

On aquaculture

Unofficial translation

Law of the Republic of Kazakhstan dated June 12, 2025 № 193-VIII ЗРК.

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Chapter 1. GENERAL PROVISIONS

Article 1. Basic notions, used in this Law

This Law shall make use of the following basic notions:

- 1) aquaculture - activities related to the breeding and (or) keeping, cultivation of aquaculture objects;
- 2) aquaculture objects - fish, aquatic mollusks and crustaceans that are bred and (or) kept, grown by aquaculture entities;
- 3) juveniles of aquaculture objects - fertilized eggs, larvae, fingerlings, yearlings and two-year-olds of aquaculture objects intended for their breeding and (or) keeping, growing, as well as stocking of water bodies;
- 4) fish breeding and biological justification in aquaculture (hereinafter referred to as biological justification) - a set of scientifically based recommendations developed as a result of research and scientific data, assessment of the current state and potential of fishery water bodies and (or) sites, fish ponds, fish pools, as well as the use of technologies related to the breeding and (or) keeping, growing of aquaculture objects;
- 5) authorized body in aquaculture (hereinafter referred to as the authorized body) - the central executive body that exercises management and cross-sectoral coordination in aquaculture;
- 6) aquaculture entities - individuals and (or) legal entities engaged in activities related to the breeding and (or) keeping, cultivation of aquaculture objects;
- 7) aquaculture information system - the authorized body's information system designed to monitor and analyze the development of aquaculture, maintain the register of aquaculture entities and traceability of aquaculture objects, including derived products, as well as to collect and generate data and information, ensure digitization in aquaculture;
- 8) fish breeding - aquaculture direction related to the breeding and (or) keeping, growing of fish;
- 9) fish breeding pool - a container and (or) structure, loosely connected to the ground, intended for breeding and (or) keeping, growing of aquaculture objects;
- 10) fish breeding facilities - non-permanent structures (mobile complex, container-type buildings, taken under one roof or freestanding), erected on a water protection strip, intended

for the location of technical personnel, equipment for incubating eggs, growing of young aquaculture objects, storing aquaculture products, feed, fishing gear, special devices (cages), as well as protection of aquaculture objects;

11) fish rearing pond - an artificially created technological reservoir intended for breeding and (or) keeping, cultivation of aquaculture objects, which is filled with water by means of water management and (or) hydraulic structures or other devices;

12) closed water supply installation - installation with a system of water circulation through a closed cycle with the use of mechanical and biological treatment and other components for the effective use of water for aquaculture.

Article 2. Legislation of the Republic of Kazakhstan in aquaculture

1. Legislation of the Republic of Kazakhstan in aquaculture 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. International treaties ratified by the Republic of Kazakhstan shall have priority over this Law. The procedure and conditions for the effect on the territory of the Republic of Kazakhstan of international treaties to which the Republic of Kazakhstan is a party shall be determined by the legislation of the Republic of Kazakhstan.

Article 3. Goals and objectives of this Law

1. The goals of this Law are:

- 1) sustainable development of aquaculture by creating new and (or) expanding existing production facilities;
- 2) increasing the cultivation volume of competitive aquaculture objects;
- 3) safety of aquaculture objects for human life and health and the environment.

2. The objectives of this Law are:

- 1) improving the investment climate and developing the export potential of aquaculture facilities and aquaculture products;
- 2) supporting the introduction of innovative and (or) industrial technologies and processes in aquaculture to improve the efficiency of aquaculture entities;
- 3) developing science, training and professional development of aquaculture workers;
- 4) saturating the domestic market with domestic aquaculture products;
- 5) state incentives in aquaculture;
- 6) development of organic aquaculture production in accordance with the Law of the Republic of Kazakhstan “On the Production and Turnover of Organic Products”.

Article 4. Principles of legislative regulation in aquaculture

The principles of legislative regulation in the field of aquaculture are:

- 1) rational use of fishery water bodies and (or) areas in order to prevent harm to aquatic biological resources and their habitat;
- 2) balance of interests of consumers, aquaculture entities, entities ensuring the development of aquaculture and the state;

- 3) accessibility of information in aquaculture and participation of individuals and (or) legal entities in state regulation in aquaculture;
- 4) prevention of introduction of alien or genetically modified aquatic animal species;
- 5) efficacy of state regulation in aquaculture.

Chapter 2. STATE REGULATION IN AQUACULTURE

Article 5. Jurisdiction of the Government of the Republic of Kazakhstan in aquaculture

The Government of the Republic of Kazakhstan shall:

- 1) develop the main state policy directions in aquaculture and organize their implementation;
- 2) perform other functions assigned by the Constitution of the Republic of Kazakhstan, laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan.

Article 6. Jurisdiction of the authorized body, department and its territorial units in aquaculture

1. The authorized body shall:

- 1) on the basis of and in pursuance of the main directions of the domestic and foreign policy of the state determined by the President of the Republic of Kazakhstan, and the main directions of the socio-economic policy of the state, its defense capability, security, ensuring public order, developed by the Government of the Republic of Kazakhstan, form the state policy in aquaculture in accordance with the current legislation of the Republic of Kazakhstan ;

- 2) carry out strategic, regulatory, implementation and control functions within its jurisdiction;

- 3) develop and approve regulatory legal acts of the Republic of Kazakhstan in aquaculture in accordance with the goals and objectives of this Law and the legislation of the Republic of Kazakhstan;

- 4) develop and approve the rules for assessing the state of aquaculture development;

- 5) organize the assessment of the state of aquaculture development at the expense of budgetary funds;

- 6) exercise state control in aquaculture;

Note!

