



On geodesics, cartography and spatial data

Unofficial translation

Law of the Republic of Kazakhstan dated 21 December 2022 № 166-VII.

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Chapter 1. GENERAL PROVISIONS

Article 1. The scope of this Law

This Law regulates the public relations arising from the implementation of geodetic and cartographic activities, including the search, collection, storage, processing, provision and dissemination of spatial data.

Article 2. Basic definitions used in this Law

The following basic definitions are used in this Law:

- 1) atlas – a cartographic work consisting of many maps united by a common program;
- 2) height reference system – a reference system for determining the height of points of the earth surface relative to the original level surface;
- 3) unified digital cartographic base – an electronic information resource, which is an integral cartographic part of the National spatial data infrastructure and a systematized set of basic spatial data on the territory of the Republic of Kazakhstan;
- 4) geographical informational system – an information system that provides the collection, processing, analysis, modeling, storage, dissemination and other use of spatial information about the Earth, about objects on the earth surface, natural, man-made and social processes;
- 5) geographical informational resources – a set of electronic databases of spatial data and metadata;
- 6) geodesics – the area of relations arising in the process of scientific, technical and industrial activities to determine the shape, dimensions and external gravitational field of the Earth, coordinates and heights of points of the earth surface and their changes over time, carried out in order to draw up maps and plans, as well as to provide solutions to various engineering tasks on the earth surface;
- 7) authorized body in the field of geodesics, cartography and spatial data (hereinafter referred to as the authorized body) – the central executive body carrying out management and intersectoral coordination in the field of geodesics, cartography and spatial data;
- 8) geodetic and cartographic activity – scientific and technical, production, management and other activities for the performance of work, the provision of services in the field of geodesics, cartography and spatial data, as well as for the receipt of geodetic and cartographic materials and spatial data;

9) geodetic network – a set of geodetic points whose position on the earth surface is determined on the basis of geodetic measurements in a common reference system of geodetic coordinates;

10) geodetic point – an engineering structure that fixes a point on the earth surface with certain coordinates and (or) heights, and (or) gravity values;

11) geoportal – information system that provides access to spatial data and spatial data geoservices through telecommunications;

12) hydrographic works – a set of works carried out to obtain detailed information about the situation at water bodies, as well as collect data on their topography and water surface;

13) gravimetric reference system – a reference system for determining absolute or relative measurements of the acceleration of gravity;

14) gravimetric network – set of geodetic points with known values of the acceleration of gravity in their common gravimetric reference system;

15) datum – a set of parameters of an ellipsoid or quasi-geoid fixed at a certain point in time;

16) local coordinate reference system – coordinate reference system of the projection, established in relation to a limited area;

17) remote sensing of the Earth – the process of obtaining information about the surface of the Earth by observing and measuring from space and air space the own and reflected radiation of elements of the land, ocean and atmosphere;

18) geodynamic studies of the Earth – study of modern movements and deformations of the earth's crust;

19) plan – a drawing depicting on a plane a certain area, structures by the method of direct horizontal projection;

20) interoperability – the principle of interoperability, expressing the ability of spatial data, metadata, hardware and software to functional and informational interaction;

21) map – a reduced generalized image of the earth's surface, other natural celestial bodies or their parts on a plane, obtained in accordance with established requirements in a certain projection, as well as using conventional signs;

22) schematic map – simplified generalized cartographic image;

23) cartography – scope of relations arising in the process of scientific, technical and production activity on exploring, creation and use of cartographic production;

24) cartographic materials – cartographic production and other graphic, digital, text documents used for mapping;

25) cartographic production – diminished, measurable and generalized images obtained as a result of cartographic activity on paper and electronic media of the surface of the Earth and celestial bodies, constructed by special mathematical laws and in the accepted system of conventional signs;

