

ENVIRONMENTAL CODE OF THE REPUBLIC OF KAZAKHSTAN
("Strategic Environmental Assessment", "Environmental Impact Assessment"
and "Transboundary Impact Assessment" Chapters)

Article ... Key Terms Used in the Present Code

The following key terms are used in the present Code:

- 1) Strategic documents refer to documents generated within the State Planning System; spatial planning documents (area development strategies and plans); land use schemes (plans) at the republican, regional and district levels; integrated water resource management and protection schemes; and forest management plans for state forests, including any changes and amendments thereto made in accordance with the legislation of the Republic of Kazakhstan;
- 2) Strategic environmental assessment refers to the process carried out to identify, describe and assess the likely environmental effects of strategic documents and actions in a manner that takes account of reasonable alternatives and mitigation measures aiming to prevent and reduce potential adverse environmental effects that may occur during the implementation of strategic documents and actions, which includes the following steps: assessing the scope of the environmental report; preparing the environmental report; ensuring the public participation in the strategic environmental assessment; consultations with interested authorities; transboundary environmental impact assessment (if there are any of the grounds specified in the present Code); taking into consideration the environmental report findings and the comments and suggestions received from the interested authorities and the public during the approval of the strategic document or action; and monitoring significant environmental effects during the implementation of the strategic document or action;
- 3) The strategic planning authority (planning authority) is a governmental agency and/or local executive authority responsible for the preparation or organization of the preparation of a strategic document in accordance with the Kazakhstani legislation;
- 4) Planned activity refers to any activity that involves the use of land, water, forest, mineral resources, and/or other natural resources; release of emissions into the environment; or other interventions in the natural environment;
- 5) Initiating party refers to any individual, legal entity, or public authority that intends to carry out a planned activity;
- 6) Environmental impact assessment is the process carried out to examine the potential environmental impacts of a planned activity that is likely to cause a significant environmental impact and falls under any of the planned activity categories referred to in Article 16 (Clause 3) of the present Code. The environmental impact assessment involves preparing the documents specified by the present Code for each of its stages, ensuring public participation in the environmental impact assessment process, holding consultations with interested authorities, obtaining justified conclusions following from the identification and analysis of the environmental impacts of a planned activity, and taking these conclusions into consideration when granting consents and submitting the notifications required for the planned activity to go ahead;

- 7) The decision made on the basis of the environmental impact assessment findings (hereinafter referred to as the ‘decision based on the assessment’) is a consent granted by a competent environmental authority to confirm the right of an initiating party to go ahead with a planned activity. If a development consent or notification is required to be obtained from/submitted to a relevant state authority for a planned activity as per the list of mandatory consents and notifications approved by the Republic of Kazakhstan Government Resolution, the grant and receipt of such consents and notifications is contingent upon the availability of an assessment-based decision;
- 8) Environmental effect / impact refers to any effect arising from the implementation of a strategic document or any impact arising from the implementation of a planned activity, including the trial of equipment and any other preparations for a planned activity, on human health, safety, the environment and its components such as land, mineral resources, surface waters, groundwater resources, ambient air, forests and other vegetation, animal life, the gene pool of species, biodiversity, landscapes, natural ecosystems, the climate and the Earth’s ozone layer, protected areas (protected natural areas and state nature reserves), historical and cultural heritage, physical assets, socio-economic conditions, and interactions among them;
- 9) Public refers to one or more individuals or legal entities, associations, organisations, or groups of individuals and/or legal entities;
- 10) Stakeholder party is a party that is affected or likely to be affected by decision-making in environmental matters or that may have an interest in the decision-making process, including non-profit organisations established to achieve environmental protection objectives;
- 11) Affected party is a party to an international treaty entered into by the Republic of Kazakhstan that may be affected by the transboundary impact of a planned activity or strategic document implemented or planned to be implemented under the jurisdiction of the other party (party of origin);
- 12) Party of origin is a party to an international treaty entered into by the Republic of Kazakhstan, under whose jurisdiction the implementation of a planned activity or strategic document is envisaged to take place;
- 13) Affected area refers to an area that is affected or likely to be affected by environmental impacts/effects associated with the implementation of a strategic document or planned activity. For those strategic documents which are prepared for the country as a whole, the entire territory of the Republic of Kazakhstan is considered as the affected area;
- 14) Local executive authorities in the affected areas are executive authorities in those regions, districts, towns, auls, and rural districts whose area of jurisdiction is considered as the affected area;
- 15) Transboundary environmental impact assessment is the assessment of transboundary impacts on the environment associated with a planned activity or strategic document, which is conducted pursuant to international treaties and the Kazakhstani legislation.

Article ... Key Principles of Environmental Legislation of the Republic of Kazakhstan

The Kazakhstani environmental legislation lays down the following key principles:

- 14-1) Presumption of environmental hazard for a strategic document, whereby a strategic document which is subject to screening or strategic environmental assessment is presumed to entail environmental hazards until it is established through screening that the

strategic environmental assessment is not required, or until the strategic environmental assessment has been completed;

- 16) Presumption of environmental hazard for a planned activity, whereby a planned activity which is subject to screening or strategic environmental assessment is presumed to entail environmental hazards until it is established through screening that the environmental impact assessment is not required; or until the environmental impact assessment has been completed.

Article ... Key Provisions Regarding the Regulatory Function of the State in the Field of Environmental Protection and Its Management Function in the Field of Natural Resource Use

1. The regulatory function of the state in the field of environmental protection involves:
 - 1) Strategic environmental assessment.

Article ... Rights and Obligations of Natural Persons in the Field of Environmental Protection

1. Natural persons have the right to:
 - 1) Take part in the screening of strategic documents, in strategic environmental assessment, and in environmental impact assessment;

Article ... Rights and Obligations of Non-Profit Organisations in the Field of Environmental Protection

1. In the course of their activities in the field of environmental protection, non-profit organisations have the right to:
 - 1) Take part in the screening of strategic documents, in strategic environmental assessment, and in environmental impact assessment.

Article ... The Mandate of the Republic of Kazakhstan Government in the Field of Environmental Protection

In the field of environmental protection, the Government of the Republic of Kazakhstan:

- 1) Approves the Rules Governing the Screening of Strategic Documents and Strategic Environmental Assessment;
- 2) Approves the list of consents and notifications, the grant and receipt of which are contingent upon a positive decision made on the basis of the environmental impact assessment findings.

Article ... The Mandate of the Competent Environmental Authority

The competent environmental authority:

- 1) Takes part in the screening of strategic documents, strategic environmental assessment, and environmental impact assessment in accordance with the present Code;
- 2) Organises the screening of strategic documents and strategic environmental assessment process, acting as a developer of strategic documents in accordance with the present Code and other laws and regulations of the Republic of Kazakhstan;

- 3) Compiles the list of planned activities which fall within the mandate of the competent environmental authority and its territorial branches when it comes to environmental impact assessment;
- 4) Identifies those types of strategic documents which fall within the mandate of the competent environmental authority and its territorial branches when it comes to strategic environmental assessment;
- 5) Approves:
 - The rules for maintaining the Centralised Environmental Assessment Register;
 - The Lists of Category I and II activities which require environmental impact assessment;
 - The rules for conducting public hearings;
 - The qualification requirements for persons commissioned to perform environmental impact assessments and prepare environmental impact statements;
 - The instruction on conducting environmental impact assessments;
- 6) Organizes the participation of the Republic of Kazakhstan in the transboundary impact assessment processes.

Article ... The Mandate of the Local Executive Authorities in the Regions, Cities of Republican Significance, and Country's Capital City in the Field of Environmental Protection

The local executive authorities in the regions, cities of republican significance and country's capital city (referred to as the 'local executive authorities' hereinafter) perform the following functions in the field of environmental protection:

- 1) Organise the screening and strategic environmental assessment process for those strategic documents developed by them in accordance with the present Code and other laws and regulations of the Republic of Kazakhstan;
- 2) Take part in the screening, strategic environmental assessment, and environmental impact assessment process in the capacity of an interested party in accordance with the present Code and other laws and regulations of the Republic of Kazakhstan.

Section ... Environmental Assessment

Chapter 1. General Provisions on Environmental Assessment

Article 1. Types of Environmental Assessment

1. There are two types of environmental assessment as follows:
 - 1) Strategic environmental assessment;
 - 2) Environmental impact assessment;
2. Where a strategic environmental assessment or environmental impact assessment is subject to Article 29 (Clause (1) or (2)) of the present Code, it may involve transboundary impact assessment.

Article 2. Centralised Environmental Assessment Register

1. The competent environmental authority maintains the Centralised Environmental Assessment Register (referred to as the 'Centralised Register' throughout the present Section). Information contained in the Centralised Register is publicly available through the Internet.