Subparagraph 7) of paragraph 1 shall be enacted as of 01.01.2027 in accordance with Art. 24 of this Code.

- 7) develop and approve the rules for maintaining the aquaculture information system;

Note!

Subparagraph 8) of paragraph 1 shall be enacted as of 01.01.2027 in accordance with Art. 24 of this Code.

- 8) maintain the aquaculture information system;

- 9) develop and approve the rules for maintaining the roster of aquaculture entities;

10) maintain the roster of aquaculture entities;

11) monitor fulfillment of the terms of contracts for the implementation of lake and (or) cage culture fishery business activity and the aquaculture entity development plan;

12) exercise other powers stipulated 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.

2. The department of the authorized body and its territorial units shall carry out their activities within the jurisdiction established by the authorized body and this Law.

Article 7. Jurisdiction of local executive bodies of oblasts, cities of republican status and the capital in aquaculture

Local executive bodies of oblasts, cities of republican status and the capital shall:

1) implement within their jurisdiction the state policy in the field of aquaculture;

2) subsidize aquaculture entities and the entities providing aquaculture development;

3) exercise in the interests of local state administration other powers assigned to local executive bodies by the legislation of the Republic of Kazakhstan.

Chapter 3. MAIN CONDITIONS OF AQUACULTURE ACTIVITIES

Article 8. Types of aquaculture entities' activities

1. Aquaculture entities shall carry out the following types of activities:

1) lake-commodity economic activity related to the breeding and (or) keeping, growing of fish in isolated fishery water bodies by full or partial replacement of their ichthyofauna;

2) cage culture fishery related to the breeding and (or) keeping, growing of fish in semi-free controlled conditions in special devices (nurseries) placed in the water area of fishery water bodies and (or) sites;

3) pond fishery business activity related to the breeding and (or) keeping, growing of aquaculture objects using fish ponds and (or) fish breeding pools;

4) industrial economic activity related to the breeding and (or) keeping, growing of aquaculture objects using fish pools and a closed water supply system;

5) reproductive economic activity related to the breeding and (or) keeping, cultivation of aquaculture objects for the purpose of obtaining their young by fertilization, incubation of eggs, as well as growing young aquaculture objects in artificially created conditions. Aquaculture entities shall have the right to carry out one or more types of activity specified in the first part of this paragraph.

2. The activities of aquaculture entities shall relate to activities in the agro-industrial complex area and, in the part not regulated by this Law, shall be regulated by the laws of the Republic of Kazakhstan and other regulatory legal acts of the Republic of Kazakhstan.

Fish breeding on the territory, including that of water bodies of specially protected natural areas and the state forest fund, shall be regulated by the legislation of the Republic of

Kazakhstan in the field of specially protected natural areas and the forest legislation of the Republic of Kazakhstan.

Article 9. Fishery water bodies and (or) sites for lake-commodity and (or) cage culture breeding activities

1. Fishery water bodies and (or) sites for carrying out lake-commodity and (or) cage culture fishery are divided by scale into international, republican and local.

Fishery water bodies and (or) areas of international scale include water bodies located on the territory of the Republic of Kazakhstan and adjacent states, entered on the list approved by the authorized body in coordination with the authorized body in the field of protection and use of the water fund.

Fishery water bodies and (or) areas of republican scale include water bodies and (or) areas located on the territory of two or more oblasts, entered on the list approved by the authorized body in coordination with the authorized body in the field of protection and use of the water fund.

Fishery water bodies and (or) sites of local scale include all other water bodies and (or) sites entered on the list approved by the local executive body of the oblasts, cities of republican scale and the capital after coordination with the basin water inspectorate for the protection and regulation of water resources use and the territorial unit of the authorized body

2. The lists of fishery bodies and (or) sites of international, republican and local scale shall comprise water bodies and (or) sites recognized as promising for lake and (or) cage culture fishery business on the basis of certification. Certification shall be carried out on the basis of scientific research by local executive bodies of oblasts, cities of republican status and the capital city in accordance with the rules approved by the authorized body at the expense of budgetary funds, unless otherwise stipulated by paragraph 3 of this article.

When conducting scientific researches on water bodies for realization of lake-commodity and (or) cage culture fishery, the minimum water level determined by technical parameter of the reservoir shall be taken into account.

3. In the absence in the list of fishery water bodies and (or) sites of local scale of a water body located on a land plot privately owned and (or) temporarily used by an individual and (or) non-state legal entity, such entity has the right to conduct scientific research for its certification at own expense in accordance with the rules approved by the authorized body.

4. Fishery water bodies and (or) sites of international, republican and local scale for realization of lake-commodity and (or) cage culture fishery shall be assigned as stipulated by Articles 10 and 11 of this Law.

5. On the assigned fishery water bodies and (or) sites, including within water protection strips, provided for realization of lake and (or) cage culture fishery, the following shall be prohibited:

- 1) watering of farm animals, except for watering grounds and other devices preventing pollution and littering of water bodies in the order of general water use;
- 2) business and other activities that worsen the qualitative and hydrological condition (pollution, clogging, depletion) of water bodies;
- 3) recreational (sport) fishing, except for cases stipulated by paragraph 5 of Article 14 of this Law;
- 4) other things stipulated by the laws of the Republic of Kazakhstan.

