



On Culture

Unofficial translation

The Law of the Republic of Kazakhstan dated 15 December 2006 No. 207

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This Law regulates public relations in the scope of creation, renewal, reservation, development, distribution and use of culture in the Republic of Kazakhstan and determines legal, economic, social and organizations basis of the state policy in the field of culture.

Chapter 1. GENERAL PROVISIONS

Article 1. Basic definitions used in this Law

The following basic definitions are used in this Law:

1) compulsory free copy of publication – a copy of publication (text, music, electronic, cartographical, art editions) that passed an editorial publishing processing having output information subjected to transfer by manufacturers to the national libraries for the purpose of reservation of cultural heritage of the people of Kazakhstan;

1-1) cinematic organization – a legal entity the main types of activity of which are: film production and (or) cine chronicles, distribution of film, exhibition of film, restoration of film, technical maintenance of a cinema hall, manufacturing of cine materials, performance of works and rendering of services on film production, educational, scientific, research, publishing, advertising and promotions activity in the field of cinematography, storage of film, source materials of film and (or) cine chronicles;

1-2) cine chronicle – filming of documentary films reflecting characteristic (primarily passing) special aspects of time, place, circumstances and calculated in a prospect for film production;

1-3) artistic values – works of culture, literature and art created in a result of creative activity;

2) branch incentive scheme – form of moral stimulation of employees of culture, literature and art for contribution in branch development;

3) cultural heritage of the people of the Republic of Kazakhstan – set of cultural values having state significance belonging exclusively to the Republic of Kazakhstan without the right of their transfer to other states;

4) culture – set of material and spiritual values created and being under creation of a mankind and oriented to harmonious development of personality, patriotic education and satisfaction of esthetic necessities and interests of citizens of the Republic of Kazakhstan;

5) cultural worker – an individual, professional activity of whom is linked with reservation, development, distribution, use of cultural values and exposure of citizens to them;

6) socially significant events in the field of culture – measures on conduct of memorable and anniversary date, culture days, festivals, parades, competitions, exhibitions and immortalization of a memory of national figures of the state at international, republican and local levels;

7) activity in the field of culture – the activity of state bodies, legal entities and citizens on creation, renewal, reservation, development, distribution and use of cultural values, as well as exposure of citizens to them;

8) state policy in the field of culture – a set of measures taken by the state

bodies oriented to creation, renewal, reservation, development, distribution and use of cultural and spiritual values;

9) authorized body in the field of culture (hereinafter – the authorized body) – central executive body carrying out management and cross-sector coordination in the field of culture;

10) cultural organizations – legal entities created in accordance with the legislation of the Republic of Kazakhstan the main subject of activity of which is carrying out of activity in the field of culture;

11) attestation of employees of the state cultural organizations – a procedure conducted for the purpose of determining conformity of the qualification level of employees of the state cultural organizations to qualification requirements;

12) cultural values – subjects of cultural heritage of secular and religious nature, as well as other values having historical, artistic, scientific or another cultural significance;

13) subjects of cultural activity – state bodies, legal entities and citizens participating in the activity in the field of culture;

14) national cultural asset – cultural values having special importance for history and culture of the country included to the State Register of objects of the national cultural asset;

15) special regime of objects of the national cultural asset – measures taken by the state on reservation, maintenance, restoration, protection and use of objects of historical cultural heritage;

16) State register of objects of the national cultural asset – the list of national cultural asset having special importance for history and culture of the country (hereinafter – State Register);

16-1) film – audio visual work created in any form and various genres on the basis of creative concept consisting of image, accompanying sound fixed in a filmstrip, magnetic tape or in other types of carriers and connected to one thematic unit of frames sequentially linked between each other, and intended for vision with help of the relevant technical means;

16-2) film dubbing – creative and production activity that includes synchronous recreation of language part of audio track in another language by translation that answers to syllabic articulation of cast of characters;

16-3) State fund of films – legal entities determined by the Government of the Republic of Kazakhstan carrying out storage of the national films, films of joint production, as well as their source materials;

16-4) State register of films – the list of films, the distribution and public exhibition (demonstration) of which is carried out in the territory of the Republic of Kazakhstan;

16-5) distribution of film – distribution of film by methods not prohibited by the Laws of the Republic of Kazakhstan, for the purpose of public exhibition (demonstration), distribution on television channels (with the exception of foreign television channels), renting, as well as sale;

16-6) duplication of film – manufacturing of one or more copies of the film (circulation) on any type of carrier and in the format of original for the purpose of distribution;

16-7) film production – process of realization of creative concept of an author in a result of which the audio visual work is created;

17) creative employee – an individual whose professional or amateur creative activity is oriented to creation of artistic values, reproduction or interpretation (translation) of work of literature and art;

18) creative activity – the activity oriented to creation of artistic values or interpretation (translation) of works of literature and art in any form and by any method;

19) creative union – public association of professional creative employees of one or several cultural genres created on the basis of their individual membership.

Footnote. Article 1 as amended by the Laws of the Republic of Kazakhstan dated 27.05.2010 No. 280-IV (shall be enforced from 03.12.2010); dated 18.01.2012 No. 546-IV (shall be enforced upon expiry of thirty calendar days after its first official publication); dated 13.06.2013 No. 102-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 2. Legislation of the Republic of Kazakhstan on culture

1. The legislation of the Republic of Kazakhstan on culture is based on the Constitution of the Republic of Kazakhstan, consists of this Law and other regulatory legal acts of the Republic of Kazakhstan.

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

Article 3. Principles of the state policy in the field of culture

Main principles of the state policy of the Republic of Kazakhstan in the field of culture are:

1) state support of culture, reservation and development of cultural heritage of the people of Kazakhstan;

2) ensuring of rights and freedoms of citizens of the Republic of Kazakhstan in the field of culture;

3) is excluded by the Law of the Republic of Kazakhstan dated 27.05.2010 No. 280-IV (shall be enforced from 03.12.2010);

4) protection of historical and cultural heritage and ensuring of succession in their development;

5) development of cultural relations with nationals residing abroad, as one of the factors of reserving the integrity and mutual enrichment of Kazakh national culture;

6) creation of legal guarantees for reservation of historical heritage of Kazakh people and ethnic diasporas, development and reproduction of creative potential of society;

7) is excluded by the Law of the Republic of Kazakhstan dated 27.05.2010 No. 280-IV (shall be enforced from 03.12.2010);

8) is excluded by the Law of the Republic of Kazakhstan dated 27.05.2010 No. 280-IV (shall be enforced from 03.12.2010);

9) formation of competitive environment between subjects of cultural activity;

10) ensuring of integration of culture of the people of Kazakhstan into the world cultural space.

Footnote. Article 3 as amended by the Law of the Republic of Kazakhstan dated 27.05.2010 No. 280-IV (shall be enforced from 03.12.2010).