- 26) cartographic projection – a mathematically defined method of representing the surface of the Earth;
- 27) quasigeoid – mathematical rigorous model calculated on the basis of ground-based geodetic measurements and values of gravity potentials without involving data on the dissemination of masses, the surface of which approximates the physical surface of the Earth;
- 28) spatial data – data containing information about the location of terrain objects, provided in a specific form and coordinate reference system;
- 29) geoservices of spatial data (hereinafter referred to as geoservices) is an electronic information resource that provides the user with tools for performing operations with spatial data and (or) metadata and exists as an independent product or a connected service;
- 30) infrastructure of spatial data – technology, standards and geographical information resources designed for collecting, processing, analyzing, modelling, storing, disseminating, providing and effectively using the spatial data;
- 31) spatial object – an abstract representation of a real world object with its location or geographical area;
- 32) coordinate conversion – transition from one coordinate reference system to another coordinate reference system that are based on the same datums;
- 33) transformation of coordinates – transition from one coordinate reference system associated with one datum to another coordinate reference system with another datum;
- 34) coordinate reference system – geodetic coordinate system related to the Earth by a datum;
- 35) duty reference map of the Republic of Kazakhstan – geographical information resource that displays geodetic and cartographic knowledge of the area, three-dimensional spatial data of open and limited use, taking into account ongoing changes in the boundaries of administrative-territorial units, as well as changes in geographical objects and their names that are subject to registration and display on updated and newly created maps and plans of the territory Republic of Kazakhstan;
- 36) scale – the ratio of the length of a line on a map or plan to its horizontal projection on the ground;
- 37) delimitation – determination of the position and direction of the State Border of the Republic of Kazakhstan by agreement between neighboring states, drawn up by an international treaty ratified by the Republic of Kazakhstan, and graphically depicted on the maps attached to this international treaty;
- 38) state geodetic network – geodetic network used for the purpose of establishing and (or) disseminating the state coordinate reference system;
- 39) state gravimetric network – gravimetric networks used for the purpose of establishing and (or) disseminating a unified gravimetric basis;
- 40) state reference system – a set of state coordinate, altitude and gravimetric reference systems;

41) state leveling network – leveling network used for the purpose of establishing and (or) disseminating the state reference system of heights;

42) metadata – information describing spatial data sets and geoservices;

43) levelling network– set of geodetic points, the heights of which are determined in a common height reference system for them;

44) thematic map, plan, atlas, map-diagram – cartographic works, the main content of which is determined by a specific topic, plot, natural or social phenomena, or their combination;

45) topographical plan – cartographic display on a plane in an orthogonal projection on a certain scale of a limited area of the terrain, within which the curvature of the level surface is not taken into account;

46) topographical map – a detailed cartographic image of the area on a certain scale using classifiers and conventional signs, which makes it possible to determine both the planned and elevation position of points on the earth's surface;

47) constantly operating reference station – a complex of radio-electronic and technical means located at a point with known spatial coordinates, with the help of which the signals of global navigation satellite systems are received for subsequent processing and transmission of corrective information to users;

48) National Spatial Data Fund – a set of spatial data in digital and (or) analog form, subject to accounting, long-term storage for the purpose of their further use by subjects of geodetic and cartographic activities, which has a national, intersectoral value, special and (or) sectoral value;

49) demarcation – definition and designation of the State Border of the Republic of Kazakhstan on the ground, formalized by an international treaty ratified by the Republic of Kazakhstan.

Article 3. Legislation of the Republic of Kazakhstan in the field of geodesics, cartography and spatial data

1. The legislation of the Republic of Kazakhstan in the field of geodesics, cartography and spatial data 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. If an international treaty ratified by the Republic of Kazakhstan establishes other rules than those contained in this Law, then the rules of the international treaty shall be applied.

Article 4. Objects and subjects of geodetic and cartographic activity

1. The objects of geodetic and cartographic activities are the territory of the Republic of Kazakhstan, the territory of the globe, air and outer space, including natural celestial bodies and artificial satellites of the Earth.

2. The subjects of geodetic and cartographic activities are the central state bodies and local executive bodies of the Republic of Kazakhstan within their competence established by the legislation of the Republic of Kazakhstan, as well as individuals and legal entities.

Article 5. Principles of carrying out geodetic and cartographic activity

State regulation of public relations in the field of geodesics, cartography and spatial data is based on the following principles:

- 1) consistency and continuity in the implementation of geodetic and cartographic activities;
- 2) completeness, reliability and relevance of spatial data sets;
- 3) uniformity of measurements when performing geodetic, cartographic, topographical and gravimetric works;
- 4) use of uniform standards;
- 5) availability and openness of spatial data, with the exception of information constituting state secrets, official information of limited dissemination and other information protected by law;
- 6) use of approved reference systems;
- 7) interoperability;
- 8) stimulating the development of the sphere of geodesics, cartography and spatial data.

Article 6. Directions of geodetic and cartographic activity

1. Depending on the assignment of the work performed, geodetic and cartographic activity shall be divided to:

- 1) the activity of state assignment, the results of which have nationwide, inter-industry significance;
- 2) the activity of special and (or) branch assignment, necessity of performance of which is determined by needs of subjects of geodetic and cartographic activity.