Article 10. Lake-commodity and (or) cage culture fishery activities

1. Lake-commodity and (or) cage culture fishery activities shall be carried out in the presence of an assigned fishery reservoir and (or) site, biological justification and development plan for the aquaculture entity.

2. Fishery reservoirs and (or) sites shall be assigned by the decision of the authorized body based on the tender results in accordance with the rules and eligibility requirements set to the tender participants approved by the authorized body, unless otherwise provided by this Law.

Assignment of a fishery reservoir and (or) site is granting of the right to conduct lake-commodity and (or) cage culture fishery business on the reservoir and (or) part thereof, attributed to the fishery reservoir and (or) site, without the right to use the entire reservoir.

To participate in the tender, the participant shall pay a guarantee fee in the amount, procedure and terms established by the rules approved by the authorized body.

3. The authorized body shall form the list of reserve fishery water bodies and (or) sites put up for the tender.

Note!

Part two of paragraph 3 shall be suspended until 01.01.2027 by this Law of the Republic of Kazakhstan and during the period of suspension this paragraph shall be valid as amended by p. 4 of Art. 23.

The list of reserve fishery water bodies and (or) sites put up for tender for lake-commodity and (or) cage culture fishery shall be posted in the public domain through the aquaculture information system, Internet resources of the authorized body and local executive bodies of oblasts, cities of republican status and the capital after coordination with the basin water inspectorate for the protection and regulation of water resources use in the manner and within the timeframes determined by the authorized body.

4. On the tender results the authorized body shall conclude a contract with the tender winner for the implementation of lake-commodity and (or) cage culture fishery economic activities in accordance with the standard form approved by the authorized body.

After concluding a contract for the implementation of lake-commodity and (or) cage culture fishery, the aquaculture entity shall be obliged within one calendar year from the date of its conclusion to ensure the development of a biological justification and its approval by the authorized body in accordance with the rules approved by the authorized body.

Within one month from the date of approval of the biological justification, in coordination with the authorized body, the aquaculture entity shall approve a development plan for the aquaculture entity in accordance with the standard form approved by the authorized body.

5. Fishery water bodies and (or) sites of local scale, located entirely on land plots that are privately owned and (or) in temporary land use by individuals and (or) non-governmental legal entities, entered on the list of reserve fishery water bodies and (or) sites put up for tender, shall be assigned to them without holding a tender based on their application by the decision of the authorized body in accordance with the rules and eligibility requirements set to tender participants, approved by the authorized body.

Fishery water bodies and (or) sites of local scale located on land plots that are privately owned and (or) in temporary land use by two or more individuals and (or) non-governmental legal entities, entered on the list of reserve fishery water bodies and (or) sites put up for tender, shall be assigned to one of them without holding a tender on its application by the decision of the authorized body in accordance with the rules and eligibility requirements to tender participants, approved by the authorized body, and subject to the written waiver of the right of other owners and (or) land users to pursue lake-commodity and (or) cage culture fishery business.

6. The period of assignment of fishery water bodies and (or) areas for the implementation of lake-commercial and (or) cage culture fishery shall be from ten to forty-nine years, which shall be determined on the basis of the certification of water bodies and (or) areas.

7. An aquaculture entity shall have the right to conclude a new contract no later than three months and no earlier than three years before expiry of the contract for the implementation of lake-commercial and (or) cage culture fishery. The authorized body shall conclude a new contract with the aquaculture entity for the implementation of lake-commercial and (or) cage culture fishery, subject to the proper performance of the concluded contract and compliance with the eligibility requirements to the tender participants. In this case, the new contract for the implementation of lake-commercial and (or) cage fish breeding business shall be concluded for a period not exceeding the term of the previously concluded contract or the period specified in the passport of the fishery water body and (or) area.

When submitting an application for the conclusion of a new contract, an aquaculture entity must have an agreed biological justification and, within one month from the date of the conclusion of a new contract for the implementation of lake-commodity and (or) cage culture fishery, in coordination with the authorized body, approve the aquaculture entity development plan in accordance with the standard form approved by the authorized body.

8. The contract for the implementation of lake-commodity and (or) cage culture fishery may be terminated early in the following cases:

- 1) voluntary written refusal to conduct aquaculture;
- 2) termination of the activities of the aquaculture entity;

3) breach of the contract terms and (or) the requirements of the legislation of the Republic of Kazakhstan in aquaculture three or more times within two calendar years;

4) failure to fulfill the obligations stipulated by parts two and three of paragraph 4 of this article;

5) forced alienation of the land plot for state needs.

9. In the cases specified in subparagraphs 3) and 4) of paragraph 8 of this article, or failure to fulfill the obligations provided for in part two of paragraph 5 of Article 11 of this Law the aquaculture entities shall be entered on the register of unscrupulous aquaculture entities carrying out lake-commodity and (or) cage culture fishery (hereinafter referred to as the register of unscrupulous aquaculture entities).

Note!

Part two of paragraph 9 shall be suspended until 01.01.2027 by this Law of the Republic of Kazakhstan and during the period of suspension this paragraph shall be valid as amended by p. 4 of Art. 23.