Article 4. Main tasks of the state in the field of culture

Main tasks of the state in the field of culture are:

1) implementation of the state policy in the field of culture;

2) taking measures oriented to renewal, reservation, development and distribution of culture of people of the Republic of Kazakhstan;

3) creation of conditions for patriotic and aesthetic education of citizens by exposure to values of the national and world culture;

4) ensuring of free access to cultural values;

- 5) establishment of minimal state standards of cultural service of population;
- 6) ensuring of development of infrastructure and strengthening of material technical basis of the state cultural organizations;
- 7) ensuring of support of talented persons;
- 8) taking measures on inadmissibility in the field of culture of a propaganda or agitation of forcible change of the constitutional order, violation of integrity of the Republic of Kazakhstan, derogation of the state security, war, social, racial, national, religious, class and genetic superiority, as well as cult of cruelty and violence;
- 9) preclusion to illegal coming out and coming in, illegal transfer of powers of an owner for cultural values, taking measures for their return from any illegal possession;
- 10) creation of conditions for international cooperation in the field of culture;
- 11) ensuring of realizing the rights of citizens for protection and development of national and cultural identity including freedom of participation in the national and cultural associations, creation of cultural organizations, participation in expansion of cultural relations abroad with nationals in accordance with the Laws of the Republic of Kazakhstan.

Footnote. Article 4 as amended by the Law of the Republic of Kazakhstan dated 27.05.2010 No. 280-IV (shall be enforced from 03.12.2010).

Chapter 2. STATE MANAGEMENT IN THE FIELD OF CULTURE

Article 5. State management of activity in the field of culture

1. State management in the field of culture shall be carried out by the President of the Republic of Kazakhstan, Government of the Republic of Kazakhstan, authorized body and local executive bodies.
2. State bodies shall participate in implementation of the state policy in the field of culture within the competence.

Footnote. Article 5 as amended by the Law of the Republic of Kazakhstan dated 05.07.2011 No. 452-IV (shall be enforced from 13.10.2011).

Article 6. Competence of the Government of the Republic of Kazakhstan

The Government of the Republic of Kazakhstan shall:

- 1) develop main directions and ensure implementation of the state policy in the field of culture, as well as international cultural relations;
- 2) is excluded by the Law of the Republic of Kazakhstan dated 03.07.2013 No. 124-V (shall be enforced upon expiry of ten calendar days after its first official publication);
- 3) issue regulatory legal acts regulating activity in the field of culture;
- 4) is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication);
- 5) is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication);
- 6) is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication);
- 7) is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication);
- 8) make decision on creation of reorganization and liquidation of the state cultural organizations;

9) is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication);

10) established order and rules of conferment of the state scholarships in the field of culture;

11) represent order and conditions of awarding a status "National" to the state cultural organizations, separate professional artistic, creative teams for approval of the President of the Republic of Kazakhstan;

12) is excluded by the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication);

13) is excluded by the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication);

14) is excluded by the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication);

15) perform other functions imposed on it by the Constitution, Laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan.

Footnote. Article 6 as amended by the Laws of the Republic of Kazakhstan dated 27.05.2010 No. 280-IV (shall be enforced from 03.12.2010); dated 05.07.2011 No. 452-IV (shall be enforced from 13.10.2011); dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 03.07.2013 No. 124-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Article 7. Competence of the authorized body

Authorized body shall:

1) create conditions for development of culture of the people of the Republic of Kazakhstan;

1-1) carry out coordination and methodological guideline of local executive bodies in the field of culture;

2) develop, approve and realize scientific programs in the field of culture;

3) develop, approve regulatory legal acts on the issues of culture within the competence;

4) is excluded by the Law of the Republic of Kazakhstan dated 13.01.2014 No. 159-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication);

5) is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication);

6) organize measures in the territory of the Republic of Kazakhstan on accounting, protection, conservation, restoration and use of monuments of history, material and spiritual culture, as well as on immortalization of a memory of national figures of the country and maintain the State register of objects of the national cultural asset;

7) support and coordinate activity of the state cultural organizations of republican significance on development of theater, music arts, cinematography, library and museum affairs, ensure the activity of republican state institutions in the field of culture;

8) make proposals on creation, reorganization and liquidation of the state cultural organizations;

9) carry out conduct of socially important measures in the field of culture;

9-1) form, place and control publication of literature at republican level, as well as creation of the national films in the manner established by the legislation of the Republic of Kazakhstan on the state procurements;

10) make proposals on awarding honorary titles and state awards of the Republic of Kazakhstan to workers of culture and arts, on awarding of creative teams in the manner established by the legislation of the Republic of Kazakhstan;

10-1) is excluded by the Law of the Republic of Kazakhstan dated 13.06.2013 No. 102-V (shall be enforced upon expiry of ten calendar days after its first official publication);

11) develop and approve branch incentive scheme;

11-1) develop and approve order and conditions of awarding a status "Academic" to the state cultural organizations, separate professional artistic and creative teams;

12) constitute national (republican) and international competitions and festivals, premiums and prizes in different scopes of creative activity;

12-1) develop and approve standard rules of holding republican competitions and festivals;

13) is excluded by the Law of the Republic of Kazakhstan dated 13.06.2013 No. 102-V (shall be enforced upon expiry of ten calendar days after its first official publication);

14) develop and approve standard qualification requirements to the categories of employees of the state cultural organizations;

15) approve the rules of attestation of employees of the state cultural organizations;

15-1) determine the rules of rendering of paid services by the state institutions in the field of culture;

16) conduct attestation of republican cultural organizations;

17) organize retraining system and raising of qualification of all the categories of employees of culture;

18) carry out and coordinate the activity in the scope of international cultural cooperation;

19) is excluded by the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication);

20) approve the order of formation and maintenance of museum fund of the Republic of Kazakhstan;

21) approve a provision on artistic expert councils;

21-1) approve the order and conditions of maintenance of the State register of objects of the national cultural asset;

22) is excluded by the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication);

23) approve standard provision on expert commission on a temporary coming out of cultural values;

23-1) develop and approve the rules of issuance of a certificate for the right of temporary coming out of cultural values;

23-2) approve minimal state regulations of cultural organizations networks and model personnel establishment of the state cultural organizations of oblast, city of republican significance, the capital, district, cities of oblast significance, rural levels;

23-3) develop and approve order for issuance of distribution certificate for film;

23-4) develop and approve the rules of activity of educational organizations in the scope of culture and arts in concurrence with the authorized body in the field of education;

23-5) coordinate standard curriculum and educational programs of all the educational levels in the field of culture and arts with the authorized body in the field of education;

23-6) participate in formation of the state educational order for training of specialists with higher and postgraduate education, as well as with technical and professional, postsecondary education in educational organizations in the scope of culture and arts, financed from the republican budget;

24) is excluded by the Law of the Republic of Kazakhstan dated 03.07.2013 No. 124-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication);

25) coordinate the activity of cultural organizations of the republican (rural, settlement, district, city, oblast, republican) within the competence, carry out interaction with creative unions and other organizations independently from the forms of ownership on the issues of culture;

26) carry out a set of measures oriented to search and support of talented youth and promising creative teams;

27) coordinate repertory policy in the scope of music and theater arts;

28) develop and approve a provision and order of awarding a title "People's" (exemplary) to collectives of amateur art activities;

29) create expert commission on a special regime of objects of the national cultural asset;

30) promote development of cultural relations with nationals;

Note of RCLII!

Subparagraph 31) shall be enforced from 01.01.2011 (see Article 2 of the Law of the Republic of Kazakhstan dated 27.05.2010 No. 280-IV).

31) maintain the State register of films;

Note of RCLII!