2. Geodetic and cartographic activity of state assignment shall include:

- 1) determination of shape, sizes and outer field of gravity of the Earth;
- 2) determination of the parameters of state reference systems, cartographic projections of topographical maps and plans;
- 3) geodynamical studies of the Earth;
- 4) creation, development, preservation and maintenance of state geodetic networks, which include points of the fundamental astronomical and geodetic network, high-precision geodetic network, satellite geodetic network, astronomical and geodetic network, thickening geodetic network, leveling networks of all classes, fundamental gravimetric network and first-class gravimetric networks, the density and accuracy of which ensure the creation of topographical maps and plans, quasigeoid maps, the solution of defense, scientific research and other tasks;
- 5) creation, updating and publication of topographical maps and plans, including plans of settlements, in graphic, digital, photographic, electronic and other forms, the accuracy and content of which ensure the solution of national, intersectoral, defense, scientific research and other tasks;

6) geodetic, cartographic, topographical and hydrographic support for delimitation, demarcation and verification of the passage of the line of the State Border of the Republic of Kazakhstan, as well as the delimitation of maritime spaces of the Republic of Kazakhstan;

7) mapping of the shelf of the seas, lakes, rivers, reservoirs and the creation of topographical, marine navigation charts, manuals, sailing directions of the seas, navigable rivers and reservoirs;

8) conducting geodetic, cartographic, topographical and hydrographic works in the interests of the state, its defense and national security, as well as ensuring the safety of general navigation on the seas, navigable rivers and reservoirs;

9) remote sensing of the Earth, including the territories of foreign countries and the World Ocean, to solve national, intersectoral, defense and research tasks;

10) formation and maintenance of the National Spatial Data Fund;

11) creation, development and maintenance of geographical information systems and resources, geoportals, geoservices aimed at performing state functions and tasks;

12) compilation and publication of general geographical, political-administrative, scientific reference and other thematic maps, plans and atlases for intersectoral purposes, maps, diagrams, educational cartographic aids;

13) standardization, record and regulation of the use of geographical names, creation and maintenance of a database of geographical names of the Republic of Kazakhstan;

14) performance of scientific and research, experimental and design works and implementation of modern technologies;

15) development and approval of regulatory legal acts and regulatory technical documents in the field of geodesics, cartography and spatial data;

16) metrological support for geodetic, cartographic and gravimetric works;

17) creation and development of the National spatial data infrastructure;

18) creation and updating of local coordinate reference systems.

3. Geodetic and cartographic activity of special and (or) branch assignment shall include:

1) creation and updating of topographical plans intended for drawing up master plans for construction sites of various facilities, aboveground and underground structures and networks, linking buildings and structures to construction sites, as well as for performing other special works;

2) creation and publication of thematic maps, plans, atlases, chart maps in graphic, digital, photographic, electronic and other forms;

3) creation, development and maintenance of geographical information systems and resources, geoportals, geoservices aimed at performing special and (or) industry tasks;

4) remote sensing of the Earth, geodetic, cartographic and other special works in the design and survey, construction and operation of linear and areal engineering structures, underground structures and networks, cadastre and other surveys and special works;

5) carrying out research and development work in the areas specified in this paragraph;

- 6) engineering and geodetic surveying;
- 7) creation and development of thematic spatial data.

Article 7. Geodetic and cartographic activity in the interests of ensuring the defense and national security of the Republic of Kazakhstan

Geodetic and cartographic activity in the interests of ensuring the defense and national security of the Republic of Kazakhstan shall be carried out by the Ministry of Defense of the Republic of Kazakhstan and the authorized body in accordance with the agreed work plan.

Article 8. Metrological support of geodetic and cartographic activities

1. The authorized body, within its competence, shall carry out activities to ensure the unity and accuracy of geodetic measuring instruments in accordance with the legislation of the Republic of Kazakhstan on ensuring the uniformity of measurements.

2. Metrological support of geodetic and cartographic activities includes a system of standards, standards, methods that ensure the unity of geodetic measurements and are mandatory for all subjects of geodetic and cartographic activities.

Article 9. Notification in the field of geodesics, cartography and spatial data

1. The performance of geodetic, cartographic and aerial survey works shall be carried out by notification in the manner prescribed by the Law of the Republic of Kazakhstan "On Permissions and Notifications".

2. The notification on performance of geodetic and (or) cartographic works shall be attached with:

1) a copy of a supporting document confirming the availability of own or rented set of calibrated instruments, equipment and tools that allow performing geodetic and (or) cartographic works, or a contract for the provision of services in the field of geodesics, cartography and spatial data with persons who have a set of calibrated instruments, equipment and tools, with serial numbers;

2) a copy of the diploma of higher or post-secondary education in the field of geodesics, cartography and spatial data of a specialist on staff.

3. Subjects of geodetic and cartographic activities for the implementation of aerial survey works shall be obliged to attach to the notification a cartogram of the territory where aerial survey works are planned, indicating its geographical coordinates, scale and customer of aerial survey works.

Aerial survey works shall be carried out subject to requirements set forth by the laws of the Republic of Kazakhstan.

