V dated 10.11.2014 (shall be enforced upon expiry of ninety calendar days after the day of its first official publication); № 257 dated 28.11.2014 (see subparagraph 12) of Article 10 for the enactment procedure); № 376-V dated 29.10.2015 (shall be enforced from 01.01.2016); № 59-VI dated 05.05.2017 (shall be enforced upon expiry of ten calendar days after the day of its first official publication); № 69-VI dated 13.06.2017(shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 30.12.2016 № 41-VI (shall come into effect from 01.01.2021); dated 16.11.2020 № 375-VI (shall come into effect ten calendar days after the day of its first official publication); № 11-VII dated 23.02.2021 (refer to Article 2 for the enforcement procedure); dated March 31, 2021 № 24-VII (shall come into effect upon the expiration of ten calendar days after the day of its first official publication); dated 23.12.2023 № 51-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

Article 67-1. Construction of communication lines within the border area

The construction of communication lines within the border space shall be entitled to be carried out by the authorized department of the National Security Committee of the Republic of Kazakhstan.

Footnote. Chapter 9 supplemented by Article 67-1 in accordance with the Law of the Republic of Kazakhstan dated 16.11.2020 № 375-VI (shall come into effect ten calendar days after the day of its first official publication).

Article 68. Personnel of the Frontier Service of the National Security Committee of the Republic of Kazakhstan. Special aspects of performing the military service in the Frontier Service of the National Security Committee of the Republic of Kazakhstan

1. The personnel of the Border Guard Service of the National Security Committee of the Republic of Kazakhstan consists of military personnel and employees.

Performance of military service in the Frontier Service of the National Security Committee of the Republic of Kazakhstan shall be carried out in the manner determined by the legislation of the Republic of Kazakhstan.

Training, retraining and advanced training of personnel for the Border Service of the National Security Committee of the Republic of Kazakhstan shall be carried out in the military, special educational institutions of the Republic of Kazakhstan, as well as in other educational organizations of the Republic of Kazakhstan and foreign states in accordance with international agreements.

2. Citizens of the Republic of Kazakhstan with appropriate physical and moral and psychological qualities shall be called to compulsory military service in the Frontier Service of the National Security Committee of the Republic of Kazakhstan in accordance with the legislation of the Republic of Kazakhstan on a priority basis.

Special aspects of selection, study and call of citizens of the Republic of Kazakhstan to the Frontier Service of the National Security Committee of the Republic of Kazakhstan shall be determined by the rules of organizing and conducting the calling of citizens of the Republic of Kazakhstan to military service approved by the Government of the Republic of Kazakhstan.

3. Military servants of the Frontier Service of the National Security Committee of the Republic of Kazakhstan upon fulfillment of official duties are representatives of the state power and shall be under state protection. No one shall have the right to interfere to official activity of the Frontier Service of the National Security Committee of the Republic of Kazakhstan, except for the persons authorized thereon immediately by the Laws of the Republic of Kazakhstan.

Performance of service on protection and defense of the State Border of the Republic of Kazakhstan in border squads, as well as physical protection of foreign establishments is alert posture (war service).

4. In the whole territory of the Republic of Kazakhstan independently from the held position, location area and time, military servant of the Frontier Service of the National

Security Committee of the Republic of Kazakhstan in case of citizens' applying to him (her) with application or message on events threatening the Frontier Service or in case of immediate detection of thereof by him (her) shall be obliged to:

1) take possible measures on suppression of infraction, establishment and detention of citizens committed it, protection of the place of occurrence;

2) inform the nearest subdivision of the Frontier Service of the National Security Committee of the Republic of Kazakhstan about this.

5. Labour activity of employees of the Frontier Service of the National Security Committee of the Republic of Kazakhstan shall be regulated by the Labour Code of the Republic of Kazakhstan on the state service.

Footnote. Article 68 as amended by the Law of the Republic of Kazakhstan dated 16.11.2020 № 375-VI (shall come into effect ten calendar days after the day of its first official publication); dated 18.03.2025 № 175-VIII (shall come into force sixty calendar days after the date of its first official publication).

Article 68-1. Peculiarities of supplying the Border Service of the National Security Committee of the Republic of Kazakhstan with petroleum products

The Border Service of the National Security Committee of the Republic of Kazakhstan purchases petroleum products from a unified operator for the supply of petroleum products, determined by the authorized body for state regulation of production of petroleum products.