2. The Centralised Register comprises two sections: Strategic Environmental Assessment and Environmental Impact Assessment.
3. The Strategic Environmental Assessment section contains the following information:
 - 1) Information on each strategic document for which the planning process has been initiated; its concept; key areas and implementation timeframes for those strategic documents which do not require a prior concept formulation stage under the Republic of Kazakhstan legislation; and the name and address of an organisation and/or officer responsible for dealing with the public's comments and suggestions;
 - 2) Information on the strategic documents that have undergone the screening process;
 - 3) Information on the strategic documents that have undergone the scoping process;
 - 4) Screening applications and screening conclusions for the strategic documents;
 - 5) Scoping applications and conclusions on the scope of the environmental reports;
 - 6) Environmental reports;
 - 7) Draft strategic documents pending approval;
 - 8) Minutes of consultation meetings with the interested authorities held at during the screening of strategic documents, the determination of the scope of the environmental reports, as well as regarding the contents of the environmental reports and draft strategic documents;
 - 9) Monitoring reports focused on significant environmental effects associated with the implementation of strategic documents;
 - 10) Notices of public hearings scheduled for strategic documents;
 - 11) Minutes of public hearings held for strategic documents and environmental reports;
 - 12) Summaries of comments and suggestions received at the public hearings;
 - 13) Information on the transboundary impact assessments conducted as part of strategic environmental assessments;
 - 14) Quality statements for environmental reports;
 - 15) List of approved strategic documents accompanied by brief information on how the environmental report findings on the potential environmental effects of the strategic documents have been taken into consideration; summary of the public consultation process with information on how the comments and suggestions received from the interested authorities and the public (including those resulting from the transboundary impact assessment process) have been addressed; and reasons for the decisions reflected in the strategic documents and why they have been selected among other reasonably viable alternatives;
 - 16) Other documents and information provided to the competent environmental authority in connection with the strategic environmental assessment process.
4. The Environmental Impact Assessment section contains the following information:
 - 1) Statements of intent;
 - 2) Statements of decisions issued on the basis of the environmental impact assessment;
 - 3) Screening conclusion on the planned activities;

- 4) Scoping conclusion for the environmental impact assessments of the planned activities;
 - 5) Statements of likely impacts;
 - 6) Minutes of public hearings held to discuss the environmental impact reports;
 - 7) Minutes of consultation meetings with the interested authorities;
 - 8) Decisions made on the basis of the environmental impact assessment;
 - 9) Post-project review reports;
 - 10) Other documents and information provided to the competent environmental authority in connection with the environmental impact assessment process.
2. The rules for maintaining the Centralised Register shall be approved by the competent environmental authority.

Chapter 2. Strategic Environmental Assessment

Article 3. General Provisions on the Strategic Environmental Assessment

1. Strategic environmental assessment is conducted as part of the strategic planning process and should be initiated at the concept formulation stage.

If a strategic document is not required to go through the concept formulation stage under the legislation of the Republic of Kazakhstan, the strategic environmental assessment should be launched at the early drafting stage of the strategic planning process to enable the timely identification of all potential significant adverse environmental effects and address the need to mitigate them at further stages of the development and approval process for the strategic document.

2. The approval, implementation, and funding of a strategic document subject to mandatory strategic environmental assessment (including those documents which have been found to require strategic environmental assessment based on the screening process) is not permitted without prior strategic environmental assessment.
3. The results of the strategic environmental assessment of higher-level strategic documents should be taken into consideration during the strategic environmental assessment of strategic documents developed at lower levels.

The results of the strategic environmental assessment of lower-level strategic documents should be taken into consideration during the strategic environmental assessment of strategic documents developed at higher levels.

Article 4. The Purpose and Principles of Strategic Environmental Assessment

1. Strategic environmental assessment serves the following purposes:
 - Take consideration of the environmental effects associated with the implementation of strategic documents, including potential transboundary impacts, during the development and approval of strategic documents;
 - Ensure public participation in strategic environmental assessment and take account of public comments and suggestions during the approval of strategic documents.
2. Strategic environmental assessment is based on the principles of legitimacy; sustainable development; long-term prediction; comprehensiveness; precaution; unacceptability of

significant environmental effects, including those occurring at the transboundary level; publicity; and public participation.

Article 5. Components of Strategic Environmental Assessment

Strategic environmental assessment includes the following components:

- 1) Scoping of the environmental report;
- 2) Preparing the environmental report;
- 3) Assessing the quality of the environmental report;
- 4) Holding consultations with interested authorities;
- 5) Ensuring public participation in the strategic environmental assessment;
- 6) Taking account of the environmental report findings and comments and suggestions received from the public and interested authorities, including those received as part of the transboundary impact assessment process, during the approval of a strategic document;
- 7) Monitoring the significant environmental effects associated with a strategic document.

Article 6. Parties Responsible for Conducting the Strategic Environmental Assessment

1. The responsibility for conducting the strategic environmental assessment of a strategic document that requires that such an assessment be conducted rests with the developer of the strategic document.
2. The developer of the strategic document shall notify the competent environmental and public health authorities, other interested authorities, and the public about the initiation of the strategic environmental assessment procedure and facilitate their participation in the development and approval of the strategic document.
3. The developer shall be able to commission external specialists, in the manner prescribed by the national legislation, to prepare the environmental report and provide other services that may be required in the course of the strategic environmental assessment.

Article 7. Applicability of Strategic Environmental Assessment

1. Mandatory strategic environmental assessment is required for the draft strategic documents that are likely to cause a significant effect on the environment, as well as any changes and amendments to existing strategic documents that are likely to have a significant environmental effect in the course of their implementation.

If any changes and/or amendments are made in an existing strategic document that is likely to have a significant environmental effect, this strategic document is subject to strategic environmental assessment along with the draft amendments and/or changes in it.

2. The following strategic documents are subject to mandatory strategic environmental assessment:
 - 1) Documents generated in the State Planning System, excluding those mentioned in Clause 5 of the present Article, that aim to promote the development of agriculture, forestry, fisheries, power engineering, industry (including extractive industry), transport, waste management, water management, telecommunications, tourism, urban and rural development, and land management and protection if these documents establish a framework for activities that require mandatory environmental impact assessment pursuant to Article 16 (Clause 3) of the present Code;

- 2) Urban planning projects of national significance, urban planning projects of regional significance, city and town planning projects (excluding those specified in Sub-clause 2, Clause 4 of the present Article), urban development projects involving the industrial development of areas extending between settlements for the construction of production facilities or other closed-type entities that are required to be located outside settlement boundaries;
 - 3) National, regional, and district land use plans; integrated water resource management and protection schemes; and forest management plans for state-owned forests.
3. Documents generated in the State Planning System and not covered in Clause 2 (Sub-clause 1) of the present Article can be determined to require strategic environmental assessment if they contain any provisions that establish or may establish a framework for future development consent or notification as defined by the Law on Consents and Notifications concerning an activity that is likely to cause an effect on the environment. These documents would require strategic environmental assessment if the screening process does so determine.

The provisions set out in the first paragraph of this Clause do not apply to the State Planning System documents listed in Clause 5 of the present Article.

4. Strategic environmental assessment may not be required for the following documents and updates:
 - 1) Minor changes and amendments made in the strategic documents listed in Clause 2 of the present Article which have already been screened and determined not to require strategic environmental assessment;
 - 2) Master plans for rural settlements with a population of up to five thousand people, detailed area plans, industrial area plans, and development plans derived from the existing master plan, provided that the screening process conducted for these strategic documents determines that strategic environmental assessment is not required.
5. The following documents are not subject to strategic environmental assessment:
 - 1) Kazakhstani National Security Strategy, socio-economic development forecasts, and strategic plans adopted by governmental authorities;
 - 2) Development strategies adopted by the national managing holdings, national holdings, and national companies for which the state is an equity shareholder;
 - 3) Strategic documents whose sole purpose is ensuring national security, civil defence, and emergency prevention and response.

Article 8. SEA Screening

1. The screening of strategic documents is a procedure used to determine whether strategic environmental assessment is required for the documents listed in Article 7 (Clauses 3 and 4) of the present Code, which is based on the set of criteria specified in the Rules Governing the Screening of Strategic Documents and Strategic Environmental Assessment.
2. **The** screening of strategic documents is a mandatory procedure for all strategic documents subject to the provisions set out in Article 7 (Clauses 3 and 4) of the present Code.
3. The screening of strategic documents is carried out at the concept formulation stage in the strategic planning process or at the initial stage in the strategic planning process if prior concept formulation is not required pursuant to the Kazakhstani legislation.

4. The screening of strategic documents is conducted by the competent environmental authority and takes into account the following information:
 - 1) Comments and suggestions received from the public, competent public health authority, and other interested parties in the manner defined in Articles 11 and 12 of the present Code and Rules Governing the Screening of Strategic Documents and Strategic Environmental Assessment;
 - 2) Existence of reasonable grounds for conducting transboundary impact assessment as defined in Article 29 (Clause 1, Sub-clause 2) of the present Code.
5. The screening procedure for strategic documents is set out in the Rules Governing the Screening of Strategic Documents and Strategic Environmental Assessment.
6. Based on the outcome of the screening process, the competent environmental authority issues a decision on whether strategic environmental assessment is required or not for the strategic document in question.

Article 9. Determining the Scope of the Environmental Report

1. Scoping is the process of deciding the content and level of detail of the information to be provided in the environmental report depending on the nature and content of a strategic document.