Article 10. Financing of geodetic and cartographic activity

1. Geodetic and cartographic activity of state assignment shall be financed at the expenses of budget funds.

2. Geodetic and cartographic activity of special and (or) branch assignment shall be carried out at the expense of budgetary funds, as well as funds of individuals and legal entities in accordance with the legislation of the Republic of Kazakhstan.

3. Subjects of geodetic and cartographic activity, who are customers and (or) performers of works financed from budgetary funds, shall be obliged to use previously created spatial data.

4. Subjects of geodetic and cartographic activity that maintain state information systems, databases, cadastres, geographic information systems and resources, geoportals, geoservices financed from budget funds, shall be obliged to use a single digital cartographic basis.

Article 11. State property in the field of geodesics, cartography and spatial data

Points of state geodetic networks, state leveling networks, state gravimetric networks, geodetic and cartographic products, as well as hydrographic, aerospace survey and gravimetric materials and data obtained as a result of geodetic and cartographic activities carried out at the expense of budgetary funds, are the state property of the Republic of Kazakhstan.

Chapter 2. STATE MANAGEMENT IN THE FIELD OF GEODESICS, CARTOGRAPHY AND SPATIAL DATA

Article 12. Competence of the Government of the Republic of Kazakhstan in the field of geodesics, cartography and spatial data

The competence of the Government of the Republic of Kazakhstan in the field of geodesics, cartography and spatial data includes:

- 1) development of the main directions of state policy in the field of geodesics, cartography and spatial data;
- 2) establishment of state reference systems and cartographic projections;
- 3) approval of the rules for submitting spatial data to the National spatial data infrastructure;

4) excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication).

Footnote. Article 12 as amended by the Law of the Republic of Kazakhstan dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication).

Article 13. Competence of the authorized body

The competence of the authorized body includes:

- 1) formation and implementation of the state policy in the field of geodesy, cartography and spatial data;
- 2) development and approval of rules for the protection, demolition or re-laying (transfer) of geodetic points;
- 3) organizing the creation and development of state geodetic, leveling and gravimetric networks;
- 4) creation and updating of topographical maps and plans;
- 5) coordination of activities of subjects of geodetic and cartographic activity;

- 6) organizing the execution of geodetic and cartographic works of state assignment;
- 7) creation and development of the National spatial data infrastructure;
- 8) consideration of draft documents on standardization within the competence, as well as preparation of proposals for the development, amendment, revision and cancellation of national, interstate standards, national classifiers of technical and economic information and recommendations for standardization for inclusion in the authorized body in the field of standardization;
- 9) development and approval of a methodology for determining the cost of aerial survey, geodetic and cartographic works performed at the expense of budgetary funds;
- 10) establishment of local coordinate reference systems;
- 11) development and approval of the parameters of transformation and conversion between state, international, local coordinate systems of reference;
- 12) development and approval of the rules for the formation, collection, storage, use and issuance of information from the National Spatial Data Fund;
- 13) development and approval of the rules for establishing and using local coordinate reference systems;
- 14) development and approval of rules on technical support for the delimitation and demarcation of the State Border of the Republic of Kazakhstan in agreement with the National Security Committee of the Republic of Kazakhstan;
- 15) development and approval of the frequency of updating cartographic products created at the expense of budgetary funds;
- 16) development and approval of instructions for the creation of cartographic products at the expense of budgetary funds;
- 17) development and approval of instructions for the creation and updating of the National spatial data infrastructure;
- 18) development and approval of rules for the use of the National spatial data infrastructure;
- 19) development and approval of an industry incentive system;
- 20) maintenance of the state electronic register of permits and notifications in the field of geodesics, cartography and spatial data;
- 21) development and approval of the rules for accounting, storage, reproduction and use of data and materials of geodetic, cartographic and aerospace survey works, taking into account the interests of the national security of the Republic of Kazakhstan;
- 22) development and approval of the list of geodetic, cartographic and aerospace survey works carried out at the expense of budgetary funds;
- 23) development and approval of the rules for interaction of the National spatial data infrastructure with information systems of state bodies;

24) development and approval of the rules for determining and using the parameters of transformation and transformation between state, international, local coordinate systems of reference;

25) development and approval of rules for the installation of constantly operating reference stations;

26) development and approval of the rules for referring to the state geodetic networks and the use of constantly operating reference stations;

27) conducting research, development work and the introduction of modern technologies;

28) development and approval of leveling instructions;

29) development and approval of instructions for the creation and development of state geodetic, leveling and gravimetric networks;

30) development of rules for presenting spatial data to the National spatial data infrastructure;

31) development of state reference systems and cartographic projections;

32) development and approval of the list of basic spatial data;

33) exercise of other powers provided for by this Law, other 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 13 as amended by the Law of the Republic of Kazakhstan dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication).