If the sole operator for the supply of petroleum products refuses to purchase petroleum products using the card system, the Border Service of the National Security Committee of the Republic of Kazakhstan shall enjoy the right to purchase them independently on a competitive basis using budget funds for the relevant year.

Footnote. Chapter 9 is supplemented by Article 68-1 in accordance with Law of the Republic of Kazakhstan № 189-V dated 11.04.2014 (shall be enforced upon expiry of ten calendar days after the date of its first official publication); as amended by the Law of the Republic of Kazakhstan dated 19.04.2023 № 223-VII (shall be enforced ten calendar days after the date of its first official publication); as amended by the Law of the Republic of Kazakhstan № 196-VIII of 24.06.2025 (shall come into force upon expiry of ten calendar days after the day of its first official publication).

Chapter 10. COMPETENCE OF ARMED FORCES OF THE REPUBLIC OF KAZAKHSTAN

Article 69. Competence of Armed Forces of the Republic of Kazakhstan

Armed Forces of the Republic of Kazakhstan shall:

1) organize and ensure protection of the State Border in air space;

2) participate in the protection of the State Border on land, in internal and territorial waters, as well as in the underwater environment in accordance with this Law, other laws of the Republic of Kazakhstan;

3) participate in resolution of incidents within their competence linked with violation of regime of the State Border, to engage other authorized bodies for these purposes;

4) develop proposals for establishing sea lanes and traffic separation schemes in territorial waters;

5) engage the forces and efforts of authorized bodies for performance of protective measures of the State Border in accordance with the Laws of the Republic of Kazakhstan;

6) provide assistance to the Frontier Service of the National Security Committee of the Republic of Kazakhstan in protection of the State Border in accordance with the legislation of the Republic of Kazakhstan;

7) carry out other powers provided by the Laws of the Republic of Kazakhstan, acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan.

Footnote. Article 69 as amended by the Law of the Republic of Kazakhstan dated 23.02.2021 № 11-VII (refer to Article 2 for the enforcement procedure).

Article 70. Competence of the Air Defense Forces of Armed Forces of the Republic of Kazakhstan

1. Upon protection of the State Border in air space, Air Defense Forces of Armed Forces of the Republic of Kazakhstan shall:

1) carry out control of complying with procedure for crossing of the State Border;

2) use the means available to them to identify aircraft in the airspace of the Republic of Kazakhstan, as well as outside the territorial waters to the borders of foreign states in the event of a threat of illegal crossing or illegal crossing of the State Border by them;

3) suppress the flights and take measures for landing of aerial vehicles in the territory of the Republic of Kazakhstan that crossed the State Border illegally and (or) violated the procedure for use of air space of the Republic of Kazakhstan;

4) provide assistance to aerial vehicles, crossed the State Border illegally in case of unintentional actions of the crew teams of these aerial vehicles, via restoration of their orientation, delivery to the airport or aerodrome, landing in the territory of the Republic of Kazakhstan or delivery beyond the air space of the Republic of Kazakhstan.

2. Air Defense Forces of Armed Forces of the Republic of Kazakhstan shall have the right to:

1) engage forces and facilities of other authorized bodies for clarification of situation in air space of the Republic of Kazakhstan in the manner established by the legislation of the Republic of Kazakhstan;

2) prohibit or restrict the flights of aerial vehicles in separate districts of air space of the Republic of Kazakhstan upon occurrence of a threat of illegal crossing or illegal crossing of the State Border in air space;

3) require communication of information from aerial vehicle on the purposes of flying in air space of the Republic of Kazakhstan or reasons of deviation from the flight plan;

4) provide assistance to aerial vehicles crossed the State Border illegally in case of unintentional action of the crew teams of these aerial vehicles, via restoration of their orientation, output in airport or aerodrome, landing in the territory of the Republic of Kazakhstan or output beyond the air space of the Republic of Kazakhstan, make suggestion to aerial vehicle to change a course, if it leads to prohibited district or the district temporary dangerous for flights;

5) take measures on prevention or termination of illegal crossing of the State Border, in case of necessity – to require the landing from the crew team of aerial vehicle in mentioned place, as well as in compulsory manner;

6) call (after landing in the territory of the Republic of Kazakhstan) the crew members of aerial vehicles crossed the State Border illegally and (or) violated the procedure for use of air space of the Republic of Kazakhstan in subdivisions of the Ministry of Defense for clarification of circumstances of the infraction;

7) detain persons that committed infraction and being subject to criminal or administrative responsibility in accordance with the Laws of the Republic of Kazakhstan, transfer these persons to bodies of inquiry and investigation or to the relevant bodies;

8) apply armament and military technology in accordance with the Laws of the Republic of Kazakhstan;

9) carry out other powers provided by the Laws of the Republic of Kazakhstan, acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan.