The register of unscrupulous aquaculture entities shall be formed in the aquaculture information system by the authorized body on the basis of enforced court rulings.

Persons included in the register of unscrupulous aquaculture entities, as well as legal entities whose directors and founders are associated with the management, establishment, participation in the authorized capital of legal entities included in the register of unscrupulous aquaculture entities, shall not have the right to apply for securing fishery water bodies and (or) sites for lake-commodity and (or) cage culture fishery for five years from the date of inclusion in the register of unscrupulous aquaculture entities.

Article 11. Special procedure for assigning sites of fishery water bodies of international and (or) republican scale for cage culture fishery

1. Sites of fishery water bodies of international and (or) republican scale for the implementation of cage culture fishery shall be assigned by the decision of the authorized body in accordance with the rules approved by the authorized body to legal entities of the Republic of Kazakhstan without holding a tender, provided that the legal entity of the Republic of Kazakhstan meets the requirements and accepts the obligations established by this Law.

The sites of fishery water bodies of international and (or) republican scale for the implementation of cage culture fishery shall be assigned for the purpose of implementing projects on:

1) creation of new production facilities and providing for the implementation of investments in the construction of production facilities, including introduction of processing capacities, in the amount of at least one hundred and fifty thousand times the monthly calculation indicator established by the law on the republican budget and effective as of January 1 of the respective financial year;

2) expansion of existing production facilities, including reconstruction and modernization of production and processing capacities, and providing for investments in the amount of not less than one hundred thousand times the monthly calculation indicator established by the law on the republican budget and in effect as of January 1 of the respective financial year.

2. The authorized body shall form the list of sites of fishery waters of international and (or) republican scale for the implementation of cage culture fishery for the implementation of the project.

Note!

Part two of paragraph 2 shall be suspended until 01.01.2027 by this Law of the Republic of Kazakhstan and during the period of suspension this paragraph shall be valid as amended by p. 4 of Art. 23.

The list of sites of fishery water bodies of international and (or) republican scale for cage culture fishery for the implementation of the project shall be placed in the public domain through the aquaculture information system, Internet resources of the authorized body and local executive bodies of oblasts, cities of republican status and the capital after coordination with the authorized body in the water resources protection and use and local executive bodies of the relevant oblasts in the manner and within the timeframes determined by the authorized body.

3. In the presence of fishery sections of water bodies of international and (or) republican scale specified in part one of paragraph 2 of this article, legal entities of the Republic of Kazakhstan shall send an application and documents to the authorized body in accordance with the rules approved by the authorized body.

4. When submitting an application for securing areas of fishery water bodies of international and (or) republican significance for carrying out cage culture fishery for the implementation of a project, legal entities of the Republic of Kazakhstan must meet the following requirements:

- 1) availability of a business plan and a work program for the project;
- 2) availability of funds in the amount not less than the amount specified in part two of paragraph 1 of this Article, or funds specified in the business plan of the project, in the second level bank and (or) organizations performing certain types of banking operations;;
- 3) absence of tax arrears and arrears in social payments;
- 4) absence of unfulfilled contractual obligations (for persons to whom fishery water bodies and (or) sites were previously assigned).

5. The authorized body shall conclude a contract with a legal entity of the Republic of Kazakhstan for the implementation of cage culture fishery at the sites of fishery water bodies of international and (or) republican scale for the implementation of the project in accordance with the standard form approved by the authorized body.

After concluding the contract for cage culture fishery at the sites of fishery water bodies of international and (or) republican scale for the implementation of the project, the legal

entities of the Republic of Kazakhstan shall be obliged to fulfill the requirements specified in parts two and three of paragraph 4 of Article 10 of this Law.

6. When assigning sites of fishery water bodies of international and (or) republican scale for the implementation of cage culture fishery activities, the following obligations shall be imposed on legal entities of the Republic of Kazakhstan:

1) compliance with fish breeding volumes in accordance with the development plan of the aquaculture entity;

2) compliance with the business plan and work program of the project;

3) construction of new production facilities, including introduction of processing capacities or expansion of existing production facilities, including reconstruction and modernization of production and processing capacities;

Note!

Subparagraph 4) of paragraph 6 shall be suspended until 01.01.2027 by this Law of the Republic of Kazakhstan and during the period of suspension this paragraph shall be valid as amended by p. 3 of Art. 23.

4) payment of fees for the use of natural resources, as required by the tax legislation of the Republic of Kazakhstan.

The obligations specified in subparagraphs 1), 2) and 3) of the first part of this paragraph shall be mandatory conditions of the contract for the implementation of cage culture fishery on the sites of fishery waters of international and (or) republican scale for the implementation of the project.

7. The grounds for refusal to assign sections of fishery waters of international and (or) republican significance for the implementation of cage culture fishery shall be one of the following cases:

1) the cost of the project is less than the amount established by part two of paragraph 1 of this article;

2) non-compliance of the legal entity of the Republic of Kazakhstan with the requirements established by paragraph 4 of this article;

3) non-compliance of the business plan and work program of the project with the rules approved by the authorized body;

4) established unreliability of the documents submitted by the legal entity of the Republic of Kazakhstan, and (or) the data (information) contained therein.