The scoping of the environmental report serves the following purposes:

- 1) Defines the scope of potential effects on the environment and human health that may result from the implementation of a strategic document;
 - 2) Identifies reasonable and practicable alternative decisions that may be incorporated in a strategic document including those that constitute the best environmental option;
 - 3) Informs the public about a planned strategic document, potential alternatives that may be incorporated into it, and the expected results from implementing the document;
 - 4) Identifies the stakeholder parties for a specific strategic document;
 - 5) Provides the developer with the information required in order to justify the cost of the environmental report preparation;
 - 6) Identifies the range of baseline data and information that must be gathered during the strategic environmental assessment process;
 - 7) Identifies the likely significant effects of the planned strategic document on protected areas and other territories and sites enjoying protected status under the national legislation and/or international treaties to which the Republic of Kazakhstan is a party and that have local, national, or international significance;
 - 8) Determines the likelihood of transboundary environmental effects resulting from the implementation of the planned strategic document;
 - 9) Defines the environmental and human health objectives of relevance to the strategic document at the global, national, and local levels.
2. The scoping of the environmental report is conducted by the competent environmental authority and takes account of the following information:
 - Comments and suggestions received from the public, competent public health authority, and other interested parties in the manner defined in Articles 11 and 12 of the present

Code and Rules Governing the Screening of Strategic Documents and Strategic Environmental Assessment;

- Results of transboundary impact assessment (if applicable).
3. The scoping procedure for the environmental report is set out in the Rules Governing the Screening of Strategic Documents and Strategic Environmental Assessment.
 4. Based on the outcome of the scoping process, the competent environmental authority decides the scope of the environmental report.

Article 10. Environmental Report

1. The environmental report identifies, describes, and evaluates the likely significant environmental effects associated with the implementation of a strategic document; and examines reasonable alternatives for proposed decisions taking into account the objectives and geographical scope of a strategic document.
2. The environmental report forms part of the strategic document.
The content of the environmental report should be aligned with the conclusion on the scope of the environmental report.
3. The environmental report should contain the information specified in Clause 4 of the present Article and be produced using modern knowledge and methods in line with the scope and level of detail defined for the strategic document.
4. The environmental report should include the following sections:
 - 1) Brief overview of the strategic document, its content, objectives, and linkages with other strategic documents;
 - 2) Baseline assessment of the environmental and health conditions and likely changes that may occur if the strategic document were not to be approved;
 - 3) Assessment of the environmental and health conditions in the areas that may be significantly affected by the implementation of the strategic document;
 - 4) Significant environmental issues and risks that may be caused or exacerbated by the implementation of the strategic document, including risks to human health and protected areas;
 - 5) Environmental and human health objectives of relevance to the strategic document, set at the global, national, and local levels; and the way these objectives and other environmental aspects have been addressed in the strategic document;
 - 6) Description of the likely significant environmental consequences that may result from the implementation of the strategic document, including side, cumulative, short term, medium term, long term, permanent, temporary, positive, and negative effects;
 - 7) Mitigation measures designed to prevent, reduce, and offset any significant adverse environmental effects of the strategic document;
 - 8) Justification of the decisions presented in the strategic document and the reasons why they have been selected among other alternatives considered in the strategic environmental assessment; and description of the assessment process including any

impediments caused by the methodological deficiencies or gaps in knowledge, information, or technical capacity encountered in the assessment process;

- 9) Monitoring programme focusing on the significant environmental effects associated with the implementation of the strategic document, outlining the specific monitoring activities;
 - 10) Description of the likely transboundary environmental impact resulting from the implementation of the strategic document (if any), and the comments and suggestions received from the public and interested authorities, including any feedback received as part of the transboundary impact assessment procedure;
 - 11) Summary of the environmental report presenting the findings pertaining to each of the issues mentioned in Sub-clauses 1–10 of this Clause, written in plain language that the public can easily understand.
5. The developer is required to submit the environmental report to the competent environmental and public health authorities for quality assessment.

Based on the results of the environmental report quality assessment, the competent environmental authority decides whether the quality of the environmental report is satisfactory or unsatisfactory.

The environmental report quality assessment procedure is set out in the Rules Governing the Screening of Strategic Documents and Strategic Environmental Assessment.

Article 11. Consultations with Interested Authorities

1. Interested authorities are those bodies of government and local executive authorities whose functions may be affected by the implementation of a strategic document.

The range of interested authorities is identified on a case-by-case basis by the competent environmental authority and should as a minimum include the competent public health authority and local executive authorities in the affected areas.

For certain types of strategic documents, the list of governmental bodies and local executive authorities that must be regarded as interested authorities may be established by regulations governing the development and approval process for strategic documents.

2. Consultations with interested authorities are a process of receiving, considering, and addressing comments and suggestions from the competent public health authority and other interested authorities, which includes screening consultations, scoping consultations, and consultations on the content of the environmental report, the quality of which is deemed to be satisfactory pursuant to the decision referred to in Article 10 (Clause 5) of the present Code and the draft strategic document prior to its approval.
3. Consultations with the interested authorities are conducted in accordance with the present Article and the Rules Governing the Screening of Strategic Documents and Strategic Environmental Assessment Procedure.
4. The competent environmental authority is obliged to consider all comments and suggestions received from the interested authorities during the screening and scoping process, provided that such comments and suggestions have been submitted within the timeframe defined by the Rules Governing the Screening of Strategic Documents and Strategic Environmental Assessment.

The competent public health authority is obliged to provide their comments and suggestions within the timeframe defined by the Rules Governing the Screening of Strategic Documents and Strategic Environmental Assessment or otherwise inform in writing that they do not have any comments and/or suggestions.

5. Following the consultations with the interested authorities conducted as part of the screening and scoping process, the competent environmental authority compiles the minutes of the consultation meetings with the interested authorities, reflecting the following information:
 - All comments and suggestions received from the interested authorities;
 - Information on how the comments and suggestions received from the interested authorities have been taken into consideration during the preparation of the conclusions on the outcome of the screening and scoping process.

6. The developer shall consider all comments and suggestions regarding the content of the strategic document and environmental report within the timeframe defined by the Rules Governing the Screening of Strategic Documents and Strategic Environmental Assessment.

The competent public health authority is obliged to provide their comments and suggestions within the timeframe defined by the Rules Governing the Screening of Strategic Documents and Strategic Environmental Assessment or otherwise inform in writing that they do not have any comments and/or suggestions.

7. Following the consultations with the interested authorities conducted as part of the screening and scoping process, the developer compiles the minutes of the consultation meetings with the interested authorities, reflecting the following information:
 - All comments and suggestions received from interested authorities;
 - Information on how the comments and suggestions received from the interested authorities have been taken into consideration during the preparation of the conclusions on the outcome of the screening and scoping process;
 - Reasons for selecting the options identified in the strategic document, which has been submitted for approval, among other reasonable options available for consideration.
8. The minutes of the consultation meetings with the interested authorities are to be entered into the Centralised Register and communicated to the public by the methods described in Article 12 (Clause 3) of the present Code and in the manner defined by the Rules Governing the Screening of Strategic Documents and Strategic Environmental Assessment.

Article 12. Public Participation in Strategic Environmental Assessment

1. The public has the right to express their comments or suggestions concerning the draft strategic document, environmental report, and programme of monitoring of the significant environmental effects that the strategic document is likely to have.

The developer shall facilitate public participation in the screening and strategic environmental assessment of strategic documents, especially at an early stage in the strategic planning process when various available alternatives are considered and compared to select the best option.

The developer shall ensure the public disclosure of the draft strategic document, environmental report, and other documents and information received during the strategic environmental assessment process as defined in Clause 5 of the present Article and using the methods described in Clause 3 of the present Article.

2. The developer shall facilitate public participation in the strategic environmental assessment process by taking the following steps:
 - 1) Identify interested public groups;
 - 2) Establish a reasonable timeframe to allow the public to participate in the screening and strategic environmental assessment of strategic documents in a timely and efficient manner;
 - 3) Provide information to the public using the methods specified in Clause 3 of the present Article;
 - 4) Provide information to the public in response to their requests;
 - 5) Inform the public about the opportunity to take part in consultations organised as part of the transboundary environmental impact assessment process;
 - 6) Organise the collection and consideration of the public comments and suggestions received during the strategic environmental assessment process.
3. The following communication methods and means are mandatory for use in the strategic environmental assessment process to provide the public with the information specified in Clause 5 of the present Article:
 - 1) The Centralised Register;
 - 2) The official website of the developer;
 - 3) The official websites of the competent environmental and public health authorities;
 - 4) At least one mass media outlet (printed periodical, TV, or radio station) covering the entire affected area;
 - 5) By providing printed copies of information and making these copies available in places accessible for the public (i.e. information boards installed on the premises of the competent environmental authority and its territorial divisions, local executive authorities, public transport stops, and other places specifically designated for posting information and announcements);
 - 6) By sending formal notices to those legal entities that are responsible for managing the protected areas that may be influenced by the environmental effects resulting from the implementation of the strategic document.
4. A procedure for providing information to the public using the methods listed in Clause 3 of the present Article is established pursuant to the Rules Governing the Screening of Strategic Documents and Strategic Environmental Assessment and Public Hearing Rules.
5. The following types of information must be provided to the public during the strategic environmental assessment process using the methods listed in Clause 3 of the present Article and the procedure defined by the Rules Governing the Screening and Strategic Environmental Assessment Procedure for Strategic Documents and Public Hearing Rules:
 - 1) Information on the initiation of the strategic planning process, the concept of the strategic document, key topics addressed, the implementation timeframe (for those documents which do not require prior concept formulation under the law), and the name and address of the organisation (person) responsible for dealing with the public comments and suggestions;
 - 2) Information about the strategic documents that have undergone the screening;