Footnote. Article 70 as amended by the Law of the Republic of Kazakhstan dated 23.02.2021 № 11-VII (refer to Article 2 for the enforcement procedure).

Article 71. Competence of the Naval Forces of the Armed Forces of the Republic of Kazakhstan when applying for the protection of the State Border

Footnote. The title of Article 71 in the new wording of Law of the Republic of Kazakhstan № 275-V dated 10.01.2015 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

The Naval Forces of the Armed Forces of the Republic of Kazakhstan when applying for the protection of the State Border:

1) participate in carrying out of control of crossing of the State Border in underwater environment;

2) provide assistance to the Frontier Service of the National Security Committee of the Republic of Kazakhstan in carrying out of antisubmarine, as well as underwater and diversionary defense on behalf of the security of the Republic of Kazakhstan;

3) carry out other powers provided by the Laws of the Republic of Kazakhstan, acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan.

Footnote. Article 71 as amended by Law of the Republic of Kazakhstan № 275-V dated 10.01.2015 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Chapter 11. APPLICATION OF ARMAMENT AND MILITARY TECHNOLOGY, SPECIAL TOOLS, SERVICE ANIMALS AND PHYSICAL FORCE DURING PROTECTION OF THE STATE BORDER Article 72. Conditions and limits of applying armament and military technology , special tools, service animals and physical force

1. Military Servants of the Frontier Service of the National Security Committee of the Republic of Kazakhstan, Armed Forces of the Republic of Kazakhstan shall have the right within frontier space to bearing, keeping, applying of weapon and special tools, as well as may apply military technology, service animals and physical force.

2. Military Servants of the Frontier Service of the National Security Committee of the Republic of Kazakhstan shall be obliged to undergo special training, annual verification for suitability to actions in conditions linked with application of armament and military technology, special tools, animal services and physical force.

3. Military Servants of the Frontier Service of the National Security Committee of the Republic of Kazakhstan, Armed Forces of the Republic of Kazakhstan shall have the right to use any expedient tools upon protection of the State Border in cases of necessary defense and extreme necessity or upon detention of person committed infraction, in the absence of service weapon and special means or possibility of their application.

4. In cases of engagement of the Frontier Service of the National Security Committee of the Republic of Kazakhstan in measures conducted by special state and law enforcement bodies of the Republic of Kazakhstan, armament and military technology, special tools, service animals and physical force shall be applied in accordance with the regulatory legal acts of the Republic of Kazakhstan, governing the activity of body – initiator of the measure.

5. Application of armament and military technology, special tools, service animals and physical force in respect of women, persons with obvious signs of disability and minor children shall be prohibited, with the exception of cases of existence of real threat to health and life of citizens, military servants, as well as their commission of armed or grouped attack, maintenance of armed resistance, taking of hostages, objects, transport vehicles, as well as aerial vehicles and marine vessels.

6. Application of armament and military technology shall be prohibited as well:

1) on surface, underwater vessels and aerial vehicles, flight facilities and ice vehicles, as well as other transport vehicles with passengers, if they do not create a real threat to national security of the Republic of Kazakhstan;

2) in respect of persons that crossed or trying to cross the State Border illegally unintentionally due to accident or influence of cogent forces of nature;

3) in respect of wild and domestic animals that crossed or trying to cross the State Border.

7. In all cases of applying the armament and military technology, special tools, service animals and physical force, the military servants of the Frontier Service of the National Security Committee of the Republic of Kazakhstan, Armed Forces of the Republic of Kazakhstan shall be obliged to take measures on safety ensuring of surrounding persons and on rendering of emergency medical care for injured persons.