Article 14. Competence of the local executive body of cities of republican significance, the capital, cities of regional significance, districts in the field of geodesics, cartography and spatial data

The competence of the local executive body of cities of republican significance, the capital, cities of regional significance, districts in the field of geodesics, cartography and spatial data includes:

1) organization of work on the creation and updating of cartographic products of settlements in agreement with the authorized body in accordance with the approved frequency of updating cartographic products;

2) ensuring the safety of cartographic products of settlements and transferring a copy to the National Spatial Data Fund;

3) exercising, in the interests of local government, other powers assigned to local executive bodies by the legislation of the Republic of Kazakhstan.

Article 15. International cooperation in the field of geodesics, cartography and spatial data

1. The Republic of Kazakhstan carries out international cooperation in the field of geodesics, cartography and spatial data based on the desire to develop mutually beneficial relations.

2. The authorized body represents the Republic of Kazakhstan in international organizations within its competence

Article 16. State system of regulatory documents in the field of geodesics, cartography and spatial data

1. State regulation of geodetic and cartographic activity, implemented in the territory of the Republic of Kazakhstan shall be ensured by the operation of this Law, as well as the state system of regulatory documents in the field of geodesics, cartography and spatial data.

2. State system of regulatory documents in the field of geodesics, cartography and spatial data includes:

- 1) regulatory legal acts;
- 2) regulatory technical documents that establish mandatory requirements and regulatory technical documents of voluntary application to the accuracy of geodetic, topographical and cartographic works performed:
 - geodetic, cartographic instructions, norms and rules;
 - symbols of maps and plans, classifiers;
- 3) normative technical documents of voluntary application for standardization in the field of geodesics, cartography and spatial data;
- 4) interstate standards and rules in the field of geodesics, cartography and spatial data put into effect on the territory of the Republic of Kazakhstan in accordance with international treaties.

3. The objects of the state system of regulatory documents in the field of geodesics, cartography and spatial data are:

- 1) scale range of state topographic maps 1:10000, 1:25000, 1:50000, 1:100000, 1:200000, 1:500000, 1:1000000;
- 2) scale range of state topographic plans 1:500, 1:1000, 1:2000, 1:5000;
- 3) state geodetic network.

Chapter 3. ENSURING THE IMPLEMENTATION OF GEODETIC AND CARTOGRAPHIC ACTIVITY

Article 17. Coordinate reference system, height reference system and gravimetric reference system

1. Geodetic and cartographic works shall be performed using state, local coordinate reference systems, vertical reference systems and gravimetric reference systems.

2. The parameters of the figure and the gravitational field of the Earth, other parameters shall be determined within the framework of establishing the state coordinate, altitude, gravimetric reference systems.

3. All subjects of geodetic and cartographic activity shall be obliged to apply the approved conversion parameters between state and local coordinate reference systems.

The implementation of the transfer of spatial data and cartographic materials of central state and local executive bodies from the previous state and local coordinate systems to the newly adopted coordinate reference systems shall be carried out by the owners of spatial data and cartographic materials.

Article 18. Spatial data

1. Spatial data consists of basic spatial data and thematic spatial data.

Basic spatial data is a set of publicly available standardized spatial data as a unified basis for integration and sharing in geographic information systems.

Thematic spatial data includes spatial data created by subjects of geodetic and cartographic activity in the course of scientific, industrial or other activities.

2. Basic spatial data is the initial data for use by the subjects of geodetic and cartographic activity.

Article 19. Transfer of information about terrain objects

1. Metadata of spatial data and geoservices created at the expense of budgetary funds should be placed on the state geoportal of the National spatial data infrastructure.

2. Central state bodies and local executive bodies, which are owners of spatial data on terrain objects to be displayed on special, topographic maps and plans, shall transfer copies of cartographic and geodetic materials at the request of subjects of geodetic and cartographic activity, performing geodetic and cartographic works of the corresponding territory at the expense of budgetary funds, in the manner determined by the authorized body.

Article 20. National Spatial Data Fund

1. The national spatial data fund is administered by the authorized body and is maintained by a state-owned enterprise.

2. The spatial data fund of the Ministry of Defense of the Republic of Kazakhstan is administered by the Ministry of Defense of the Republic of Kazakhstan.