Subparagraph 32) shall be enforced from 01.01.2011 (see Article 2 of the Law of the Republic of Kazakhstan dated 27.05.2010 No. 280-IV).

32) issue distribution certificates for films and revoke them in a judicial proceeding;

33) consider proposals of heads of republican state cultural organizations, as well as heads of local executive bodies of oblasts, city of republican significance, the capital on awarding a status "Academic" to the state cultural organizations and separate professional artistic, creative teams and make proposals to the Government of the Republic of Kazakhstan on awarding a status "Academic" to the state cultural organizations and separate professional artistic, creative teams;

34) make proposals to the Government of the Republic of Kazakhstan on awarding a status "National" to the state cultural organizations and separate professional artistic, creative teams;

35) develop and approve criteria of determining the index of a film;

35-1) coordinate or refuse in coordination of designations being the assets of history and culture of the Republic of Kazakhstan for their use as a trademark and service mark of individuals or legal entities engaged in entrepreneurial activity;

36) carry out other functions provided by this Law, other Laws of the Republic of Kazakhstan, acts of the President and the Government of the Republic of Kazakhstan.

Footnote. Article 7 as amended by the Laws of the Republic of Kazakhstan dated 27.05.2010 No. 280-IV (shall be enforced from 03.12.2010); dated 12.01.2012 No. 537-

IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.06.2013 No. 102-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 03.07.2013 No. 124-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.01.2014 No. 159-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Article 8. Competence of local executive body of oblast, city of republican significance and the capital

Footnote. Title of Article 8 as amended by the Law of the Republic of Kazakhstan dated 27.05.2010 NO. 280-IV (shall be enforced from 03.12.2010).

Local executive body of oblast, city of republican significance and the capital shall:

1) is excluded by the Law of the Republic of Kazakhstan dated 03.07.2013 No. 124-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication);

1-1) implement the state policy in the field of culture;

2) create, reorganize, liquidate the state cultural organizations of oblast, city of republican significance and the capital in the scope of theater, music and cinematic art, cultural leisure activity, library and museum affairs, as well as carry out coordination of their activity;

3) support and coordinate activity of the state cultural organizations of oblast, city of republican significance and the capital on development of theater, music and cinematic art, cultural leisure activity and popular art, library and museum affairs, ensure the activity of institutions of oblast, city of republican significance and the capital in the field of culture;

4) organize conduct of oblast (regional) parades, festivals and competitions in various scopes of creative activity;

4-1) have the right to organize conduct of republican competitions and festivals in various scopes of creative activity in concurrence with the authorized body;

5) organize work on accounting, protection, conservation and restoration, as well as use of monuments of history, material and spiritual culture of oblast, city of republican significance and the capital, as well as immortalization of a memory of national figures of culture of the country;

6) create expert commission on a temporary coming out of cultural values and approve the provision on it;

7) carry out monitoring of activity of cultural organizations located in the relevant territory, and provide information, as well as statistical reports of established form to the authorized body;

8) carry out conduct of entertainment cultural events at the level of oblast, city of republican significance and the capital;

9) conduct attestation of the state cultural organizations of oblast, city of republican significance and the capital;

10) carry out management of community property in the field of culture within the competence;

10-1) appoint a head of culture department of oblast, city of republican significance and the capital in concurrence with the authorized body;

11) act as a customer of construction, reconstruction and repair of objects of cultural designation of oblast, city of republican significance and the capital;

12) organize work on reservation of historical cultural heritage, promote to development of historical, national and cultural traditions and customs;

13) is excluded by the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication);

13-1) issue a certificate for the right of temporary coming out of cultural values;

14) award a status "Central" to one of the state libraries of oblast, city of republican significance, the capital;

14-1) carry out a set of measures oriented to search and support of talented youth and promising creative teams;

14-2) carry out conduct of socially significant measures in the field of culture;

14-3) ensure compliance with special regime of objects of the national cultural asset;

15) exercise the other powers in favor of local state management imposed on local executive bodies by the legislation of the Republic of Kazakhstan.

Footnote. Article 8 as amended by the Laws of the Republic of Kazakhstan dated 19.03.2010 No. 258-IV; dated 27.05.2010 No. 280-IV (shall be enforced from 03.12.2010); dated 05.07.2011 No. 452-IV (shall be enforced from 13.10.2011); dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.06.2013 No. 102-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 03.07.2013 No. 124-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Article 9. Competence of local executive body of a district, city of oblast significance

Footnote. Title of Article 9 as amended by the Law of the Republic of Kazakhstan dated 27.05.2010 No. 280-IV (shall be enforced from 03.12.2010).

Local executive body of a district, city of oblast significance shall:

1) create the state cultural organizations of a district, city of oblast significance in the scope of theater, music and cinematic art, library and museum affairs, cultural leisure work, as well as carry out support and coordination of their activity;

2) organize work on accounting, protection and use of monuments of history, material and spiritual culture of local significance;

3) carry out conduct of entertainment cultural events of a district, city of oblast significance, as well as parades, festivals and competitions among amateur creative associations;

4) is excluded by the Law of the Republic of Kazakhstan dated 27.05.2010 No. 280-IV (shall be enforced from 03.12.2010);

5) conduct attestation of the state cultural organizations of a district, city of oblast significance;

6) carry out management of community property in the field of culture within the competence;

7) act as a customer of construction, reconstruction and repair of objects of cultural designation of a district, city of oblast significance;

8) support and render assistance in material technical support of the state cultural organizations;

9) award a status "Central" to one of the state libraries of a district, city of oblast significance;

10) exercise other powers in favor of local state management imposed on local executive bodies by the legislation of the Republic of Kazakhstan.

Footnote. Article 9 as amended by the Laws of the Republic of Kazakhstan dated 27.05.2010 No. 280-IV (shall be enforced from 03.12.2010); dated 05.07.2011 No. 452-IV (shall be enforced from 13.10.2011).

Article 9-1. Compliance with rules of safety ensuring of citizens upon conduct of entertainment cultural events

1. Objects and structures intended for conduct of entertainment cultural events shall conform to the rules of operation of structures and fire safety.

2. In case of detection of violations of requirements of the rules of operation of structures and fire safety complicating safety ensuring of citizens and participants, as well as in a part of decay of load carrying structures of grandstands, placement of flammable hazardous substances and materials in the premises under grandstands, absence of emergency lights and evacuation routes, absence or defects of fire protection means, as well as violation of the rules of assembling and operation of electrical equipment that may lead to fire development, the local executive bodies shall prohibit conduct of entertainment cultural events at the initiative of internal affairs bodies until elimination of detected violations of the safety conditions.

3. Organizers of entertainment cultural events conducted at the places not intended specially for these purposes (stadiums, recreation areas, parks, public gardens, squares, streets) shall be obliged to inform the local executive bodies on proposed quantity of audience no later than ten days before conduct of the measure, a day before – on a quantity of sold tickets, issued passes, including for an automobile transport, as well as parking areas for special vehicles of internal affairs bodies, on emergency situations and public health care.

Footnote. The Law is supplemented by Article 9-1 in accordance with the Law of the Republic of Kazakhstan dated 29.12.2010 No. 372-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

Chapter 3. RIGHTS AND OBLIGATIONS OF CITIZENS IN THE FIELD OF CULTURE

Article 10. Rights of citizens for creative activity in the field of culture

1. Citizens shall have the right to creative activity in accordance with own abilities by independent choice of a scope of their application, forms of realization and obtainment of professional education.