8. Military servants of the Frontier Service of the National Security Committee of the Republic of Kazakhstan, Armed Forces of the Republic of Kazakhstan shall not bear responsibility for moral, material and physical harm inflicted due to application of armament and military technology, special tools, service animals and physical force in the cases provided by this Law, as well as the harm inflicted in the result of:

1) dangerous or unexpected maneuver of transport vehicles and (or) actions of law-breakers;

2) change of flight trajectory of bullets (projectiles) due to bound shot;

3) destruction or damage of transport vehicles of law-breakers.

9. On each case of applying armament and military technology, special tools, service animals and physical force, during suppression of violations of regimes established in frontier space, the relevant prosecutor shall be informed not later than twelve hours.

10. Other authorized bodies in the field of protection of the State Border shall apply armament and military technology, special means, service animals and physical force in accordance with the Laws of the Republic of Kazakhstan.

Article 73. Application of armament and military technology

1. Frontier Service of the National Security Committee of the Republic of Kazakhstan, Armed Forces of the Republic of Kazakhstan upon protection of the State Border shall apply armament and military technology:

1) for holding off the armed invasion and armed attack to the territory of the Republic of Kazakhstan, suppression of armed provocations on the State Border;

2) for holding off of armed attack to subdivisions of the Frontier Service of the National Security Committee of the Republic of Kazakhstan, Armed Forces of the Republic of Kazakhstan, other forces and military formations of the Republic of Kazakhstan participating in protection of the State Border;

3) against persons, surface, underwater, aircraft, flying machines, including unmanned aerial vehicles, and vehicles on ice, as well as other vehicles that have crossed or crossing the State Border and providing armed resistance, or in response to their use of force;

4) to stop (stop movement or flight) surface, underwater, aircraft, flying machines, including unmanned aerial vehicles, and vehicles on ice, as well as other vehicles by damaging them, in cases of non-compliance with the requirements to stop or change course, when the termination of the violation or their detention cannot be implemented by other means;

5) to prevent the hijacking of surface, underwater, aircraft, flying machines, including unmanned aerial vehicles, and vehicles on ice, as well as other vehicles without passengers;

6) for holding-off an attack, as well as unarmed attack to military servants and objects of the Frontier Service of the National Security Committee of the Republic of Kazakhstan, Armed Forces of the Republic of Kazakhstan, other citizens performing official duties or public duty on protection of the State Border, their family members when their life is incurred by immediate danger;

7) for protection of citizens from attack threatening their life and health, as well as release of hostages;

8) for protection of military servants or citizens from attack of animals threatening their life and health;

9) for prevention, detection and suppression of other infractions, as well as necessary defense and in case of extreme necessity.

Military servants of the Frontier Service of the National Security Committee of the Republic of Kazakhstan in frontier space shall also have the right to use weapon for alarm application or calling for help.

2. Armament and military technology may be applied without prior notice:

1) for holding off armed invasion and armed attack;

2) upon making armed resistance;

3) upon sudden attack to military servants and other citizens;

4) upon escape of detained persons with seized weapon.

3. In other cases the explicit warning on intention to use armament and (or) warning shots shall precede the application of armament and military technology.

Footnote. Article 73 as amended by the Law of the Republic of Kazakhstan dated 29.12.2022 № 174-VII (shall enter into force after sixty calendar days after the date of its first official publication).

Article 74. Special tools employment

1. In all the cases granting the right to the Frontier Service of the National Security Committee of the Republic of Kazakhstan, Armed Forces of the Republic of Kazakhstan to apply armament and military technology upon protection of the State Border, the special tools may be applied.

2. Military servants of the frontier Service of the National Security Committee of the Republic of Kazakhstan, Armed Forces of the Republic of Kazakhstan in frontier space shall also have the right to use special tools:

1) for detention and disarmament of law-breakers, other persons making resistance or impedingthe citizens participated in protection of the State Border intentionally to carry out

official duties imposed on them, or in respect of persons carrying illegally a weapon, ammunition, explosive, poisonous, radioactive, narcotic and other substances prohibited for free handling;

2) for suppression of mass disorders in frontier space and incases of mass unarmed suppression or attempt of crossing of the State Border, grouped actions of law-breakers, encroaching upon life and health of citizens or security of the state;

3) upon conveying and protection of detained persons, if there are reasonable grounds to suppose that they may commit escape, inflict harm to surrounding or own health;

4) for delivery of detained persons, if it is required for the purpose of suppression of infraction, establishment of identity of a law-breaker, as well as drawing up the minutes on administrative infraction, upon impossibility to draw up it in place, if drawing up of minutes is compulsory;

5) for opening of objects and transport vehicles, as well as their disassembling for the purpose of suppression of infractions;

6) for prevention, detection and suppression of other infractions, as well as necessary defense and in case of extreme necessity.