3. When maintaining the National Spatial Data Fund, the state enterprise shall carry out:

- 1) issuance to the subjects of geodetic and cartographic activity of information about the geodetic and cartographic knowledge of the terrain on the sites of planned work;

- 2) acceptance and verification of spatial data, metadata for interoperability and their placement at the state geoportal of the National spatial data infrastructure;

- 3) maintaining the advanced reference chart of the Republic of Kazakhstan;

- 4) registration of geodetic points, control of the integrity of the network of constantly operating reference stations;

- 5) issuance of high-precision satellite positioning data to subjects of geodetic and cartographic activity through permanent reference stations of state geodetic networks;

- 6) maintaining the database of geographical names of the Republic of Kazakhstan;

- 7) record, collection, storage and preservation of materials and data related to the composition of the National Spatial Data Fund;

- 8) maintaining the database of boundaries of administrative-territorial units.

Central state bodies and local executive bodies shall be obliged to submit copies of decisions on changing boundaries, renaming administrative-territorial units and geographical objects in the National Spatial Data Fund.

4. The interaction of the National Spatial Data Foundation with the subjects of geodetic and cartographic activity and the presentation of information shall be carried out through a geographic information system and (or) in paper form.

5. Spatial data in digital and (or) analog form of the National Spatial Data Fund, referred in the prescribed manner to the composition of the National Archival Fund of the Republic of Kazakhstan, shall be stored in accordance with the Law of the Republic of Kazakhstan "On National Archival Fund and Archives".

6. Spatial data in digital and (or) analog form, obtained as a result of geodetic and cartographic activities at the expense of budgetary funds and classified as part of the National Spatial Data Fund, are state-owned and shall not be subject to alienation, and may not be exported for permanent storage to other states.

7. Prices for services for the provision of information by the National Spatial Data Fund shall be set by the authorized body in agreement with the antimonopoly authority in the manner prescribed by the Entrepreneurial Code of the Republic of Kazakhstan.

The central state bodies and local executive bodies shall be provided with the mentioned services free of charge.

8. Entities carrying out geodetic and cartographic activities shall be obliged to submit free of charge one copy of the copies of materials and data created by them at the expense of budgetary funds to the National Spatial Data Fund in accordance with the legislation of the Republic of Kazakhstan on copyright and related rights.

The list of materials and data, the procedure for their presentation in the National Spatial Data Fund shall be established by the rules for the formation, collection, storage, use and issuance of information from the National Spatial Data Fund.

9. Work with materials and data from the National Spatial Data Fund containing information constituting state secrets shall be carried out in compliance with the legislation of the Republic of Kazakhstan on state secrets.

10. The subjects of geodetic and cartographic activity shall be obliged to ensure the safety of the received information constituting state secrets, not to disclose and return them within the time limits established by the authorized body.

Article 21. National spatial data infrastructure

1. The National spatial data infrastructure includes:

- 1) regulatory technical documents, interstate standards that establish general rules for the creation, collection, storage, identification, presentation and dissemination of basic and thematic spatial data, including using information systems;
- 2) state geodetic, leveling and gravimetric networks;
- 3) spatial data sets;

4) metadata;

5) information system of state geodetic support, providing access to data of constantly operating reference stations for subjects of geodetic and cartographic activity;

6) a uniform digital cartographic basis;

7) state geoportal of the National spatial data infrastructure.

2. The National spatial data infrastructure shall be formed taking into account the requirements for interoperability through the use of common formats for the exchange and presentation of the spatial data sets in accordance with the rules for representing spatial data in the National spatial data infrastructure.

Article 22. Spatial data sets

1. The spatial data sets are included in the National spatial data infrastructure in the manner prescribed by the rules for representing spatial data in the National spatial data infrastructure. Each set of spatial data and services for these sets must be accompanied by metadata.

2. Access to spatial data sets shall be provided through geoservices or by transferring spatial data to the user in the manner determined by the authorized body.

3. The sets of basic spatial data and the sets of thematic spatial data, formed at the expense of budget funds are the fundamental components of the National spatial data infrastructure.

4. The sets of thematic spatial data shall be created and updated taking into account the sets of basic spatial data.

The sets of thematic spatial data, included into the National spatial data infrastructure, shall be formed from the data of state electronic information resources, the composition of state cadasters, registers, registries, databases, including state geographical information systems and resources.

5. The sets of basic and thematic spatial data, included into the National spatial data infrastructure, shall be obligatory for use when creating and (or) updating the state geographical information systems and resources.

6. The sets of basic and thematic spatial data, formed from information from other information sources, may be included in the National spatial data infrastructure at the request of the owners of such sets sent by the National Spatial Data Fund.

7. Responsibility for the completeness, reliability and relevance of spatial data sets included in the National Spatial Data Infrastructure shall be borne by the subjects of geodetic and cartographic activity that submitted information to the National Spatial Data Fund.

Responsibility for the interoperability of spatial data and their placement on the state geoportal of the National spatial data infrastructure shall be borne by the state enterprise authorized to maintain the National Spatial Data Fund.