Engagement in creative activity may be carried out as on professional, so on non-professional (amateur) basis.

2. Citizens shall be secured by the right to exposure to cultural values. Restriction of this right may be determined only by special regime of objects of the national cultural asset.

3. Professional and (non-professional (amateur) creative employees are equal in the field of the rights to intellectual property, freedom of disposing results of own labour, support of the state.

Professional and non-professional (amateur) creative activity of citizens shall be carried out on collective or individual basis.

4. Each citizen shall have the right to be owner of cultural values. Acquisition, use and dispose of private property shall be regulated by the Laws of the Republic of Kazakhstan.

5. Each citizen shall have the right to carry abroad and organize exhibitions or otherwise represent and realize own creative activity in accordance with the legislation of the Republic of Kazakhstan.

Footnote. Article 10 as amended by the Law of the Republic of Kazakhstan dated 27.05.2010 No. 280-IV (shall be enforced from 03.12.2010).

Article 11. Obligations of citizens in the field of culture

Citizens shall be obliged to:

- 1) comply with requirements of the legislation of the Republic of Kazakhstan in the field of culture;
- 2) care of reservation of historical and cultural heritage, save monuments of history and culture, natural values;
- 3) respect for the national culture, customs, traditions of Kazakh people and ethnic groups, state language and other languages.

Footnote. Article 11 as amended by the Law of the Republic of Kazakhstan dated 27.05.2010 No. 280-IV (shall be enforced from 03.12.2010).

Article 12. Obligations of the state on ensuring of rights of citizens for activity in the field of culture

1. State shall guarantee the right for activity in the field of culture to citizens by ensuring of the right to participate in a cultural life, access to cultural values, obtainment of education on specialties of culture and arts.
2. State bodies shall promote propaganda of cultural heritage of the people of the Republic of Kazakhstan in mass media and cultural organizations.

Article 12-1. Minimal social standards in the scope of culture

Minimal social standard of ensuring an availability of services of the state cultural organizations and the minimal social standard of ensuring an access of disabled persons to cultural and entertainment events conducted by the state cultural organizations are minimal social standards in the scope of culture in accordance with the Law of the Republic of Kazakhstan "On minimal social standards and their guarantees".

Footnote. Chapter 3 is supplemented by Article 12-1 in accordance with the Law of the Republic of Kazakhstan dated 19.05.2015 No. 315-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Chapter 4. LEGAL STATUS OF CREATIVE EMPLOYEES AND EMPLOYEES OF CULTURE, CREATIVE UNIONS AND NON-PROFESSIONAL (AMATEUR) CREATIVE ASSOCIATIONS

Article 13. Status of creative employee

Footnote. Article 13 is excluded by the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 14. Rights and obligations of creative employee and cultural worker

1. Creative employee shall have the right to:
 - 1) protection of information, divulgence or loss of which inflicts or may inflict a harm to his (her) interests linked with carrying out of creative activity;
 - 2) involvement to own activity of third parties;
 - 3) participation in formation of the state policy in the field of culture;
 - 4) entering into public associations, associations and unions on creative and professional interests;
 - 5) access to archives, libraries, museums and other cultural organizations for carrying out of creative activity.
2. Employees of culture shall have the right to:
 - 1) entering in professional creative unions and other public associations;
 - 2) ensuring of conditions for carrying out of professional activity;

3) raising of qualification level on account of the state budget or employer, if he (she) is an employee of non-state cultural organization;

4) retraining on account of means of the state budget or employer;

5) supplemental payments and bonuses in the manner established by the legislation of the Republic of Kazakhstan.

3. Creative employee and cultural worker shall be obliged to comply with requirements of the legislation of the Republic of Kazakhstan upon carrying out of own activity.

Article 15. Social protection of creative employees and employees of culture

1. Social protection and insurance of creative employees and employees of culture the activity of whom is linked with hazardous (especially hazardous) labour conditions, increased risk and threat of professional diseases, as well as their pension benefits shall be carried out in the manner and on conditions provided by the Laws of the Republic of Kazakhstan.

2. For the purpose of the state support of creative employees and employees of culture honored by honorary titles and state awards of the Republic of Kazakhstan, as well as especially talented young creative employees, the scholarships in the field of culture shall be constituted in the manner established by the Government of the Republic of Kazakhstan.

Article 16. Creative unions

1. Creative unions may be created on a voluntary basis for carrying out of creative activity in the field of culture requiring joint efforts.

2. Republican, regional and local creative unions may be created and operate in the Republic of Kazakhstan.

3. Republican creative union shall be recognized as creative union having structural subdivisions (branches and representatives) in the territory of more than a half of oblasts of the Republic of Kazakhstan.

4. Regional creative unions shall be recognized as creative unions having structural subdivisions (branches and representatives) in the territory of less than a half of oblasts of the Republic of Kazakhstan.

5. Local creative unions shall be recognized as creative unions the activity of which is carried out in the territory of one oblast, city of republican significance and the capital.

5-1. Is excluded by the Law of the Republic of Kazakhstan dated 03.07.2013 No. 124-V (shall be enforced upon expiry of ten calendar days after its first official publication).

6. Relations of creative unions with international creative organizations shall be regulated by the Laws, as well as by international treaties of the Republic of Kazakhstan.

7. Creation, reorganization and liquidation of creative unions shall be carried out in the manner established by the civil legislation of the Republic of Kazakhstan.

Footnote. Article 16 as amended by the Laws of the Republic of Kazakhstan dated 27.05.2010 No. 280-IV (shall be enforced from 03.12.2010); dated 03.07.2013 No. 124-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 17. Membership in a creative union

1. Creative employee satisfying requirements established by the charter of the creative union shall have the right to enter in a creative union.

2. Requirements submitted by the charter of a creative union to candidates and members shall not impair property and non-property rights of citizens, shall assist to

association of the most qualitative representatives of the relevant creative professions in its composition, increase of their professional and creative advancement.

Article 18. Non-professional (amateur) creative associations and collectives

Non-professional (amateur) creative associations and collectives shall be created at the initiative of citizens, public associations, cultural organizations, local representative and executive bodies and shall function in accordance with the legislation of the Republic of Kazakhstan.

Chapter 5. ACTIVITY IN THE FIELD OF CULTURE

Article 19. Organization of activity in the field of culture

Activity in the field of culture shall be carried out by creation, propaganda, distribution, provision in use and protection of cultural values by individuals and legal entities by ensuring of functioning of theaters, philharmonics, orchestras, circuses, studios, schools, workshops, executive collectives, museums, libraries, art shows and galleries, cinemas and motion-picture installations, cultural leisure organizations, research and restoration centres, cultural and historical centres, historical-cultural and wildlife preservations, zones and other cultural organizations.

Cultural development funds carrying out the activity in accordance with the legislation of the Republic of Kazakhstan may be created for development of the culture.

Article 20. Cultural organizations

1. Creation, reorganization and liquidation of cultural organizations shall be performed in the manner established by the civil legislation of the Republic of Kazakhstan.

2. Types of activity of cultural organizations shall be determined by their founders and reflected in their charters.

3. Cultural organizations carrying out the activity in accordance with the legislation of the Republic of Kazakhstan may be state, non-state and international.