Article 75. service animals and physical force employment

1. In all cases granting the right to the Frontier Service of the National Security Committee of the Republic of Kazakhstan to apply armament and military technology and special means upon protection of the State Border, service animals and physical force may be applied.

2. Military servants of the Frontier Service of the National Security Committee of the Republic of Kazakhstan in frontier space shall also have the right to employ service animals and physical force, as well as fighting combat techniques:

1) for research and detention of law-breakers;

2) upon inquiry of persons, transport vehicles, cargos and goods, examination of location, for the purpose of research and detection of subjects, materials, means, substances prohibited for free handing, import to the Republic of Kazakhstan and export from the Republic of Kazakhstan in accordance with the legislation of the Republic of Kazakhstan;

3) for prevention, detection and suppression of other infractions, as well as necessary defense and in case of extreme necessity.

Chapter 12. PARTICIPATION OF CITIZENS IN PROTECTION OF THE STATE BORDER, THEIR LEGAL PROTECTION Article 76. Participation of citizens in protection of the State Border

1. Citizens shall participate within frontier space on a voluntary basis in protection of the State Border in composition of vigilante groups and other forms.

2. Procedure for engagement of citizens in protection of the State Border in composition of vigilante groups, forms and types of such engagement shall be determined by the Government of the Republic of Kazakhstan.

3. Citizens participated in protection of the State Border shall carry out their activity on the basis of principles of legality, respect and compliance with rights and freedoms of a human and citizen.

4. Circumstances that exclude the possibility of participation of a citizen of the Republic of Kazakhstan in protection of the State Border in composition of vigilante groups are:

1) bringing to criminal responsibility;

2) repeated (two and more times within a year) commitment of intended administrative infractions;

3) departure beyond the limits of frontier space or Republic of Kazakhstan for the permanent place of residence;

4) the onset of circumstances excluding its further participation in the protection of the State Border (detection of mental, behavioral disorders (diseases), including those related to the use of psychoactive substances, another disease that poses a danger to others - according to the list approved by the authorized body in the field of health, death of a citizen);

5) unwillingness to participate in protection of the State Border in the following.

Footnote. Article 76 as amended by the Law of the Republic of Kazakhstan dated 07.07.2020 № 361-VI (shall come into effect ten calendar days after the day of its first official publication); dated 10.06.2026 № 301-VIII (shall enter into force upon expiry of sixty calendar days after the day of its first official publication).

Article 77. Rights and obligations of citizens participating in protection of the State Border

1. Citizens participating in protection of the State Border (hereinafter – persons participating in protection of the State Border) shall be obliged to:

1) inform subdivisions of the Frontier Service of the National Security Committee of the Republic of Kazakhstan on the facts of preparing or committed infractions in frontier space became known to them;

2) represent certificates confirming legality of their participation in protection of the State Border upon request of citizens in the cases provided by the legislation of the Republic of Kazakhstan;

3) clarify the grounds of enforcement measures to citizens applied to them, detained for commission of infractions;

4) undergo legal training before participation in measures on protection of the State Border in subdivisions of the Frontier Service of the National Security Committee of the Republic of Kazakhstan.

2. Persons participating in protection of the State Border shall have the right to:

1) render assistance of the Frontier Service of the National Security Committee of the Republic of Kazakhstan in measures of protection of the State Border not linked with control and supervision functions;

2) prevent and preclude infractions in frontier space;

3) apply physical force and other means for the purpose of suppression of infractions and detention of law-breakers, if the other methods to achieve mentioned purposes are not possible;

4) detain and deliver persons committed in fractions in frontier space to the subdivisions of the Frontier Service of the National Security Committee of the Republic of Kazakhstan, law enforcement or other authorized bodies in the cases provided by the Laws of the Republic of Kazakhstan;

5) conduct the measures oriented to preventive measures in frontier space together with representatives of the Frontier Service of the National Security Committee of the Republic of Kazakhstan;

6) require compliance with established regimes in frontier space.