Article 23. Metadata

1. Metadata shall be formed on the spatial data sets included in the National spatial data infrastructure, and geoservices for these sets.

2. Placement of metadata on the state geoportal of the National spatial data infrastructure and access to them shall be provided by a state enterprise authorized to maintain the National Spatial Data Fund.

Article 24. State geoportal of the National spatial data infrastructure

1. Maintenance, software and hardware support and modernization of the software and hardware complex of the state geoportal of the National spatial data infrastructure shall be provided by the authorized body.

2. The owners of the spatial data sets included in the National spatial data infrastructure shall be obliged to place the spatial data sets using geoservices and other methods that do not contradict the legislation of the Republic of Kazakhstan on their web portals, and also provide access to them users and of the National Spatial Data Fund. If the owner of the spatial data sets does not have his own web portal, he shall be entitled to contact the authorized body to place the spatial data sets generated by him and perform other actions with these sets.

Article 25. Spatial data services

The following spatial data services are created and maintained in the composition of geoportals:

1) search services that provide the discovery of spatial data and spatial data services in information networks;

2) view services that provide display of spatial data and metadata;

3) access services that provide direct access to spatial data or obtaining copies of them;

4) coordinate operations services that provide transformation and transformation of coordinates spatial data from one coordinate system or map projection to another;

5) data transformation services that are interoperable with other services so that geoservices can be operated in accordance with this Law.

Article 26. Unified digital cartographic base

1. The authorized body shall ensure the creation and updating of a single digital cartographic basis.

2. Requirements for a unified digital cartographic base shall be established by the authorized body.

3. The unified digital cartographic base shall be provided to central state bodies, local executive bodies, individuals and legal entities through informatization objects

4. The unified digital cartographic base is a mandatory cartographic base for all information systems of state bodies, including their cadastres, geographic information systems and resources, geoportals, geoservices.

5. In order to update the information of a unified digital cartographic base, information contained in all information systems of state bodies, including their cadastres, geographic information systems and resources, geoportals, geoservices, can also be used.

6. The procedure for interaction when maintaining a unified digital cartographic base with information systems of state bodies, including their cadastres, geographic information systems and resources, geoportals, geoservices, in order to update the information of a unified digital cartographic base shall be determined by the authorized body.

Article 27. Copyright for cartographic products

Copyright for cartographic products related to the field of geodesics, cartography and spatial data, and relations arising in connection with it, shall be regulated by the legislation of the Republic of Kazakhstan on copyright and related rights.

Chapter 4. GEODETIC AND CARTOGRAPHIC CONTROL

Article 28. State control over geodetic and cartographic activities

1. State control over geodetic and cartographic activities in the Republic of Kazakhstan shall be carried out by the authorized body and local executive bodies of cities of republican significance, the capital, cities of regional significance, districts within their competence in order to ensure that the subjects of geodetic and cartographic activity comply with the legislation of the Republic of Kazakhstan in the field of geodesics, cartography and spatial.

State control over geodetic and cartographic activities shall be carried out in the form of:

1) inspection and preventive control with a visit to the subject (object) of state control in accordance with the Entrepreneurial Code of the Republic of Kazakhstan;

2) preventive control without visiting the subject (object) of state control in accordance with this Law and the Entrepreneurial Code of the Republic of Kazakhstan.

2. The authorized body shall organize and conduct the state control over:

1) compliance with the requirements of regulatory technical documents for the implementation of geodetic and cartographic work and their results;

2) display of the State Border of the Republic of Kazakhstan on cartographic materials;

3) compliance with the rules established by the legislation of the Republic of Kazakhstan on the names of geographical objects for the use of names of geographical objects in documents, cartographic and other materials;

4) timely submission of one copy of copies of materials and data created at the expense of budgetary funds to the National Spatial Data Fund;

5) compliance with the procedure for accounting, storage, reproduction and use of data and materials of geodetic, cartographic, aerospace survey works.

3. Local executive bodies of cities of republican significance, the capital, cities of regional significance, districts shall exercise the control over the protection of geodetic points.

Article 29. Procedure for the preventive control without visiting the subject (object) of state control

1. Preventive control without visiting the subject (object) of state control shall be carried out by the authorized body, local executive bodies of cities of republican significance, the

capital, cities of regional significance, districts in relation to subjects of geodetic and cartographic activity.

2. The objectives of preventive control without visiting the subject (object) of state control shall be the timely termination of violations of the established requirements for subjects of geodetic and cartographic activity, providing the subjects of state control with the right to independently eliminate violations identified by the authorized body, local executive bodies of cities of republican significance, the capital, cities of regional significance, districts based on the results of preventive control without visiting the subject (object) of state control, and reducing the administrative burden on them.