- 3) Information about the strategic documents that have undergone the scoping;
 - 4) Screening application and screening conclusions;
 - 5) Scoping applications and conclusions on the scope of the environmental report;
 - 6) Environmental reports;
 - 7) Draft strategic documents pending approval;
 - 8) Minutes of consultation meetings with the interested authorities held during the screening of strategic documents, the determination of the scope of the environmental reports, as well as regarding the contents of the environmental reports and draft strategic documents;
 - 9) Monitoring reports focusing on significant environmental effects associated with the implementation of strategic documents;
 - 10) Notices of public hearings scheduled;
 - 11) Minutes of the public consultation meetings held to discuss draft strategic documents and environmental reports;
 - 12) Summaries of comments and suggestions received from the public at the public hearings;
 - 13) Information on the transboundary impact assessment completed as part of the strategic environmental assessment process;
 - 14) Decisions regarding the quality of environmental reports;
 - 15) Approved strategic documents with a summary of how the environmental report findings on likely environmental effects, comments and suggestions received from the interested authorities and the public (including those provided as part of the transboundary impact assessment) have been taken into consideration during the approval process; and the reasons behind the selection of decisions presented in the strategic document among other reasonable alternatives available;
 - 16) Other documents and information provided to the competent environmental authority in connection with the strategic environmental assessment process.
6. When submitting the draft strategic document and environmental report that has been decided to be of satisfactory quality for consultations with the interested authorities pursuant to Article 11 of the present Code and Rules Governing the Screening of Strategic Documents and Strategic Environmental Assessment, the developer simultaneously discloses these documents for public hearings.

Public hearings are conducted pursuant to the Public Hearing Rules approved by the competent environmental authority.

Article 13. Transboundary Impact Assessment as Part of Strategic Environmental Assessment

Where there are any of the grounds set out in Article 29 (Clause 1, Sub-clause 2) of the present Code, a transboundary environmental impact assessment may be carried out within the framework of the strategic environmental assessment process.

The transboundary environmental impact assessment is carried out in accordance with the provisions set out in Chapter 4 of the present Code and international treaties to which the Republic of Kazakhstan is a party.

Article 14. Approval Process for Strategic Documents Subject to Strategic Environmental Assessment

1. When approving a strategic document subject to strategic environmental assessment, the developer and the body authorised to grant approval shall take account of the environmental report findings and the comments and suggestions received from the public, competent environmental and public health authorities, and other interested authorities, as well as results of the transboundary environmental impact assessment (if applicable).
2. A procedure for informing the competent environmental and public health authorities, other interested authorities, and the public about the way their comments and suggestions have been considered during the approval process, as well as providing access to the approved strategic document to the interested authorities and the public is set out in the Rules Governing the Screening of Strategic Documents and Strategic Environmental Assessment.

Article 15. Monitoring the Significant Environmental Effects of the Implementation of Strategic Documents

1. The developer is responsible for monitoring the significant environmental effects of the implementation of the strategic document within the scope of its competence and in line with the monitoring programme developed during the preparation of the environmental report.

The monitoring of the significant environmental effects of the implementation of the strategic documents serves the following purposes:

- 1) Detecting, in a timely manner, unforeseen adverse environmental effects of the implementation of the strategic document and ensuring that appropriate remedial action is taken;
 - 2) Ensuring that the strategic document is consistent with those environmental and public health objectives set at the global, national, and local levels that are relevant to the scope and purpose of the strategic document.
2. A procedure for conducting the monitoring of the significant environmental effects resulting from the implementation of the strategic documents is set out in the Rules Governing the Screening of Strategic Documents and Strategic Environmental Assessment and the State Planning System.
 3. The methodological support for the monitoring of significant environmental effects of documents generated in the State Planning System is provided by the competent state planning authority.

Chapter 3. Environmental Impact Assessment

Article 16. General Provisions on Environmental Impact Assessment

1. Environmental Impact Assessment is conducted for a planned activity that may cause a significant impact on the environment, and it includes the collection of information on the potential consequences that may result from the planned activity during all stages of the activity's implementation, including the preparatory stage, in order to prevent, reduce, and/or mitigate any adverse environmental impacts.

2. Implementing a planned activity that may cause significant environmental impacts is not allowed without a positive decision issued based on the outcome of the environmental impact assessment. This decision should be issued prior to the commencement of any works associated with the planned activity.

If implementing a planned activity that may cause a significant environmental impact is subject to obtaining consents or submitting notifications as defined in the list approved by the Republic of Kazakhstan Government Resolution, the grant and receipt of such consents and notifications is contingent upon a valid decision issued on the basis of the environmental impact assessment. The consent conditions should not contradict or modify the terms and conditions specified in the decision issued on the basis of the environmental impact assessment.

3. The following planned activities are subject to mandatory environmental impact assessment:
 - 1) Category I activities are those planned activities that require a full-scale environmental impact assessment;
 - 2) Category II activities are those planned activities for which a mandatory environmental impact assessment can be conducted on a limited scale.
4. The Category I and Category II lists of activities are to be approved by the competent environmental authority.
5. Following a reasoned application submitted by the initiating party, the competent environmental authority may decide to waive the requirements set out in Clause 2 of the present Article for a planned activity rated Category I or II if the sole purpose of this activity is ensuring the public or military security or preventing/responding to emergency situations of natural or technogenic nature.

Article 17. Objectives and Principles of Environmental Impact Assessment

1. The objective of the environmental impact assessment is to:
 - 1) Identify and evaluate the likely significant impacts of a planned activity on the environment, including potential transboundary impacts, in order to prevent, reduce, and/or mitigate these impacts during the implementation of a planned activity;
 - 2) Ensure public participation in the environmental impact assessment and take account of public comments and suggestions when preparing the environmental impact report and issuing a decision based on the outcome of the environmental impact assessment process;
 - 3) Ensure the right of natural persons and legal entities to obtain timely, complete, and objective information on the state of environment they live and work in;
 - 4) Ensure the protection of the environment in the course of a planned activity that is likely to cause a significant environmental impact, including the preparatory and consent-granting (notifying) stages required for facilitating the implementation of the planned activity;
 - 5) Take account of the environmental, social, and economic interests of the state and society in making decisions concerning the implementation of a planned activity that may cause a significant environmental impact.
2. The following principles guide the environmental impact assessment:

- 1) Prevention, reduction, and/or mitigation of significant adverse environmental impacts in line with the 'polluter pays' principle;
- 2) Comprehensive assessment of the potential environmental impacts of a planned activity prior to the commencement of this activity and the consent-granting or notifying procedure;
- 3) Thorough consideration of the technical, technological, social, and economic conditions regulating the implementation of a planned activity and ensuring the balance among these conditions, environmental protection goals, and societal interests;
- 4) Transparent and participatory approach to environmental impact assessment;
- 5) Consideration of alternative ways to achieve the objectives of a planned activity and the options to plan and implement it;
- 6) Justification and selection of the best survey methods employed in the environmental impact assessment, and reliability and verification of the information and findings of the environmental impact assessment.

Article 18. Stages in the Environmental Impact Assessment Process

1. Environmental impact assessment involves the following stages:
 - 1) Preliminary assessment based on the Statement of Intent;
 - 2) Full-scale assessment involving the preparation of the environmental impact report.
2. The preliminary assessment is used as the basis for making the following decisions:
 - 1) For Category I activities – the conclusion on the scope of environmental impact assessment;
 - 2) For Category II activities recognised as being eligible for a limited-scale environmental impact assessment procedure – the positive or negative decision based on the outcome of the assessment;
 - 3) For Category II activities subject to full-scale environmental impact assessment – the conclusion on the outcome of the screening process and the conclusion on the scope of environmental impact assessment.
3. If the outcome of the preliminary assessment is the determination that the implementation of the Category I or Category II activity is not acceptable for reasons specified by the Republic of Kazakhstan law, the negative decision is issued by the competent authority.
4. The outcome of the full-scale environmental impact assessment is the issuing of a positive or negative decision based on the results of the assessment.
5. Pursuant to Article 27 (Clause 1) of the present Code, an activity rated as Category I or Category II and assessed through the full-scale environmental impact assessment procedure is subject to mandatory post-project analysis.

Article 19. Types of Impacts Required to Be Addressed in the Environmental Impact Assessment

1. Environmental impact assessment aims to identify, describe, and evaluate the significant impacts of a planned activity, both direct and indirect, on:
 - 1) People, including their living conditions and human health;

- 2) Biodiversity, in particular rare and endangered species of plants and animals and their habitats;
 - 3) Land (including soil), water resources, ambient air, subsoil resources, climate, and the Earth's ozone layer;
 - 4) Physical assets, historical and cultural heritage, and landscapes;
 - 5) Interactions among the components mentioned in Sub-clauses 1 through 4 of the present Clause.
2. The identification, characterisation, and assessment of the environmental impacts listed in Clause 1 of the present Article should be undertaken using justified present-day methods and taking account of the conditions in which a planned activity will take place on a case-by-case basis.
 3. The assessment of the environmental impacts listed in Clause 1 of the present Article should involve an assessment of the expected impacts that may arise due to the risk of industrial hazards, accidents, and fires that is considered to be inherent to the specific planned activity, as well as natural hazards, disasters and other extreme events that are likely to occur in the geographic area where the planned activity is anticipated to take place.