Article 20-1. Attestation of the state cultural organizations

1. Attestation of the state cultural organizations shall be performed for assessment of efficiency of their basic activity and rational use of material, labour and financial sources, adjustment of their network and structure on this basis.

2. All the state cultural organizations shall be subject to attestation once every five years.

3. Authorized body and local executive bodies of oblast, city of republican significance, the capital, district, city of oblast significance shall conduct the attestation of the state cultural organizations in the manner established by the Government of the Republic of Kazakhstan.

Footnote. The Law is supplemented by Article 20-1 in accordance with the Law of the Republic of Kazakhstan dated 27.05.2010 No. 280-IV (shall be enforced from 03.12.2010).

Article 21. Status of cultural organizations

1. Status "National" may be awarded to the state cultural organizations, separate professional artistic, creative collectives, the activity of which has special state and public significance in the field of culture.

Status "National" shall be awarded by the President of the Republic of Kazakhstan upon recommendation of the Government of the Republic of Kazakhstan in the manner approved by the President of the Republic of Kazakhstan.

2. Status "Academic" shall be awarded to the state cultural organizations, separate professional artistic and creative collectives, being leading in own scope for significant contribution in formation, development and propaganda of the national cultures and arts by the Government of the Republic of Kazakhstan.

2-1. Status "Central" shall be awarded to libraries of oblast, city of republican significance, the capital, city and district, city of oblast significance maintaining formation, storage and provision of universal collection of documents to users of libraries, carrying out organization of mutual use of library resources and rendering methodic assistance to other libraries by the local executive bodies of the relevant administrative territorial entity in the manner approved by the authorized body.

3. State cultural organizations shall not be subject to alienation.

Footnote. Article 21 as amended by the Laws of the Republic of Kazakhstan dated 27.05.2010 No. 280-IV (shall be enforced from 03.12.2010); dated 01.03.2011 No. 414-IV (shall be enforced from the date of its first official publication).

Article 22. Theaters

1. Theaters – entertainment organizations (dramatic, music and dramatic, music, choreographic, puppet, mummery, satires and humour, for children and young people, youth, experimental and other) carrying out scenic performances of works of literature and arts.

2. Theaters are free in choice of artistic directions, repertoire, adoption of a decision on public execution of works of literature and arts, creation of popularization of scenic works independently from the forms of ownership, as well as carrying out of other activity required for effective creative and production development not inconsistent with the Laws of the Republic of Kazakhstan.

3. State theaters shall be allocated by budget subsidies for the purpose of involvement of citizens to the scope of cultural life from the budget funds for coverage of expenses linked with rendering of services on ensuring of availability of theatrical events for population in the manner established by the budget legislation of the Republic of Kazakhstan.

Article 23. Concert organizations

1. Concert organizations – entertainment organizations realizing a set of measures for creation of conditions of public execution of works of literature and arts and popularization of artistic collectives and separate performers.

2. Main tasks of concert organizations are music and aesthetic education, ensuring of conditions for creation of highly artistic programs and acts, organization of concerts of professional artistic collectives and separate performers, carrying out of music outreach activity.

3. Concert organizations are independent in conduct of creative programs and choice of repertoire.

4. State concert organizations shall be allocated by subsidies for the purpose of involvement of citizens of the republic to the scope of cultural life from the budget for coverage of expenses linked with rendering of services on ensuring of availability of concert events for all the groups of population of the republic, propaganda of classic, folk, music and choreographic arts in the manner established by the budget legislation of the Republic of Kazakhstan.

Footnote. Article 23 as amended by the Law of the Republic of Kazakhstan dated 27.05.2010 No. 280-IV (shall be enforced from 03.12.2010).

Article 24. Library service

1. Library service – a branch of culture, the tasks of which includes creation and development of library networks, formation and processing of their funds, organization of library, informational and informational bibliographic service of users of libraries, preparation and raising of qualification of library personnel, scientific and methodological support of development of libraries.

2. Library – cultural organization performing informational, cultural, educational functions, possessing organizational fund of printed and hand written documents, as well

as graphic, audio visual materials, documents on electric carriers and providing them in temporary use to individuals and legal entities.

Library, the fund of which consists only of the documents on electronic carriers (electronic library) shall carry out service with application of informational and telecommunication means upon mediate (distantly) or incompletely mediate interaction with users.

2-1. Formation of library fund of libraries shall be carried out by procurement, book exchange and donation.

Library fund of the national libraries shall be formed also by receipt of compulsory free copy of a publication.

2-2. Compulsory free copies of publications shall be directed by a manufacturer or by a third party upon his (her) instruction to the national libraries of the Republic of Kazakhstan within thirty calendar days from the date of production.

3. Universal, branch, inter-branch, youth, children libraries, as well as special libraries for blind and visually impaired citizens may be created in the territory of the Republic of Kazakhstan.

4. State libraries shall have the right to sale goods (works, services) not related to their main activity, the payment of which does not have compulsory character and is determined under agreement with an individual or legal entity. Money from sale of such goods (works, services) shall be used in accordance with the budget legislation of the Republic of Kazakhstan.

State libraries shall have the right to:

- 1) copying all the types of carriers, formats, standards and their processing;
- 2) production of materials for citizen with disabilities;
- 3) performance of analytical synthetic processing of documents and additional bibliography;
- 4) restoration of manuscripts, valuable books and documents;
- 5) organization of outdoor informational exhibition events;
- 6) educational and translation services;
- 7) examination of manuscripts and valuable books;
- 8) rendering of Internet services on the basis of a contract with communications provider;
- 9) electronic delivery of documents, search and drawing up of thematic information;
- 10) conduct of sightseeing services, photo and video shooting;
- 11) sale of educational methodic literature and other manuals published by a library.

Libraries shall have the right to determine a sum of a pledge upon provision of rare and valuable publications, types and amounts of compensation for harm inflicted by users to a library fund. Sums of received compensation for infliction of harm to the library fund by the state libraries shall be transferred to the relevant budget.

5. Library service, as well as questions linked with formation, reservation, use of library funds as a part of the national cultural heritage shall be regulated in the manner established by the authorized body.

6. Users of libraries that may not visit the libraries in virtue of disability or advanced age shall have the right of access to the funds of libraries through correspondence or non-stationary forms of service in the manner determined by the authorized body.

Footnote. Article 24 as amended by the Law of the Republic of Kazakhstan dated 27.05.2010 No. 280-IV (shall be enforced from 03.12.2010).

Article 25. Museums

1. Museums – the cultural organizations created for storage, study and public presentation of museum pieces and museum collections destined to carry out cultural, educational, scientific research functions and ensure popularization of historical cultural heritage of the Republic of Kazakhstan.

2. Museums of different profiles, including the museums of private collections may be created in the territory of the Republic of Kazakhstan. Ensembles and sets of immovable historical and cultural values having special historical, scientific, cultural and artistic significance may be declared as historical and cultural and (or) wildlife preservations, museums-reserves.

3. Museum pieces and museum collections shall be included into the composition of museum fund and are integral part of the cultural heritage of the country.

Transfer of museum pieces from the state museums to private ownership shall be prohibited.

4. State museums and museums-reserves shall have the right to sell goods (works, services) not related to their main activity, the payment for which does not have compulsory character and is determined under agreement with individuals and legal entities.