8. The contract for the cage culture fishery at the sites of fishery waters of international and (or) republican scale for the implementation of the project may be terminated early in the cases specified in paragraph 8 of Article 10 of this Law and in the event of failure to fulfill the obligations specified in the first part of paragraph 6 of this Article.

Article 12. Pond, industrial and (or) reproductive economic activity

1. To implement pond, industrial and (or) reproductive economic activities, it is necessary to have a biological justification, a land plot and (or) real estate on the right of private ownership or on other legal grounds under the legislation of the Republic of Kazakhstan.

2. The construction and operation of buildings, structures and other installations, constructions for aquaculture, fish ponds and (or) fish pools for the implementation of pond, industrial and (or) reproductive economic activities shall be determined in accordance with the legislation of the Republic of Kazakhstan in architectural, urban planning and construction activities, veterinary (veterinary- sanitary) requirements, as well as rules and requirements in the sanitary-epidemiological welfare of the population.

Article 13. Entities supporting aquaculture development

1. The entities supporting the aquaculture development are individuals or legal entities engaged in:

- 1) activities related to the production of feed for aquaculture objects;
- 2) selection and breeding work in the field of fish breeding in accordance with the legislation of the Republic of Kazakhstan on breeding livestock.

2. The entities supporting the aquaculture development shall be provided with measures of state stimulation of aquaculture stipulated by this Law and other laws of the Republic of Kazakhstan, on the terms and in the manner determined by the legislation of the Republic of Kazakhstan.

3. Entities supporting the aquaculture development shall:

- 1) register in the aquaculture information system in the manner determined by the authorized body;
- 2) submit administrative data to the authorized body in accordance with the forms approved in agreement with the authorized state statistics body, intended for collecting administrative data in aquaculture;
- 3) provide information on the fulfillment of reciprocal obligations in accordance with the rules approved by the authorized body;
- 4) submit to the authorized body other data and (or) information stipulated by the legislation of the Republic of Kazakhstan.

Article 14. Rights and obligations of aquaculture entities

1. Aquaculture entities shall have the right:

- 1) to ownership of buildings, structures and other constructions, structures for aquaculture, fish pond, fish basin and aquaculture objects grown, including products obtained from them;
- 2) to receive land plots for aquaculture needs in the order and on the terms established by the laws of the Republic of Kazakhstan;
- 3) to the construction and operation of fish-breeding facilities, fish-breeding ponds, and placement of fish-breeding pools in the water protection zone, including the laying of utility lines to them, while ensuring compliance with the requirements established by the legislation of the Republic of Kazakhstan;

4) to demand from land owners and (or) land users to provide an easement for the implementation of lake-commodity and (or) cage culture fishery on the assigned fishery water bodies and (or) sites in accordance with the Land Code of the Republic of Kazakhstan;

5) to special water use, including drilling holes (wells), in accordance with the water legislation of the Republic of Kazakhstan;

6) to receive measures of state stimulation of aquaculture, provided in accordance with this Law and other laws of the Republic of Kazakhstan;

7) to receive and use information from the aquaculture information system, with the exception of information constituting a commercial secret, as well as information containing state secrets and other secrets protected by the laws of the Republic of Kazakhstan;

8) to gratuitous access to the aquaculture information system;

9) to the construction and operation of buildings, structures and other constructions, installations for aquaculture, fish ponds, placement of fish pools in accordance with the legislation of the Republic of Kazakhstan.

2. Aquaculture entities engaged in lake-commodity and (or) cage culture fishery, in addition to the rights provided for in paragraph 1 of this article, shall have the right to submit proposals to the authorized body on amendments to the contract and development plan of the aquaculture entity in accordance with the legislation of the Republic of Kazakhstan in aquaculture.

3. Aquaculture entities engaged in cage culture fishery, in addition to the rights provided for in paragraphs 1 and 2 of this article, shall have the right to block off with ropes and buoys the places where special devices (cages) are installed, which do not interfere with the safety of navigation and movement of other floating craft, and that do not restrict the use of public water bodies.

4. Aquaculture entities engaged in lake-commodity business, in addition to the rights provided for in paragraphs 1 and 2 of this article, shall have the right to install special devices (net cages) for growing fish in accordance with biological justification on the assigned fishery water bodies and (or) areas.

5. Aquaculture entities engaged in lake-commodity and/or pond fishery activities, in addition to the rights provided for in paragraphs 1, 2 and 4 of this article, shall have the right to organize amateur (sport) fishing.

6. Aquaculture entities shall be obliged to:

1) carry out activities related to the breeding and/or keeping , cultivation of aquaculture objects provided for by the biological justification;

2) ensure that aquaculture is carried out with the use of methods and techniques that do not harm aquatic biological resources and their environment;

3) ensure that the biological justification is developed in accordance with the rules approved by the authorized body;

4) submit administrative data to the authorized body in accordance with the forms approved in agreement with the authorized state statistics body, intended for the collection of administrative data in aquaculture;

5) provide information on the fulfillment of reciprocal obligations in accordance with the rules approved by the authorized body;

6) prevent introduction of alien or genetically modified species of aquaculture objects into water bodies;

7) comply with veterinary (veterinary- sanitary) requirements, also rules and requirements in the sanitary- epidemiological welfare of the population;

8) register in the aquaculture information system in the manner determined by the authorized body;

9) send a notification of the commencement or termination of activities on artificial breeding of the species included in Appendices I and II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, in accordance with the legislation of the Republic of Kazakhstan in the wildlife protection, reproduction and use;

10) comply with the requirements of the environmental legislation of the Republic of Kazakhstan, also support environment protection measures.