3. Preventive control without visiting the subject (object) of state control shall be carried out by analyzing and collecting materials provided for by the legislation of the Republic of Kazakhstan, including from the National Spatial Data Fund.

In case of detection of violations based on the results of preventive control without visiting the subject (object) of state control, officials of the authorized body, local executive bodies of cities of republican significance, the capital, cities of regional significance, districts exercising preventive control without visiting the subject (object) of state control shall, within ten working days from the date of detection of violations send a recommendation to eliminate violations to the subject of state control without initiating a case on an administrative offense, but with a mandatory explanation to the subject of state control of the procedure for their elimination.

A recommendation to eliminate violations identified as a result of preventive control without visiting the subject (object) of state control, sent in one of the following ways, shall be considered handed over (received) in the following cases:

- 1) on purpose - with a mark of receipt;
- 2) by mail - by registered mail;
- 3) electronically - by sending by the authorized body, local executive bodies of cities of republican significance, the capital, cities of regional significance, districts to the electronic address of the subject of state control specified in the documents previously submitted by the subject of state control;
- 4) by text message - to a subscriber device of cellular communication.

4. The subject of state control, which has received a recommendation to eliminate violations identified as a result of preventive control without visiting the subject (object) of state control, shall be obliged, within ten working days from the day following the day of its receipt, to provide to the authorized body, local executive bodies of the cities of the republican significance, the capital, cities of regional significance, districts information on the elimination of violations of the legislation of the Republic of Kazakhstan with an indication of specific deadlines for its implementation.

The subject of state control after the expiration of the deadline for the implementation of the recommendation to eliminate violations shall be obliged, within three working days, to

provide in writing to the authorized body, local executive bodies of cities of republican significance, the capital, cities of regional significance, districts information on the elimination of violations.

5. Failure to comply within the established period of the recommendation to eliminate violations identified as a result of preventive control without visiting the subject (object) of state control, shall entail the assignment of preventive control with a visit to the subject (object) of state control by including it in the semi-annual list of preventive control with a visit to the subject (object) of state control. control.

6. Preventive control without visiting the subject (object) of state control shall be carried out no more than twice in a year.

Article 30. Protection of points of state geodetic, leveling and gravimetric networks

1. Points of state geodetic, leveling and gravimetric networks, including ground signs and centers of these points, are state property and are under state protection.

Demolition or re-laying (transfer) of geodetic points shall be carried out only with the permission of the authorized body.

The authorized body shall be obliged to refuse demolition or re-laying (transfer) of geodetic points in the absence of density of geodetic points, prospects for development and renewal of the existing geodetic network.

2. The provision of land plots for placement of geodetic points on them shall be carried out in accordance with the land legislation of the Republic of Kazakhstan.

3. Owners and land users of land plots on whose territory geodetic points are located shall be obliged:

1) report to the authorized body and local executive bodies of cities of republican significance, the capital, cities of regional significance, districts on cases of damage or destruction of geodetic points in the manner determined by the authorized body;

2) provide an opportunity to drive (approach) to geodetic points during geodetic and cartographic work.

4. Subjects of geodetic and cartographic activity when performing geodetic and cartographic works shall be obliged to ensure the safety of geodetic points.

5. Destruction or damage of geodetic points, constantly operating reference stations shall entail liability established by the laws of the Republic of Kazakhstan.

6. Compensation for damage caused to points of state geodetic, leveling and gravimetric networks shall be carried out by persons who caused harm, in accordance with the legislation of the Republic of Kazakhstan.

Chapter 5. FINAL PROVISIONS

Article 31. Responsibility for the breach of the legislation of the Republic of Kazakhstan in the field of geodesics, cartography and spatial data

The breach of the legislation of the Republic of Kazakhstan in the field of geodesics, cartography and spatial data shall entail responsibility established by the laws of the Republic of Kazakhstan.

Article 32. Procedure of enactment of this Law

1. This Law shall enter into force ten calendar days after the day of its first official publication, with the exception of:

1) paragraph 1 of Article 9 in terms of notification of the production of aerial surveys and paragraph 3 of Article 9 of this Law, which shall enter into force upon expiry of sixty calendar days after the day of its first official publication;

2) paragraph 4 of Article 10, paragraph 1 of Article 19, subparagraphs 2) and 5) of paragraph 3 of Article 20, Articles 21, 22, 23, 24, 25 and 26 of this Law, which shall enter into force on January 1, 2025.

2. The Law of the Republic of Kazakhstan dated July 3, 2002 “On Geodesics and Cartography” shall be invalidated.

President of the Republic of Kazakhstan

K. TOKAYEV