Money from sale of such goods (works, services) shall be used in accordance with the budget legislation of the Republic of Kazakhstan.

State museums and museums-reserves shall have the right to:

- 1) copying all the types of carriers, formats, standards and their processing;
- 2) rendering of Internet services on the basis of a contract with communications provider;
- 3) conduct of photo and video shooting;
- 4) sale of souvenir and printing products;
- 5) sale of educational methodic literature and other manuals published by museums and museums-reserves.

5. Procedure and conditions of access to museum pieces and museum collections being in a museum storage, and other relations in the field of museum service shall be regulated in the manner established by the authorized body.

6. State museums shall be allocated by subsidies for the purpose of ensuring the storage of historical and cultural values from the state budget for coverage of losses linked with ensuring of reservation, accounting, gathering and restoration of historical and cultural values in the manner established by the budget legislation of the Republic of Kazakhstan.

Footnote. Article 25 as amended by the Law of the Republic of Kazakhstan dated 27.05.2010 No. 280-IV (shall be enforce from 03.12.2010).

Article 26. Culture of village

1. Priority in development of culture in a rural district, formation of network of the state cultural organizations, creation of conditions for aesthetic education and cultural service of population shall be ensured in the Republic of Kazakhstan at the level determined by requirements of a standard of ensuring rural inhabited localities by objects of culture.

2. State cultural organizations in a rural district shall enjoy the priority right of material technical support.

3. Employees of cultural organizations residing in rural inhabited localities shall be provided by measures of social assistance provided by the legislation of the Republic of Kazakhstan.

Footnote. Article 26 as amended by the Law of the Republic of Kazakhstan dated 24.12.2008 No. 111-IV (shall be enforced from 01.01.2009).

Article 27. Cultural leisure organizations

1. Cultural leisure organizations – centres of daily communication (clubs, cultural and recreational parks, houses and palaces of culture, centres (houses) of folk arts and other), development of persons, independent artistic folk art, the activity of which is regulated in the manner established by the authorized body.

2. Main task of cultural leisure organizations is satisfaction of spiritual and aesthetic requests of the population.

3. Activity of cultural leisure organizations shall be oriented to:

1) reservation, propaganda of folk art, ethnocultural traditions and customs, their adaptation to modern historical and social economic conditions;

2) organization of holidays celebrated in the Republic of Kazakhstan, concerts, song and dance festivals, presentations, festivals, competitions, aytys, exhibitions of folk applied and visual art;

3) organization of scientific practice, informational methodic work;

4) study, generalization, popularization of advanced experience in cultural leisure activity and folk art, its introduction and distribution;

5) propaganda of the best group of folk art by participation in oblast, regional, republican, international holidays, competitions, festivals;

6) support of ethnocultural associations;

7) support of innovative projects in the field of cultural leisure activity, various cultural offers, initiatives oriented to reservation and development of the national cultures.

4. Liquidation of the cultural leisure organizations financed on account of budget means shall not be allowed, if such liquidation makes impossible the ensuring of minimal volume of cultural services for the population.

5. Cultural leisure organizations shall be allocated by budget subsidies for the purpose of involvement of the citizens in the scope of cultural life from budget means for coverage of losses linked with rendering of services on ensuring of availability of the cultural leisure events for the population in the manner established by the budget legislation of the Republic of Kazakhstan.

Footnote. Article 27 as amended by the Law of the Republic of Kazakhstan dated 03.07.2013 No. 124-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 28. Cinematography

1. Cinematography – a branch of culture joining creative, scientific, production, educational types of activity oriented to creation, storage, distribution and exhibition of film.

2. Priorities of the state policy in a cinematography are:

1) creation of a cine chronicle and the national films, as well as for children and young people;

2) reservation and development of material technical basis of a cinematography;

3) creation of priority conditions of production, duplication and distribution of the national films before foreign films;

4) conduct of film festivals and other events;

5) participation and representation in international organizations of cinematographers, as well as at festivals and competitions.

3. Basis of film production in the Republic of Kazakhstan is the cinematic organizations.

Footnote. Article 28 as amended by the Law of the Republic of Kazakhstan dated 27.05.2010 No. 280-IV (shall be enforced from 03.12.2010).

Article 28-1. National film

1. Film shall be recognized as the national upon combination of the following grounds:

1) if the film is created at high artistic level, may satisfy spiritual needs of the people, serve to the state interests, as well as recognition of the Republic of Kazakhstan in the world arena by the art of the film;

2) upon production, distribution and public exhibition (demonstration) of films, the cinematic organizations registered in the territory of the Republic of Kazakhstan carry out no less than seventy percent of the general volume of works by estimate;

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

4) composition of a film crew (directors, operators, sound operators, costume designers, film editors, actors – featured actors) includes no more than thirty percent of the persons that are not the citizens of the Republic of Kazakhstan;

5) foreign investments in film production do not exceed thirty percent of estimate cost of the film;

6) film production is carried out in full or in part on account of the means of republican budget.

2. Film that is made jointly with foreign cinematic organizations may be recognized as the national film in accordance with conditions of the international treaty ratified by the Republic of Kazakhstan.

3. Procedure for recognition of a film as the national film shall be determined by the authorized body.

Footnote. The Law is supplemented by Article 28-1 in accordance with the Law of the Republic of Kazakhstan dated 27.05.2010 No. 280-IV (shall be enforced from 03.12.2010).

Article 28-2. Issuance of a distribution certificate for a film

1. Films that are made in the Republic of Kazakhstan, as well as brought (delivered) to the Republic of Kazakhstan for a distribution and public exhibition (demonstration) shall be registered in the State Register of films for the purpose of obtainment of the distribution certificate for the film, with the exception of the films brought (delivered) for demonstration at the festivals, seminars, retrospective and other events.

This requirement shall not apply to the films made by cinematic organizations of the former USSR.

Distribution certificate for a film is a document being the ground for distribution in which the technical information on creators, index and genre of a film are specified.

2. Issuance of a distribution certificate for a film shall be carried out by the authorized body in the form approved by the Government of the Republic of Kazakhstan.

3. For obtainment of a distribution certificate for a film the applicant shall represent:

1) application addressed to a head of the authorized body;

2) documents confirming the right of the applicant for a film or for its use; the documents in foreign language shall be attached by a notarized copy in Kazakh and (or) Russian languages;

3) film annotation;

4) details on works used in films of domestic or joint production.

4. Application for obtainment of a distribution certificate for a film shall be subject to consideration within seven business days from the date of receipt. Following the results of consideration of the application, the authorized body shall issue a

distribution certificate for a film to the applicant.

5. Authorized body may refuse in issuance of a distribution certificate for a film to the applicant by the following grounds:

- 1) provision of untrustworthy or distorted information by the applicant;
- 2) representation of documents by the applicant that do not conform to requirements of paragraph 3 of this Article;
- 3) in case if the content of a film is oriented to propaganda or agitation of forcible change of the constitutional order, violation of integrity of the Republic, derogation of the state security, fomentation of ethnic strife.

6. In case of establishment of unreliability and (or) distortion of information on a film, that served previously as a ground for issuance of a distribution certificate for the film, the authorized body shall have the right to revoke the distribution certificate for the film in a judicial proceeding.