7. Aquaculture entities carrying out pond, reproductive and (or) industrial economic activities, in addition to the obligations provided for in paragraph 6 of this article, shall be obliged to install fish protection devices when drawing water from surface water bodies.

8. Aquaculture entities engaged in lake-commodity business, in addition to the obligations provided for in paragraph 6 of this article, shall be obliged to:

1) prevent restrictions on the use of surface water bodies for public use in accordance with the water legislation of the Republic of Kazakhstan;

Note!

Subparagraph 2) of paragraph 8 shall be suspended until 01.01.2027 by this Law of the Republic of Kazakhstan and during the period of suspension this paragraph shall be valid as amended by p. 4 of Art. 23.

2) implement the contract for lake-commodity and (or) cage culture fishery and development plan of the aquaculture entity, and provide information on fulfillment of the contract terms and development plan of the aquaculture entity through the aquaculture information system in accordance with the rules approved by the authorized body;

3) prevent transfer and (or) assignment of rights and obligations to third parties under the contract for the implementation of lake-commodity and (or) cage culture fishery, except in cases of reorganization of a legal entity in the form of merger, accession or transformation and (or) transfer of such rights and obligations to a third party by way of universal legal succession by inheritance;

4) ensure protection of fishery water bodies and (or) sites in order to prevent illegal fishing of aquaculture objects;

5) allow the territorial unit of the authorized body's department to carry out test fishing in accordance with the legislation of the Republic of Kazakhstan in the wildlife protection, reproduction and use;

6) install signs in accordance with the legislation of the Republic of Kazakhstan in the wildlife protection, reproduction and use;

7) keep the banks of fishery water bodies and (or) areas in the places of their use in accordance with the requirements established by the water and environmental legislation of the Republic of Kazakhstan, regulatory legal acts in the sanitary-epidemiological welfare of the population and other legislation of the Republic of Kazakhstan;

8) dismantle and remove erected buildings, structures and other facilities, constructions for aquaculture within a reasonable time in the event of early termination or expiration of the contract for lake-commodity and (or) cage culture fishery;

9) stock the assigned fishery water body with fish in accordance with the development plan of the aquaculture entity;

10) carry out fishery melioration in the assigned fishery water body in accordance with the water legislation of the Republic of Kazakhstan and the legislation of the Republic of Kazakhstan in the wildlife protection, reproduction and use;

11) carry out, on the basis of biological justification, a complete and (or) partial replacement of the ichthyofauna of a fishery reservoir in accordance with the legislation of the Republic of Kazakhstan in the wildlife protection, reproduction and use.

The requirements specified in subparagraphs 1), 2), 3), 4), 5), 6), 7) and 8) of the first part of this paragraph shall also be mandatory for aquaculture entities engaged in cage culture fishery.

9. Aquaculture entities shall exercise other rights and obligations in accordance with the legislation of the Republic of Kazakhstan.

Article 15. Maintenance of veterinary (veterinary-sanitary) and sanitary-epidemiological safety in aquaculture

1. Veterinary (veterinary-sanitary) safety in aquaculture shall be maintained in accordance with the legislation of the Republic of Kazakhstan in veterinary medicine, international treaties ratified by the Republic of Kazakhstan, and acts constituting the law of the Eurasian Economic Union on veterinary issues.

2. Veterinary (veterinary-sanitary) safety in aquaculture shall be maintained by complying with the requirements of the legislation of the Republic of Kazakhstan in sanitary-epidemiological welfare of the population, international treaties ratified by the Republic of Kazakhstan, and acts constituting the law of the Eurasian Economic Union on food safety issues.

Article 16. Scientific research in aquaculture

1. Scientific research in the field of aquaculture shall be carried out in accordance with the Law of the Republic of Kazakhstan “On Science and Technology Policy” and other laws of the Republic of Kazakhstan.

The objectives of scientific research in aquaculture are:

- 1) conducting research, development and technological work in aquaculture;
- 2) studying and researching fishery reservoirs and (or) sites to determine the prospects for implementing lake-commodity and (or) cage culture fishery and their certification;
- 3) developing a biological justification in accordance with the rules approved by the authorized body;
- 4) commercialization of scientific and (or) technological activity results in aquaculture;
- 5) development and (or) implementation of innovative and (or) industrial technologies for breeding and (or) keeping, growing aquaculture objects and their young;
- 6) development of scientific recommendations in aquaculture;
- 7) conducting other scientific work in aquaculture not prohibited by the legislation of the Republic of Kazakhstan.

2. Scientific research in aquaculture shall be carried out at the expense of budgetary funds and other sources not prohibited by the legislation of the Republic of Kazakhstan.

In the assigned fishery water bodies and (or) sites, scientific research shall be carried out at the expense of the aquaculture entities to which they are assigned.

3. Scientific research in aquaculture shall be carried out by legal entities accredited as entities of scientific and (or) science and technology activities, and (or) autonomous educational organizations in accordance with the legislation of the Republic of Kazakhstan.

Chapter 4. STATE STIMULATION OF AQUACULTURE

Article 17. State incentives for aquaculture

1. State incentive measures for aquaculture shall be provided to aquaculture entities, entities providing aquaculture development, and shall be determined in accordance with this Law and other regulatory legal acts of the Republic of Kazakhstan.