Article 20. Preliminary Assessment

1. Preliminary assessment includes the following stages:
 - 1) The initiating party sends the electronic submission to the Centralised Register comprising the electronic application for obtaining the decision based on the assessment, electronic copies of the statement of intent and any other additional documents as may be deemed necessary by the initiating party, and the initiating party also submits a printed copy of the statement of intent to the competent environmental authority;
 - 2) The competent environmental authority checks the documents listed in Sub-clause 1 of the present Clause for completeness;
 - 3) The transboundary impact assessment procedure is initiated if deemed necessary pursuant to Article 29 (Clause 1, Sub-clause 1) of the present Code;
 - 4) The public participation in the environmental impact assessment is ensured in accordance with the provisions set out in Article 24 (Clauses 2-5) of the present Code;
 - 4) The consultations with the state authorities are held pursuant to Article 25 (Clauses 1-4) of the present Code;
 - 6) The competent environmental authority checks and evaluates the information provided in the statement of intent and additional documents submitted by the initiating party, as well as information gathered through the consultation process including the comments and suggestions received from the public and during the consultations with the interested authorities;
 - 7) The competent environmental authority, within ten working days after the deadline for receiving comments and suggestions from the interested authorities or the public (if the deadline for receiving the public comments and suggestions falls on a later date), releases the screening conclusion for the planned activity and/or EIA scoping conclusion or decision based on the outcome of the environmental impact assessment;

these documents should be handed out to the initiating party and posted in the Centralised Register not later than within one working day following the day of release.

2. The statement of intent should include the details of the initiating party and information required for identifying potential significant environmental impacts and scoping the environmental impact assessment, including:
 - 1) Surname, name, and second name (if any); residence address; and the individual identifier number of the initiating party (if the initiating party is an individual);
 - 2) Name, office address, and business identifier number of the initiating party (if the initiating party is a legal entity);
 - 3) Information about a planned activity and its nature and a description of alternative options for achieving the desired goal and implementing the planned activity;
 - 4) Information about the proposed location of the planned activity and the availability of alternative locations;
 - 5) General technical characteristics of facilities and equipment, including production capacity, facility's length and area, and product characteristics;
 - 6) Likelihood of occurrence of the significant environmental impacts due to the planned activity, as well as the nature and expected scale of such impacts;
 - 7) Likelihood of occurrence of significant impacts on the protected areas due to the planned activity, as well as the nature and expected scale of such impacts;
 - 8) Likelihood of occurrence of transboundary environmental impacts, as well as the nature and expected scale of such impacts.
3. At the preliminary assessment stage, the initiating party is not required to provide evidence of ownership over the land required to carry out a planned activity.
4. Within five working days after the submission of the documents specified in Clause 1 (Sub-clause 1) of the present Article, the competent environmental authority checks these documents for completeness and identifies whether the transboundary impact assessment procedure is deemed necessary pursuant to Article 29 (Clause 1, Sub-clause 1) of the present Code.
5. If the completeness check shows that the submission made by the initiating party is incomplete or if one or more important details required under Clause 2 of the present Article are missing from the statement of intent, the competent environmental authority rejects this submission by posting the notice of rejection in the Centralised Register within the timeframe defined in Clause 4 of the present Article.
6. If the completeness check confirms that the submission made by the initiating party is complete; that the statement of intent contains all the details required under Clause 2 of the present Article; and that there are no grounds for initiating the transboundary impact assessment procedure pursuant to Article 29 (Clause 1, Sub-clause 1) of the present Code, the competent environmental authority takes the following actions within the timeframe defined in Clause 4 of the present Article:
 - 1) Posts the notice of acceptance of the submitted documents for further review in the Centralised Register;
 - 2) Takes the actions specified in Article 24 (Clauses 3 and 4) of the present Code and sends the copies of documents submitted by the initiating party to the interested authorities to

facilitate consultation pursuant to the provisions set out in Article 25 (Clauses 1 to 4) of the present Code.

7. If the completeness check shows that the submission made by the initiating party is complete; that the statement of intent contains all details required under Clause 2 of the present Article; and that there are grounds for initiating the transboundary impact assessment procedure pursuant to Article 29 (Clause 1, Sub-clause 1) of the present Code, the competent environmental authority initiates the transboundary impact assessment procedure pursuant to Article 30 of the present Code.

Article 21. Screening Procedure for a Planned Activity

1. When conducting the screening (preliminary assessment) of a planned activity classified as Category II, the competent environmental authority determines whether the available information is sufficient for issuing a decision based on the preliminary assessment or if a full-scale assessment, including the preparation of the environmental impact report, is required.
2. When determining whether a full-scale environmental impact assessment is required, the competent environmental authority takes into consideration the following information:
 - 1) Criteria used to evaluate the significance of the environmental impacts, set out in the Instruction on Conducting the Environmental Impact Assessment and relating to the nature of the planned activity, its proposed location, and the nature and characteristics of its environmental impacts;
 - 2) Comments and suggestions received from the public and the interested authorities and considered pursuant to Article 24 (Clauses 2–5) and Article 25 (Clauses 2–4) of the present Code.
3. If the outcome of the screening procedure is the determination that a full-scale environmental impact assessment is not required, the competent environmental authority, within the timeframe defined by Article 20 (Clause 1, Sub-clause 7) of the present Code, issues a decision based on the results of the assessment as defined by Article 26 of the present Code, provides the decision to the initiating party, and posts it in the Centralised Register.
4. If the outcome of the screening procedure is the determination that a full-scale environmental impact assessment, including the preparation of the environmental impact report, is required, the competent environmental authority, within the timeframe specified by Article 20 (Clause 1, Sub-clause 7) of the present Code, issues the screening conclusion for the planned activity, provides it to the initiating party along with the conclusion on the scope of the environmental impact assessment, and posts these documents in the Centralised Register.
5. The screening conclusion issued for the planned activity should include the justification for a full-scale environmental impact assessment and preparation of an environmental impact report pursuant to Clause 4 of the present Article.

Article 22. Scoping the Environmental Impact Assessment of a Planned Activity

1. The purpose of the scoping exercise in the environmental impact assessment process is to identify the scope and level of detail of the information that should be collected and examined as part of the environmental impact assessment process, research methods to be employed, and structure guiding the presentation of this information in the environmental impact report, taking into account the comments and suggestions received through the

consultations with the public and interested authorities and the outcome of the transboundary impact assessment procedure (if applicable).

2. When determining the scope of an environmental impact assessment, the competent environmental authority is required to take account of the current level of knowledge, good research practice, existing sectoral capabilities, and availability of data on baseline environmental conditions and any potential changes expected to be generated by the planned activity.
3. When determining the scope of an environmental impact assessment and in consideration of the location, nature, and scale of the potential environmental impacts, the competent environmental authority can:
 - 1) Waive the right to apply any specific requirements regarding the content of the environmental impact report;
 - 2) Specify:
 - Alternative options for achieving the desired objective and implementing the planned activity, which should be considered as part of environmental impact assessment;
 - Types of impacts, as well as the elements of the environment the impacts on which require detailed examination;
 - Scope and methods of assessment.
4. Based on the outcome of the scoping process and within the timeframe defined by Article 20 (Clause 1, Sub-clause 7) of the present Code, the competent environmental authority prepares the conclusion on the scope of environmental impact assessment, physically provides the conclusion to the initiating party, and posts it in the Centralised Register at the same time it is provided.

Article 23. Environmental Impact Report

1. The initiating party is responsible for preparing the environmental impact report and submitting it to the Centralised Register in electronic form and to the competent environmental authority in printed form.
2. The environmental impact report shall include the following information:
 - 1) Description of the planned activity considered in the report, including:
 - Description of the proposed location of the planned activity, including GPS coordinates, vector files, and a description of the baseline environmental conditions in the proposed location of the planned activity at the time of writing the report;
 - Information on the land designation and planned land uses associated with the construction and operation of the facilities required to perform the planned activity;
 - Information on the characteristics of the facilities required to perform the planned activity, including capacity, dimensions, process data (i.e. expected production capacity, energy demand, use of natural resources, and raw materials consumption);
 - Information on any demolition and dismantling works and methods for conducting such works (if these works are part of the planned activity);