Legal requirements of persons participating in protection of the State Border shall be compulsory for fulfillment.

3. Unlawful actions in respect of persons participating in protection of the State Border and their family members due to provision of assistance in protection of the State Border, as well as non-fulfillment of legal requirements of persons participating in protection of the State Border shall entail responsibility established by the Laws of the Republic of Kazakhstan.

Chapter 13. FINAL PROVISIONS Article 78. Supervision of compliance with the legislation in the field of protection of the State Border of the Republic of Kazakhstan

The highest supervision of compliance with the legislation in the field of protection of the State Border of the Republic of Kazakhstan is performed by the Supreme Attorney General of the Republic of Kazakhstan and the prosecutors authorized by him/her.

Footnote. Article 78 in the new wording of Law of the Republic of Kazakhstan № 91-VI dated 11.07.2017 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 79. Responsibility for violation of the legislation of the Republic of Kazakhstan on State Border

1. Persons violated requirements of this Law and other regulatory legal acts of the Republic of Kazakhstan on State Border shall entail responsibility established by the Laws of the Republic of Kazakhstan.

2. Citizens of the Republic of Kazakhstan, foreign persons and stateless persons shall have the right to receive explanations in respect of restriction of their rights and freedoms

from the Frontier Service of the National Security Committee of the Republic of Kazakhstan, Ministry of Defense of the Republic of Kazakhstan, other authorized bodies in the field of protection of State Border.

3. In case of violation of legal rights and freedoms of citizens of the Republic of Kazakhstan, foreign persons and stateless persons, the relevant civil servants shall be obliged to restore these rights and compensate them for harm in the manner established by the Laws of the Republic of Kazakhstan.

Article 80. Order of entering of this Law into force

1. This Law enters into force upon expiry of ten calendar days after its first official publication.

1-1. Suspend until January 1, 2024:

1) subparagraph 1) of paragraph 2 of Article 23 of this Law, establishing that during the period of suspension this subparagraph shall be valid in the following wording:

"1) verification of documents and persons, including through the procedure for processing biometric personal data, questioning persons to determine the legality of crossing the State Border, identify violators of the procedure for crossing the State Border, as well as persons in respect of whom there are entry restrictions established by the laws of the Republic of Kazakhstan to the Republic of Kazakhstan and exit from the Republic of Kazakhstan;";

2) subparagraph 9-1) of Article 66 of this Law;

3) subparagraph 10) of Article 66 of this Law, establishing that during the period of suspension this subparagraph shall be valid in the following wording:

"10) restrict the entry of foreigners and stateless persons who, in accordance with the laws of the Republic of Kazakhstan, shall be prohibited to enter the Republic of Kazakhstan, as well as foreigners and stateless persons who have not executed court decisions and decisions of authorized bodies (officials) within the period established by the laws of the Republic of Kazakhstan) on the imposition of a fine;";

4) subparagraph 11-1) of paragraph 1 of Article 67 of this Law.

2. Shall be deemed to have lost force:

1) Law of the Republic of Kazakhstan dated 13 January 1993 “On State Border of the Republic of Kazakhstan” (Bulletin of the Supreme Soviet of the Republic of Kazakhstan, 1993, № 1, Article 1; Bulleting of the Parliament of the Republic of Kazakhstan, 1996, № 14, Article 275; 1998, № 24, Article 436; 2002, № 15, Article 147; 2004, № 23, Article 142; 2007, № 24, Article 180; 2009, № 18, Article 86; 2011, № 11, Article 102);

2) Law of the Republic of Kazakhstan dated 13 January 1993 “On Frontier Service of the National Security Committee of the Republic of Kazakhstan “Bulletin of the Supreme Soviet of the Republic of Kazakhstan, 1993, № 1, Article 3; 1995, № 8, Article 56; Bulletin of the

Parliament of the Republic of Kazakhstan, 1996, № 14, Article 275; 2002, № 15, Article 147; 2004, № 23, Article 142; 2007, № 9, Article 67; № 24, Article 180; 2011, № 1, Article 7; 2012, № 4, Article 32).

Footnote. Article 80 as amended by the Law of the Republic of Kazakhstan dated 29.06.2021 № 58-VII (shall come into effect from 01.01.2021); dated 30.12.2022 № 177-VII (shall be enforced from January 1, 2023).

The President of the Republic of Kazakhstan

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