2. State incentives for aquaculture shall comprise:

- 1) subsidizing of aquaculture;
- 2) lending and insurance of aquaculture in accordance with the Law of the Republic of Kazakhstan “On state regulation of development of the agro-industrial complex and rural territories”;
- 3) special tax treatment and other tax benefits stipulated by the Code of the Republic of Kazakhstan “On taxes and other obligatory payments to the budget” (Tax Code);
- 4) provision of engineering and communications infrastructure;
- 5) non-financial support in accordance with the Entrepreneur Code of the Republic of Kazakhstan;

6) other measures established by the laws of the Republic of Kazakhstan and other regulatory legal acts of the Republic of Kazakhstan.

Article 18. Aquaculture subsidies

1. Aquaculture subsidies shall be provided as an economic incentive for the development of aquaculture under the following conditions:

- 1) economic efficiency of subsidies aimed at aquaculture development;
- 2) improving the quality and competitiveness of aquaculture products.

2. Aquaculture subsidies shall be provided in the following areas:

- 1) increasing the productivity and quality of aquaculture products, as well as development of pedigree fish breeding;
- 2) reimbursement of part of the costs of investment in aquaculture;
- 3) subsidizing the cost of water supply services in aquaculture;
- 4) subsidizing interest rates for lending, as well as leasing for the purchase of machinery and technological equipment in aquaculture;
- 5) other areas of subsidies provided for by the laws of the Republic of Kazakhstan.

3. Subsidies for entities ensuring development of aquaculture shall be provided in the areas specified in subparagraphs 2), 3), 4) and 5) of paragraph 2 of this article.

4. Aquaculture subsidies are provided if the subsidy recipient accepts reciprocal obligations defined in the rules approved by the authorized body.

5. Aquaculture subsidies, as well as monitoring the achievement of reciprocal obligations, shall be provided by local executive bodies of oblasts, cities of republican status and the capital through the state information system for subsidizing the agro-industrial complex in accordance with the rules approved by the authorized body.

6. Subsidies shall not be provided to aquaculture entities, entities ensuring the development of aquaculture:

- 1) that have failed to fulfill reciprocal obligations and have not returned the money in accordance with paragraph 7 of this article;

- 2) managers, whose founders (shareholders) were previously managers, founders (shareholders) of aquaculture entities, entities ensuring aquaculture development, that had previously failed to fulfill reciprocal obligations and have not returned the money in accordance with paragraph 7 of this article.

The provisions of part one of this paragraph shall not apply if the aquaculture entity, the entity ensuring aquaculture development, in the manner prescribed by the legislation of the Republic of Kazakhstan, proves that proper fulfillment of reciprocal obligations was impossible due to force majeure.

7. In the event of failure to fulfill reciprocal obligations by aquaculture entities, entities ensuring aquaculture development, the money received by them within the framework of

aquaculture subsidies shall be subject to return taking into account the achieved fulfillment level of reciprocal obligations and the base rate of the National Bank of the Republic of Kazakhstan in accordance with the rules approved by the authorized body.

Aquaculture entities, entities ensuring aquaculture development, in the event of their termination of activities within five years from the date of the subsidizing shall be obliged to return in full or in part the money received within the framework of aquaculture subsidies, in the manner determined by the authorized body.

8. Aquaculture entities, entities ensuring aquaculture development, and the persons specified in subparagraph 2) of paragraph 6 of this article, who returned the money in accordance with paragraph 7 of this article, shall be admitted to aquaculture subsidies two years from the date of the money return.

Article 19. Provision of engineering and communications infrastructure

1. Provision with engineering and communications infrastructure of aquaculture entities, entities ensuring aquaculture development, pursues the following purposes:

- 1) creation of new production facilities in aquaculture;
- 2) modernization (technical re-equipment) and expansion of existing production facilities in aquaculture;
- 3) reduction of water losses and its rational use.

2. Provision of engineering and communications infrastructure shall be implemented by local executive bodies through the allocation of budgetary funds for the construction (reconstruction) of engineering and communications infrastructure.

3. Budgetary funds for the construction (reconstruction) of engineering and communications infrastructure shall be allocated in accordance with the budget legislation of the Republic of Kazakhstan.

Chapter 5. STATE CONTROL IN AQUACULTURE

Article 20. State control

1. State control in aquaculture shall be performed by the department of the authorized body and its territorial units and their officials (hereinafter referred to as the control body) in the form of inspections, preventive control with a visit to the subject (object) of control and preventive control without a visit to the subject (object) of control.

2. Inspections and preventive control with a visit to the subject (object) of control shall be conducted in accordance with the Entrepreneur Code of the Republic of Kazakhstan.

Preventive control without a visit to the subject (object) of control shall be conducted in accordance with the Entrepreneur Code of the Republic of Kazakhstan and this Law.

3. The subjects of state control in aquaculture are aquaculture entities, local executive bodies of the oblast, city of republican status and the capital (hereinafter referred to as subjects of state control).

Article 21. Preventive control without visiting the subject (object) of control

1. The aims of preventive control without visiting the subject (object) of control are timely suppression and prevention of breaches, giving the subjects of state control the right to independently rectify violations identified in the preventive control without visiting the subject (object) of control, and reducing the administrative burden on them.