- Information on expected harmful impacts and emissions to the environment associated with the construction and operation of the facilities required to perform the planned activity, including the pollution of water, air, soil, and subsoil; vibration; noise; electromagnetic and thermal effects; and radiation);
 - Information on the types, properties, and quantities of waste to be generated during the construction and operation of the facilities required to perform the planned activity;
- 2) Description of possible options for implementing the planned activity taking into account its specifics and potential environmental impacts, including:
- The option selected by the initiating party for application, the rationale for selection, and a description of other potential reasonable options;
 - The potential reasonable option considered to be the best option from an environmental (including health) perspective;
 - A description of possible changes in the state of environment in the event that the planned activity were to not be implemented by the initiating party, to be based on available information and scientific knowledge;
- 3) Information on the potential significant impacts of a planned activity, including those associated with the construction and operation of facilities required to perform this activity, on the environment and human health, environmental conditions people live and work in, biodiversity (plant and animal life, wild plant and animal habitats, and ecosystems), soil (including soil uptake), land (including organic processes, erosion, composting, and land degradation), water (including changes in water morphology, water quality, and quantity), air, climate (including greenhouse gas emissions), physical assets, historical and cultural heritage (including architectural and archaeological heritage), landscapes, and interactions among all these components;
- 4) Description of the potential impacts (direct and indirect, cumulative, transboundary, short-term and long-term, and positive and negative) of a planned activity on the components listed in Sub-clause 3 of the present Clause, resulting from:
- Construction and operation of the facilities required to perform the planned activity, including any demolition/dismantling works which may be necessary;
 - Use of natural resources (including land, soil, water, and biodiversity, depending on the availability and location of these resources);
 - Pollutant emissions, noise, vibration, radiation releases to the environment, waste disposal in the environment, and recycling;
 - Accidents, occupational hazards, and natural hazards;
 - Cumulative impacts from the existing and planned industrial and other facilities;
 - Impact on climate due to the planned activity and its sensitivity to climate change;
 - Use of technology, materials, and substances in the course of the planned activity;
- 5) Information on the estimated likelihood of accidents that may occur as a result of the implementation of the planned activity and an assessment of the expected consequences of these accidents that takes account of potential prevention and mitigation measures;

- 6) Action plan describing actions designed to prevent, reduce, and mitigate the significant environmental impacts of the planned activity, as well as compensate for any environmental damage that may arise from implementing the planned activity;
 - 7) Assessment of potential irreversible impacts to the environment and the rationale for undertaking operations that may cause these impacts, including a comparative assessment of losses due to irreversible impacts and gains from operations that may lead to these losses in the environmental, cultural, economic, and social context;
 - 8) Environmental rehabilitation measures and methods to be applied upon the termination of the planned activity, identified at an early stage of implementing it;
 - 9) Description of the expected significant harmful impacts of the planned activity on the environment, associated with the risk of accidents and natural hazards considered to be inherent to the planned activity and its proposed location, respectively;
 - 10) Measures designed to ensure compliance with the requirements established in the scoping conclusion;
 - 11) Methodological approach and reference to the sources of the environmental information used to prepare the environmental impact report;
 - 12) Difficulties encountered in the assessment process and associated with existing capability and knowledge constraints;
 - 13) Brief non-technical summary of the information specified in Sub-clauses 1 to 12 of the present Clause, designed to ensure the informed participation of the public in the environmental impact assessment process.
3. The environmental impact report should be prepared in accordance with the scoping conclusion by qualified and experienced persons whose skills and qualifications meet the requirements established by the competent environmental authority.
 4. The environmental impact report should be signed by all authors with an indication of their educational background and work experience.
 5. Information contained in the environmental impact report is open to the public.
If the report contains any commercial, classified, or protected information, the initiating party duly informs the competent environmental authority of this fact in a statement accompanying the report that exactly specifies which information is confidential and requires protection and provides reference to the law that requires maintaining the confidentiality of this information. The competent environmental authority is responsible for ensuring the confidentiality of the information specified by the initiating party pursuant to the legislation of the Republic of Kazakhstan.
 6. The environmental impact report should undergo a public hearing process organised in accordance with Article 24 (Clauses 6–11) of the present Code and Public Consultation Procedure approved by the competent environmental authority.
 7. Pursuant to Article 25 (Clauses 1 and 5-10) of the present Code, the competent environmental authority shall hold consultations with the interested authorities to discuss the environmental impact reports submitted for review.
 8. The environmental impact report should be kept in the Centralised Register throughout the life cycle of the planned activity, but not less than five years since a decision made on the basis of the environmental impact assessment has been provided to the initiating party.

Article 24. Public Participation in Environmental Impact Assessment

1. The competent environmental authority acts jointly with the initiating party to facilitate public participation at each stage in the environmental impact assessment process.
2. At the screening (preliminary assessment) stage, the competent environmental authority organises the collection of public comments and suggestions on the following issues:
 - Acceptability of the planned activity;
 - Identification of requirements to a planned activity to include them in the decision based on the assessment;
 - Whether a full-scale environmental impact assessment is required for the planned activity;
 - What level of detail is required for the information that should be provided in the environmental impact report;
 - Any other issues relating to the environmental impact of the planned activity.

Comments and suggestions on the issues identified above can be provided in oral and/or written form by any individual or legal entity regardless of place of residence or place of business.

3. Within three working days after posting the notice referred to in Article 20 (Clause 6, Sub-clause 1) of the present Code, the competent environmental authority publishes on its website a notice in the state and Russian languages, inviting the public to provide their comments and suggestions, and sends this notice to the local executive authorities in the regions, towns, and districts located in the affected area. After receiving the notice, local executive authorities publish it on their websites within one working day following the date it was received.

The notice contains the following information:

- 1) Reference data required to find the application and accompanying documents submitted by the initiating party in the Centralised Register;
 - 2) Contact details of the initiating party;
 - 3) Deadline for receiving comments and suggestions from the public;
 - 4) Postal and e-mail addresses which can be used by the members of the public for sending their comments and suggestions to the competent environmental authority.
4. The deadline for receiving comments and suggestions from the public is set as two weeks following the date of publishing the notice containing all information specified in Clause 3 of the present Article.
 5. Within five working days following the date of posting the notice, referred to in Article 20 (Clause 6, Sub-clause 1) of the present Code, in the Centralised Register, the initiating party shall take the following actions:
 - 1) Publish the notice, containing the information specified in Clause 3 of the present Article in the state and Russian languages, in at least one mass media outlet (printed periodical, TV, or radio station) distributing news and information in the area that is likely to be affected by the planned activity; and place the printed copies of the notice in places accessible for the public (i.e. information boards installed on the premises of the competent environmental authority and its territorial divisions, local executive

authorities, public transport stops, and other places specifically designated for posting information and announcements);

- 2) Distribute copies of the statement of intent in printed and electronic form to the territorial divisions of the competent environmental authority, as well as to all local executive authorities and public libraries in the affected area (each governmental/local executive authority and each public library should be provided with at least four printed copies of the statement of intent so that at least two copies are in the state language and at least two copies are in the Russian language).
6. The environmental impact report submitted to the Centralised Register and competent environmental authority should undergo the public hearing process.
 7. Within three working days following the date the initiating party submitted the environmental impact report to the competent environmental authority and Centralised Register, but not less than twenty calendar days before the public hearing, the competent environmental authority takes the following actions:
 - 1) Publishes the notice of upcoming public hearing on its official website, in the state and Russian languages;
 - 2) Sends the notice to the local executive authorities in the regions, towns and districts located in the affected area.

After receiving the notice, the local executive authorities publish it on their websites within one working day following the date it was received.
 8. The notice of public hearing should contain the following information:
 - 1) Purpose, venue, and time of public hearing;
 - 2) Public hearing procedure;
 - 3) Reference data required to find the environmental impact report, statement of intent, conclusion, and other documents submitted by the initiating party to the Centralised Register;
 - 4) The e-mail address and telephone number for inquiries about receiving information regarding the planned activity and upcoming public hearings and/or copies of documents relating to the planned activity.
 9. The initiating party should respond to the inquiries of individuals and legal entities by providing the copies of the statement of intent, scoping conclusion, screening conclusion, and environmental impact report in the requested format (i.e. in electronic or printed form).
 10. At least twenty calendar days before the public hearing date, the initiating party:
 - 1) Distributes the notice of public hearing containing the information specified in Clause 8 of the present Article using the methods defined in Clause 5 (Sub-clause 1) of the present Article, in the state and Russian languages;
 - 2) Distributes printed and electronic copies of the environmental impact report to the territorial divisions of the competent environmental authority, as well as to all local executive authorities and public libraries in the affected area. Each governmental/local executive authority and each public library should be provided with at least four printed copies of the specified documents so that at least two copies are in the state language and at least two copies are in the Russian language.

11. The public hearing is held in the form of a meeting which is open to all members of the public regardless of place of residence, stay, and registration.

The public hearing procedure, including the requirements for preparing the minutes of public hearing meeting, submitting them to the competent environmental authority, and communicating them to the public, is set out in the Public Hearing Rules approved by the competent environmental authority.

Article 25. Consultations with Interested Authorities

1. Interested authorities include governmental bodies and local executive authorities whose functions may be affected by a planned activity.

The range of interested authorities to be consulted with is identified on a case-by-case basis by the competent environmental authority and should as a minimum include the competent public health authority and local executive authorities in the affected areas.

2. Within three working days following the date the notice referred to in Article 20 (Clause 6, Sub-clause 1) of the present Code was posted in the Centralised Register, the competent environmental authority distributes documents, provided by the initiating party for the purposes of preliminary assessment, to the interested authorities or provides the document identifiers required to find these documents in the Centralised Register.
3. Within two weeks from the date of receiving the documents or information specified in Clause 2 of the present Article, the interested authorities provide their comments and suggestions concerning the following issues to the competent environmental authority:
 - 1) Acceptability of the planned activity;
 - 2) Identification of requirements to a planned activity to be included in the decision based on the assessment;
 - 3) Whether a full-scale environmental impact assessment is required for the planned activity;
 - 4) What level of detail is required for the information that must be provided in the environmental impact report;
 - 5) Any other issues relating to the environmental impact of a planned activity.
4. The competent environmental authority is required to consider all comments and suggestions received from the interested authorities and include them in the minutes of the consultation meetings with the interested authorities.