Footnote. The Law is supplemented by Article 28-2 in accordance with the Law of the Republic of Kazakhstan dated 27.05.2010 No. 280-IV (shall be enforced from 01.01.2011); as amended by the Laws of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 16.05.2014 No. 203-V (shall be enforced upon expiry of six months after the date of its first official publication).

Article 28-3. Film indices

1. All the films made in the Republic of Kazakhstan, and the films that brought (delivered) to the territory of the Republic of Kazakhstan for the purpose of distribution and public exhibition shall be indexed on a viewer age limit.

The following film indices shall be established:

- 1) "K" - films intended for audiences of different ages;
- 2) "BA" - films permitted for exhibition of children attained twelve years;
- 3) "B14" - films recommended for watching by children under fourteen years with parents;
- 4) "E16" - films recommended for watching by audiences under sixteen years with parents;
- 5) "E18" - films intended for audiences from eighteen years;
- 6) "HA" - films intended only for audiences attained the age of twenty one.

2. Public exhibition (demonstration) of a film with an index "HA" shall be admitted in cinema halls and other places intended for these purposes after 22 hours up to 6 hours am according to local time.

Film exhibition through television channels (with the exception of foreign television channels) with an index "E18" shall be admitted after 22 hours up to 6 hours am according to local time, with an index "HA" - after zero hours up to 06 hours am according to local time.

3. Individuals and legal entities that obtained a distribution certificate for a film and (or) carrying out distribution of films in the territory of the Republic of Kazakhstan shall be obliged to inform audience on a film index.

4. Information on a film index shall be stated and available for consumers in accordance with requirements determined by the Government of the Republic of Kazakhstan.

Footnote. The Law is supplemented by Article 28-3 in accordance with the Law of the Republic of Kazakhstan dated 27.05.2010 No. 280-IV (shall be enforced from 01.01.2011); as amended by the Laws of the Republic of Kazakhstan dated 05.07.2011 No. 452-IV (shall be enforced from 13.10.2011); dated 18.01.2012 No. 546-IV (shall be enforced upon expiry of thirty calendar days after its first official publication).

Article 28-4. Language of a film distribution

1. Distribution of all the films in the territory of the Republic of Kazakhstan shall be carried out in Kazakh and other languages.

2. Distribution of the national films shall be carried out in Kazakh language, and in other languages when necessary.

3. All the films brought (delivered) to the territory of the Republic of Kazakhstan for the purpose of distribution, with the exception of films retranslated from foreign television channels shall be dubbed in Kazakh language from 1 January 2012.

Footnote. The Law is supplemented by Article 28-4 in accordance with the Law of the Republic of Kazakhstan dated 27.05.2010 No. 280-IV (the order of enforcement see Article 2); as amended by the Law of the Republic of Kazakhstan dated 18.01.2012 No. 546-IV (shall be enforced upon expiry of thirty calendar days after its first official publication).

Article 28-5. Types of films

1. By the types, the films shall be subdivided into:

1) animated film - the film created by use of graphic methods and techniques of visual art, as well as possibilities of computer graphics with reanimation of actions and scenes;

2) documentary film - the film created on the basis of a scenary subject in which the actual events, facts of reality in cases of accumulation are fixed that are interpreted by a director by means of camera skills, editing system and other means;

3) story film - the film created on the basis of a script and objectified by means of acting, direction, camera skills, creation of an artistic director, composer and other subjects of relations in the field of cinematography;

4) news film - the film in which the actual events and facts of reality are fixed.

2. By the methods of fixation of picture, the films shall be divided into cine films, television films and video films.

3. Film with a length less than sixty minutes shall be full length film, the film with a length less than sixty minutes shall be short-length film.

Footnote. The Law is supplemented by Article 28-5 in accordance with the Law of the Republic of Kazakhstan dated 27.05.2010 No. 280-IV (shall be enforced from 03.12.2010).

Article 28-6. Storage of source materials of films and a cine chronicle

1. The state shall carry out a set of measures oriented to reservation of the national films, films of joint production and cine chronicle, as well as source materials of the national films and cine chronicle, as an integral part of the national cultural asset.

2. Source materials of the national films shall be transferred for a permanent storage to the State fund of films.

3. Source materials of films of joint production brought (delivered) to the territory of the Republic of Kazakhstan for copying, duplication, distribution and exhibition shall be also transferred to the State fund of films for permanent storage.

4. State fund of films shall ensure free and non-repayable access to source materials of films for their right holders upon storage of the source materials of the national films, films of joint production brought (delivered) to the territory of the Republic of Kazakhstan.

5. Source materials of a cine chronicle shall be transferred for a permanent storage to the Central state archive of film and photo documents and sound records that shall ensure free and non-repayable access to the source materials of a cine chronicle for their right holders.

6. Source materials of a film and cine chronicle shall include a negative, dup negative, mute negative, sound negative, reference copy, cinex strips, passports and records to them, master print of the film, original of magnetic soundtrack of rerecord, music, noises, videophonogram-master, compact disk and other materials required for duplication of the film in any material form.

Footnote. The Law is supplemented by Article 28-6 in accordance with the Law of the Republic of Kazakhstan dated 27.05.2010 No. 280-IV (shall be enforced from 03.12.2010).

Article 29. Touring activity of creative collectives and performers

1. Touring activity of creative collectives and performers in the territory of the Republic of Kazakhstan shall be carried out on a contractual basis.

2. Foreign tours shall be conducted by creative collectives and separate performers on the basis of contracts ensuring compliance with the copyright law and allied rights.

Article 30. Folk artistic creation

1. Folk artistic creation – one of the forms of the folk creation, the activity on creation of artistic goods of decorative designation carried out on the basis of collective learning and successive development of a tradition of folk art in particular location in the process of creative of hand and (or) mechanical work of the masters of folk artistic creation.

2. Reference of goods to the goods of the folk artistic creation shall be carried out on the basis of conclusions of artistic expert councils on the folk artistic creation.

3. Rights of individuals and legal entities carrying out the activity in the field of the folk artistic creation shall be protected in the manner provided by the legislative acts of the Republic of Kazakhstan.

Article 31. Financing of activity in the field of culture

1. Financing of the state cultural institutions shall be carried out on account of budget funds and the funds coming in the form of beneficent and sponsor support, and the other funds used in the manner established by the budget legislation of the Republic of Kazakhstan.

2. Financing of the cultural organizations shall be carried out on account of realization of services, means of founders and other sources not prohibited by the legislation of the Republic of Kazakhstan, with the exception of the state cultural institutions.

3. Cultural development funds may involve non-state means in the manner provided by the legislation of the Republic of Kazakhstan.

Footnote. Article 31 as amended by the Law of the Republic of Kazakhstan dated 27.05.2010 No. 280-IV (shall be enforced from 03.12.2010).