2. Preventive control without visiting the subject (object) of control shall be conducted on the basis of studying and analyzing the reports submitted by the subject of state control, information from the authorized state bodies, as well as other documents and information on the activities of the subject of state control obtained from state information systems and electronic information resources.

3. In the event of breaches identified in the preventive control without visiting the subject (object) of control, the supervising body shall, within ten working days from the date of detection of the breaches, send a recommendation to rectify the identified violations to the subject of state control without initiating an administrative offence case, but with a mandatory explanation to the subject of state control of the procedure for their rectification.

4. The recommendation to rectify the identified violations must be delivered to the subject of state control in person against signature or by other means confirming the facts of sending and receipt.

A recommendation to rectify the identified violations sent by one of the following methods is considered to be delivered (received) in the following cases:

- 1) in person - from the date of receipt;
- 2) by mail - registered letter with notification;
- 3) electronically - by the control body's sending to the e-mail address of the subject of state control indicated in the letter upon request of the control body, or if such address was provided by this subject to the control body.

5. The subject of state control that received a recommendation to rectify the identified violations shall be obliged, within ten working days from the day following the day of its delivery (receipt), to submit to the control body an action plan for eliminating the identified violations, indicating specific deadlines for their elimination, indicated in the recommendation to rectify the identified violations.

After expiry of the deadline for implementing the recommendation to rectify the identified violations, the subject of state control shall be obliged, within three working days, to report to the control body in writing on the elimination of the violations.

The state control subject shall attach documentary evidence (if necessary) proving the fact of the elimination of the violations to the report on the elimination of the identified violations.

6. In case of disagreement with the violations specified in the recommendation to rectify the identified violations the subject of state control shall have the right to send an objection to the supervising body that sent the recommendation within five working days from the day following the day of delivery (receipt) of the recommendation.

7. Failure to fulfill the recommendation to rectify the identified violations within the established term shall result in the appointment of preventive control with a visit to the subject (object) of control by inclusion in the semi-annual list of preventive control with a visit to the subject (object) of control.

8. Preventive control without visiting the subject (object) of control shall be conducted no more than twice during the year.

Chapter 6. FINAL AND TRANSITIONAL PROVISIONS

Article 22. Responsibility for breaching the legislation of the Republic of Kazakhstan in aquaculture

Breach of the legislation of the Republic of Kazakhstan in aquaculture shall entail liability established by the laws of the Republic of Kazakhstan.

Article 23. Transitional provisions

1. Subjects of fishery, engaged in lake-commodity fishery, cage culture fishery, pond fishery and fish breeding with closed water supply cycle, within three years after the day of enactment of this Law shall bring their activities in compliance with the requirements of the second and third parts of paragraph 4 of Article 10 and paragraph 1 of Article 12 of this Law.

2. It shall be established that in case of absence in passports of unassigned fishery reservoirs and (or) sites of terms of assignment of fishery reservoirs and (or) sites for fish farming, such terms shall be determined on the basis of scientific recommendations of accredited scientific organization in the field of protection, reproduction and use of fish resources and other aquatic animals.

3. Subparagraph 4) of paragraph 6 of article 11 of this Law shall be suspended until January 1, 2026, establishing that during the period of suspension this subparagraph shall be effective as follows:

“4) payment of a fee for securing a site of a fishery water body in the amount, order and terms, which are determined in accordance with the rules approved by the authorized body.”

4. Suspend until January 1, 2027:

1) part two of paragraph 3 of Article 10 of this Law, establishing that during the period of suspension this part shall be effective as follows:

"The list of reserve fishery reservoirs and (or) sites put up for tender for lake-commodity and (or) cage culture fishery shall be posted in the public domain on the Internet resource of the authorized body and local executive bodies of oblasts, cities of republican status and the capital after coordination with the basin water inspectorate for the protection and regulation of water resources use in the manner and within the timeframes determined by the authorized body.";

2) part two of paragraph 9 of Article 10 of this Law, establishing that during the period of suspension this part shall be effective as follows:

“The register of unscrupulous aquaculture entities shall be published on the Internet resource of the authorized body on the basis of enforced court rulings.”;

3) part two of paragraph 2 of Article 11 of this Law, establishing that during the period of suspension this part shall be effective as follows:

“The list of sites of fishery water bodies of international and (or) republican scale for cage culture fishery for the implementation of the project shall be posted in the public domain via the Internet resources of the authorized body and local executive bodies of oblasts, cities of republican status and the capital after coordination with the authorized body in the water resources protection and use and local executive bodies of the respective oblasts in the manner and within the timeframes determined by the authorized body.”;

4) subparagraph 2) of paragraph 8 of Article 14 of this Law, establishing that during the period of suspension this subparagraph shall be effective as follows:

“2) fulfill the contract for the implementation of lake-commodity and (or) cage culture fishery activities and the development plan of the aquaculture entity, also provide information on fulfillment of the contract terms and the development plan of the aquaculture entity in the form approved by the authorized body;”.

Article 24. Procedure for enactment of this Law

This Law shall be enacted sixty calendar days after the date of its first official publication, except for subparagraphs 7) and 8) of paragraph 1 of Article 6, which shall be enacted as of January 1, 2027.

**President
of the Republic of Kazakhstan K. TOKAYEV**