While the competent authority is not bound by feedback received from the interested authorities, they have to justify their disagreement with specific comments and suggestions. The justification is reflected in the minutes of the consultation meetings with the interested authorities, which shall be made public by the competent environmental authority by means of posting it in the Centralised Register.

5. Within three working days following the date the environmental report was submitted by the initiating party to the Centralised Register as an electronic document and to the competent environmental authority as a printed copy, the competent environmental authority:
 - 1) Sets up the expert commission to review the report, comprising the representatives of the interested authorities and chaired by a representative of the competent environmental authority;

- 2) Provides the commission with a copy of the environmental impact report or the document identifiers required to find the report in the Centralised Register.
6. Within two weeks from the date that the expert commission receives a copy of the environmental impact report or the information required to find the report in the Centralised Register, all members of the commission provide their comments and suggestions concerning the planned activity in writing to the commission's chairperson.
7. Within the timeframe specified by the competent environmental authority but not more than within thirty calendar days from the date it was established, the expert commission convenes a consultation meeting, to be attended by the initiating party and authors of the environmental impact report unless either or both of them inform the commission that the meeting may be held in their absence.

The chair of the expert commission notifies the initiating party about the time and venue of the meeting and provides it with the comments and suggestions produced by the commission members not later than five working days before the meeting.

8. The expert commission meeting should be held in the presence of all its members representing the interested authorities in the commission.

The expert commission meeting includes the following items:

- 1) The initiating party and authors of the report give a presentation describing the planned activity, the likely significant impacts thereof on the environment, and proposed mitigation measures for preventing and/or reducing these impacts;
- 2) The expert commission members, initiating party, and authors of the environmental impact report discuss the issues associated with a planned activity and the environmental impacts thereof.
9. The outcome of the expert commission meeting is reflected in the minutes of the consultation meeting with the interested authorities, which also summarise all comments and suggestions expressed by the commission members, initiating party, and authors of the report during the meeting. The meeting minutes are to be signed by all commission members who have taken part in the meeting.
10. Comments and suggestions, received from the expert commission members and discussed at the consultation meeting, are to be considered by the competent environmental authority in the manner defined by Clause 4 of the present Article.

Article 26. Decision Based on the Results of the Assessment

1. Within five working days from the date of the expert commission meeting held pursuant to Article 25 (Clauses 7-10), the competent environmental authority releases a decision based on the results of the assessment.

When making a decision based on the assessment, the competent environmental authority takes consideration of the environmental impact report findings, comments and suggestions received from the public and the interested authorities, and the outcomes of the transboundary impact assessment procedure (if applicable).

2. The competent environmental authority adopts a negative decision based on the assessment if implementing a planned activity in a proposed location is not allowed under the Republic of Kazakhstan legislation.

3. A positive decision adopted on the basis of the assessment should include the following information:
 - 1) The types and place of business operations involved in a planned activity;
 - 2) Information on the environmental protection measures to be taken into consideration by other governmental authorities involved in decision-making with regard to the planned activity;
 - 3) Environmental and human health protection requirements that must be met in the course of the planned activity, including the construction, operation, and decommissioning of facilities and all activities carried out to address the consequences of the planned activity;
 - 4) If the initiating party is required to carry out the post-project analysis, the decision should specify the goals, scale, scope, and timeframe of this analysis, as well as the reporting requirements including deadlines for submitting post-project analysis reports to the competent environmental authority and other governmental authorities as may be necessary;
 - 5) Information on the results of transboundary impact assessment (if applicable);
 - 6) Emergency prevention, preparedness, and response requirements;
 - 7) The initiating party's obligations regarding the prevention, reduction, and/or mitigation of the adverse environmental impacts of the planned activity, as well as compensation for any environmental damage if the planned activity causes or may cause such damage.
4. The decision based on the results of the assessment is accompanied by a statement of reasons containing the following information:
 - 1) Key reasons and findings underpinning the decision made;
 - 2) Information about the public hearings held (including the distribution of notices of public hearings, provision of information and documents to the public, and the public hearing process), public comments and suggestions processed, and conclusions made as a result of processing such comments and suggestions;
 - 3) Summary of the information received through consultations with the interested authorities, public hearings, and the transboundary impact assessment process, accompanied by explanations of how this information has been taken into account in the decision based on the assessment.
5. Within two working days from the date the decision was released and based on the results of the assessment, the competent environmental authority:
 - 1) Posts the decision based on the results of the assessment in the Centralised Register;
 - 2) Notifies the initiating party about the publication of the decision based on the results of the assessment;
 - 3) Communicates the decision based on the results of the assessment to local executive authorities in the regions, towns, and districts in the affected area which, in turn, publish the decision on their official websites within one working day after receiving the decision.

Article 27. Post-project Analysis

1. When adopting a decision based on the results of the assessment, the competent environmental authority may impose an obligation upon the initiating party to carry out the

post-project analysis of the planned activity. In this case the decision based on the results of the assessment should include the information specified in Article 26 (Clause 3, Sub-clause 4) of the present Code.

2. The post-project analysis is carried out to compare the actual environmental impacts and the actual mitigation measures implemented to prevent, reduce, and/or mitigate these impacts and restore the disturbed components of the environment with the predictions made in the environmental impact report regarding the nature and scope of the environmental impacts of the planned activity and measures recommended for preventing, reducing, and/or mitigating these impacts and restoring the disturbed components of the environment.
3. The initiating party is responsible for ensuring that the post-project analysis is carried out in line with the conditions prescribed by the decision based on the results of the assessment.
4. Within three working days from the date of submitting the post-project analysis report by the initiating party, the competent environmental authority posts the electronic copy of the report in the Centralised Register.

Article 28. Rights and Responsibilities of the Initiating Party, Competent Environmental Authority, and Other Interested Authorities in the Process of Environmental Impact Assessment

1. The initiating party has the following rights with respect to conducting the environmental impact assessment:
 - 1) In addition to the documents required to be submitted to the competent environmental authority under the present Code, the initiating party may provide other documents relating to the planned activity and environmental impacts thereof;
 - 2) Obtain information on the performance of those functions of the interested authorities that pertain to environmental impact assessment;
 - 3) Provide clarification on issues arising during the course of the environmental impact assessment to the interested authorities;
 - 4) Submit applications and requests concerning matters relating to the environmental impact assessment to governmental authorities pursuant to the terms and procedures defined by the Republic of Kazakhstan law;
 - 5) Obtain the information required to conduct the environmental impact assessment pursuant to the Republic of Kazakhstan law;
 - 6) At all stages in the environmental impact assessment process, including the transboundary impact assessment procedure, obtain copies of the comments and suggestions provided by the public, interested parties, and foreign countries;
 - 7) Take part in the meeting held by the expert commission to discuss the environmental impact report; ask questions and provide explanations to other members of the commission; and obtain information and copies of documents referred to by the members of the commission which are not possessed by the initiating party;
 - 8) Obtain copies of all documents produced by the competent environmental authority and other interested authorities in the course of the environmental impact assessment;
 - 9) Request that the competent environmental authority ensure the confidentiality of information considered a commercial secret or other information protected by law,

provided that the initiating party has made such request pursuant to the terms and procedures set forth in the present Chapter;

- 10) Appeal decisions and actions (or lack thereof) by government authorities and their officials pursuant to the terms and procedures defined by the Republic of Kazakhstan legislation.
2. The initiating party has the following responsibilities with respect to conducting the environmental impact assessment:
 - 1) Provide complete and accurate information about the environmental impacts of the planned activity to the competent environmental authority and other interested authorities;
 - 2) Provide environmental information relating to the environmental impact assessment of the planned activity to individuals and legal entities within the timeframe set by the Republic of Kazakhstan legislation or within a reasonable time where there are no fixed deadlines;
 - 3) Adhere to the requirements specified in the decision based on the results of the assessment.
 3. The competent environmental authority and other interested authorities involved in the environmental impact assessment process have the right to:
 - 1) Request clarification from the initiating party with respect to the environmental impacts of the planned activity and the documents provided by the initiating party at all stages of the environmental impact assessment process;
 - 2) Obtain information and documents of relevance to the environmental impact assessment of the planned activity in question from other governmental authorities, state registers, and state electronic information systems and provide copies thereof to the initiating party upon request.
 4. The competent environmental authority and other interested authorities involved in the environmental impact assessment process have the following responsibilities:
 - 1) Provide the initiating party with the information and documents defined in the present Code and other laws and regulations of the Republic of Kazakhstan in a timely manner;
 - 2) Ensure the confidentiality of information considered a commercial secret or other information protected by law in accordance with the Republic of Kazakhstan legislation;
 - 3) Ensure that the initiating party maintains compliance with all environmental requirements applicable to the planned activity in the course of the environmental impact assessment.