Chapter 6. CULTURAL VALUES AND NATIONAL CULTURAL ASSET

Article 32. Cultural values

Cultural values shall include:

1) archeological monuments, archaeological finds (including usual and hidden) and archeological discoveries;

2) rare collections and samples of flora and fauna, mineralogy, anatomy and subjects representing an interest for a palaeontology;

3) values concerning the history including the history of science and technology, history of wars and society, history of the national culture, as well as linked with life of the national figures of science, culture, literature and arts, poets and artists and big national events;

4) rare manuscripts, ancient books, documents and publications representing a special interest (historical, artistic, scientific, literature), separately or in collections;

5) postage stamps, tax and analogous marks separately or in collections, issued fifty years ago or more;

6) coins with the exception of the coins of the national currency of the Republic of Kazakhstan independently from an alloy or metal of their production, as well as coins of other states manufactured no more than one hundred years ago, medals, seals and other collective materials;

7) ancient and unique musical instruments;

8) archives, archive funds and collections including phono-, photo-, video-, film archives, as well as scientific technical documentation;

9) work of art having historical and cultural significance;

10) ethnographic, anthropological, ethnologic and palaeontological materials;

11) ancient subjects of more than centenary antiquity having special historical and cultural value;

12) objects linked with historical events in life of the people of the Republic of Kazakhstan, development of society and the state, history of science and technology, as well as with lives of outstanding leaders of science, state, culture, as well as museum subjects and museum collections;

13) artistic values in the form of linens, pictures and images of hand work on any basis and from any materials (with the exception of drawings and industrial goods, ornamentals by hand);

14) original works of the sculptural arts from any materials;

15) original gravures, plates and lithography;

16) component parts of dismembered artistic and historical monuments and archaeological places.

Footnote. Article 32 as amended by the Law of the Republic of Kazakhstan dated 27.05.2010 No. 280-IV (shall be enforced from 03.12.2010).

Article 33. State register of objects of the national cultural asset

1. For the purpose of reservation of the cultural heritage, the objects mentioned in Article 32 of this Law having special value shall be entered into the State register.

2. Local executive bodies, as well as research organizations engaged in study of monuments (historical, archaeological, architectural and other) shall be obliged to represent details to the authorized body on objects subjected to entering into the State register. As far as detection of new objects and subjects, the information with necessary details shall be represented.

3. Petition of individuals and (or) legal entities on inclusion of objects into the State register are compulsory for consideration by the authorized body. Filing of mentioned petitions is the ground for temporary attachment of the special regime to such objects before solution of the issue in essence, but no more than for two months.

Footnote. Article 33 as amended by the Law of the Republic of Kazakhstan dated 27.05.2010 No. 280-IV (shall be enforced from 03.12.2010).

Article 34. Special regime of objects of the national cultural asset

1. Collections or gathering of subjects representing artistic or historical interest in a set may not be divided.

Destruction, displacement, change, reproduction or restoration of objects of the national cultural asset entered into the State register shall not be allowed without the special permission of the authorized body issued on the basis of recommendations of an

expert commission created by it for each particular object.

2. Use of objects of the national cultural asset by any methods inconsistent with their historical, artistic and religious purpose shall not be allowed. Subjects belonged to religious and cultural organizations and that are the objects of the national cultural asset may be used in consideration of their cultural purpose.

3. Special regime of objects of the national cultural asset shall not be applied to the objects of copyright law and allied rights.

4. Priority right of use of architectural monuments shall belong to the cultural organizations.

5. Obligations on proper maintenance of a condition and reservation of the objects of the national cultural asset shall be imposed on their users or owners. Non-compliance with the mentioned obligation shall entail withdrawal of provided right in a judicial proceeding on a remuneration basis. In the absence of material or other possibilities of owners or users for maintenance of the object of the national cultural asset, the expenses shall be incurred by the state.

Realization of the rights of an owner of the object of the national cultural asset shall be carried out under control and in the manner established by the Law of the Republic of Kazakhstan with a priority right of acquisition of the objects of the national cultural property of the Republic of Kazakhstan by the state in case of their selling.

6. Objects of the national cultural asset being in the state ownership shall not be subject to alienation.

7. For intended destruction, damage or waste of the objects and subjects of the national cultural asset, the individuals and legal entities shall bear liability in the manner established by the Laws of the Republic of Kazakhstan.

Footnote. Article 34 as amended by the Law of the Republic of Kazakhstan dated 01.03.2011 No. 414-IV (shall be enforced from the date of its first official publication).

Article 35. Coming in and coming out of cultural values

1. Coming out of cultural values and objects of the national cultural asset beyond the boundaries of the Republic of Kazakhstan is prohibited, with the exception of cases of temporary exposition, touring activity, restoration works and scientific researches, presentations, exhibitions and conduct of international cultural events, as well as other cases established by this Law.

2. Cultural values and objects of the national cultural asset removed illegally beyond the boundaries of the Republic of Kazakhstan and (or) brought illegally to its territory shall be subject to compulsory return. By this, the removed cultural values being returned illegally, as well as confiscated under a court decision shall be subject to delivery to the state museums of the republican significance of the relevant profile.

3. The author shall have the right to remove the cultural values created by him (her) independently from if he (she) leaves the Republic of Kazakhstan on a temporary basis or for a permanent residence.

4. The rules of temporary removal of cultural values shall also apply to the objects created in the territory of the Republic of Kazakhstan by foreign persons and stateless persons.

5. Transfer of the legal powers by owners of the cultural values on possession, use and disposal of the mentioned values shall not be allowed, if these actions may promote illegal coming out and coming in of the cultural values.

Footnote. Article 35 as amended by the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 36. Order and conditions of temporary coming out of cultural values

1. Temporary coming out of cultural values may be carried out by an owner of subjects or by a person being authorized for this by the owner.

2. Upon temporary coming out of cultural values by legal entities, the documentary confirmation of their right of ownership for removed subjects shall be required.

3. Temporary coming out of cultural values, as well as their return shall be carried out on the basis of an examination made by an expert commission on a temporary coming out of the cultural values.

4. Is excluded by the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication).

5. Term of stay of cultural values beyond the boundaries of the country may not exceed six months.

6. Is excluded by the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Footnote. Article 36 as amended by the Laws of the Republic of Kazakhstan dated 30.06.2010 No. 297-IV (shall be enforced from 01.07.2010); dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Chapter 7. INTERNATIONAL COOPERATION IN THE FIELD OF CULTURE

Article 37. International cooperation in the field of culture

The Republic of Kazakhstan shall assist to development of the international cooperation in the field of culture including exchange of creative collectives, specialists, cultural values and results of the activity in the field of culture, as well as experience of organizational activity in various files of the culture.

Article 38. Participation in international organizations in the field of culture

1. Branches, representatives of international non-profit cultural associations may be created in the territory of the Republic of Kazakhstan in accordance with civil legislation of the Republic of Kazakhstan.

2. Cultural organizations shall have the right to join to associations mentioned in paragraph 1 of this Article, as well as dispose of beneficent special-purpose receipts in accordance with the legislative acts of the Republic of Kazakhstan and in the manner determined by their constitutive documents.

Footnote. Article 38 as amended by the Law of the Republic of Kazakhstan dated 27.05.2010 No. 280-IV (shall be enforced from 03.12.2010).

Chapter 8. FINAL PROVISIONS

Article 39. Liability for breach of the legislation in the field of culture

Breach of the legislation of the Republic of Kazakhstan on culture shall entail liability established by the Laws of the Republic of Kazakhstan.

Article 40. Order of entering of this Law into force

1. This Law enters into force from the date of its official publication.

2. The Law of the Republic of Kazakhstan dated 24 December 1996 “On culture” (The Bulletin of the Parliament of the Republic of Kazakhstan, 1996, No. 22, Article 406) shall be deemed to have lost force.

The President

of the Republic of Kazakhstan