Chapter 4. Transboundary Environmental Impact Assessment

Article 29. Criteria for Initiating the Transboundary Environmental Impact Assessment

1. Transboundary environmental impact assessment is carried out in the following situations:
 - 1) A planned activity located in the Republic of Kazakhstan is likely to cause a significant adverse environmental impact that extends beyond the national borders into the territory of another country;
 - 2) The implementation of a strategic document in the Republic of Kazakhstan may cause a significant adverse impact on the environment in the territory of another country;

- 3) The implementation of a planned activity or strategic document outside the national borders of the Republic of Kazakhstan may cause significant adverse impacts on the environment in the territory of the Republic of Kazakhstan.
2. Transboundary environmental impact assessment may only be conducted if it is required under the international treaties to which the Republic of Kazakhstan is a party, and only in the manner and to the extent established in these treaties and the Republic of Kazakhstan legislation.
3. The following parties may identify the need for initiating the transboundary impact assessment procedure pursuant to Clause 1 (Sub-clauses 1 and 2) of the present Article:
 - 1) The party initiating a planned activity in the territory of the Republic of Kazakhstan in the process of an environmental impact assessment of this activity;
 - 2) The developer of a strategic document of the Republic of Kazakhstan in the process of a strategic environmental assessment of this document;
 - 3) The competent environmental authority in the exercise of their functions relating to environmental impact assessment and strategic environmental assessment.
4. The developer starts collecting the information required to assess the likelihood, nature, and scale of potential transboundary impacts associated with the implementation of a strategic document prior to applying for a screening process with respect to a strategic document (if screening is required) or during the scoping of the environmental report (if screening is not required).

The initiating party starts collecting information on the potential significant adverse transboundary impacts of a planned activity on the environment prior to applying for a decision based on the results of the assessment.

The need for initiating the transboundary impact assessment procedure pursuant to Clause 1 (Sub-clauses 1 and 2) of the present Article may be identified at later stages in the strategic environmental assessment or environmental impact assessment as new information becomes available.

The competent environmental authority verifies whether there are any of the grounds for initiating the transboundary impact assessment procedure pursuant to Clause 1 (Sub-clauses 1 and 2) of the present Article during the screening and strategic environmental assessment process for strategic documents or during the environmental impact assessment of a planned activity.

5. The competent environmental authority is responsible for conducting the transboundary impact assessment.

Article 30. Initiating the Transboundary Environmental Impact Assessment Procedure in Situations When the Republic of Kazakhstan is the Party of Origin

1. Once any of the grounds for initiating the transboundary impact assessment procedure pursuant to Clause 1 (Sub-clauses 1 and 2) of the present Article are identified, or when the request for information about a strategic document or a planned activity and potential significant transboundary environmental impacts thereof is received from one or more affected parties, the competent environmental authority issues an order initiating the transboundary impact assessment procedure.

2. The order initiating the transboundary environmental impact assessment procedure (referred to as ‘the Order’ throughout this Article) should contain the following information:
 - 1) The decision to launch the transboundary environmental impact assessment procedure and put on hold all administrative procedures initiated earlier with respect to the strategic environmental assessment and/or environmental impact assessment;
 - 2) The list of documents and/or information requested from the developer, to include:
 - The screening application for the strategic document;
 - The scoping application for the environmental report;
 - The screening conclusion for the strategic document;
 - The conclusion on the scope of the environmental report;
 - The draft concept of the strategic document if the concept formulation stage is required under the legislation of the Republic of Kazakhstan;
 - Information on key areas and the timeframe for implementing a strategic document which does not require concept formulation prior to the development of the document itself pursuant to the legislation of the Republic of Kazakhstan;
 - An excerpt from the draft strategic document containing information about potential transboundary environmental impacts that may result from implementing it;
 - An excerpt from the environmental report containing information about potential transboundary environmental impacts that may result from the implementation of the strategic document considered in the report;
 - 3) The list of documents and/or information requested from the initiating party, to include:
 - The application for the decision based on the results of the assessment;
 - The statement of intent;
 - The screening conclusion for the planned activity;
 - The scoping application;
 - An excerpt from the environmental impact report containing information about the potential transboundary environmental impacts of the planned activity;
 - 4) The requirements applied to the documents and/or information listed in Sub-clauses 2 and 3 of the present Clause, set out in Clause 3 of the present Article.
3. Documents and/or information listed in Clause 2 (Sub-clauses 2 and 3) of the present Article, should be provided as hard copies, accompanied by the electronic copies and notarized translations thereof into the language specified in the Order.
4. Within one working day following the date of the Order, the competent environmental authority transmits or physically provides a copy of this order to the developer or initiating party.
5. Within three working days following the date of receiving the documents that meet the requirements set out in the Order from the developer or initiating party, the competent environmental authority sends the following documents to the Ministry of Foreign Affairs of the Republic of Kazakhstan for transmission to the affected parties:
 - 1) Notification containing the following information:

- Information about the strategic document or the planned activity, including all available data regarding potential transboundary environmental effects or impacts of the strategic document or planned activity;
 - Information on the approval procedure and legal implications arising out of the decision to proceed with the strategic document or planned activity;
 - Information on the strategic environmental assessment or environmental impact assessment procedure, including the deadlines for the public and the interested authorities to provide comments and suggestions;
 - The deadline by which the affected parties are expected to provide a response regarding their intent to take part in the transboundary impact assessment procedure;
- 2) Documents and/or information provided by the developer or initiating party pursuant to the Order;
 - 3) Any additional information that is available and may influence the affected party's decision on whether to take part in the transboundary environmental impact assessment.
6. If the affected parties refuse to take part in the transboundary environmental impact assessment or do not respond within the timeframe specified in the notification, the competent environmental authority issues an order to terminate the transboundary environmental impact assessment procedure and resume earlier initiated administrative procedures relating to the strategic environmental assessment or environmental impact assessment.
 7. In the event that at least one of the affected parties who have received documents transmitted to them pursuant to Clause 5 of the present Article has communicated their intent to take part in the transboundary impact assessment procedure within the timeframe specified in the notification, the competent environmental authority organises initial consultations with the party concerned to exchange information and agree on the procedure, timeline, and venue of future consultations; the language of the documents to be provided to the affected party; and other details relating to the transboundary environmental impact procedure.

Article 31. Transboundary Environmental Impact Assessment Procedure

1. The competent environmental authority organises consultations with the affected parties pursuant to the terms and conditions agreed upon during the initial consultation.
During their consultations, the parties may agree on the method and conditions for the participation of the public in the affected countries in the strategic environmental assessment or environmental impact assessment along with the local public in the Republic of Kazakhstan.
2. After the preparation and quality assessment of the environmental report, or after the preparation of the environmental impact report, the competent environmental authority identifies those sections of the strategic document, environmental report, environmental impact report, and other documentation and/or information concerning the strategic environmental assessment or environmental impact assessment, which should be translated into the language agreed upon during the consultations between the Republic of Kazakhstan and the affected countries, and communicates this information to the developer or initiating party.

3. Within fifteen working days following the date of receiving the information specified in Clause 2 of the present Article, the initiating party or developer provides the notarized translations of the said sections of the strategic document, environmental report, environmental impact report, and other documentation and/or information concerning the strategic environmental assessment or environmental impact assessment into the language specified in the communication.

Within five working days following the date of receiving the information specified in the first paragraph of this Clause, the competent environmental authority sends this information to the Ministry of Foreign Affairs of the Republic of Kazakhstan for transmission to the affected parties which have taken part in the transboundary environmental impact assessment.

4. Based on the strategic document, environmental report, environmental impact report, and other documentation and/or information concerning the strategic environmental assessment or environmental impact assessment, the competent environmental authority organises consultations with the affected parties to discuss the following issues:
 - Potential alternative provisions that could be incorporated into the strategic document or alternative options for implementing the planned activity;
 - Potential measures for reducing transboundary impacts and monitoring the efficiency of these measures at the expense of the party of origin;
 - Other forms of mutual assistance of the parties in reducing any transboundary effects or impacts on the environment associated with the implementation of the strategic document or planned activity.
5. The consultations with the affected parties may involve the organised collection of comments and suggestions from the public in the affected countries in line with the methods and deadlines agreed upon during the initial consultations, as well as participation of the interested authorities and the public from the affected countries in public hearings held to discuss the draft strategic document, environmental report, and environmental impact report pursuant to the present Code and Public Hearing Rules.
6. The competent environmental authority, in the exercise of its functions with respect to the strategic environmental assessment and environmental impact assessment, facilitates the processing and consideration of comments and suggestions received during consultations with the affected countries and provided by the interested authorities and the public in the affected countries.

When drafting the strategic document and environmental report or environmental impact report, the developer and the initiating party are required to consider and take account of the results of the consultations with the affected countries, including the comments and suggestions provided by the interested authorities and members of the public in the affected countries.

When granting approval of a strategic document, the approval authority should take account of consultations with the affected countries, including the comments and suggestions provided by the interested authorities and members of the public in the affected countries.

7. The initiating party and the developer are required to provide the competent environmental authority with the following documents and/or information with notarized translations thereof into the language specified during consultations with the affected parties:

- Excerpts from the final version of the environmental report and approved strategic document;
- Excerpts from the decision based on the results of the assessment;
- Evidence and explanation of how the results of the consultations with the affected parties, including comments and suggestions provided by interested authorities and members of the public in the affected countries, have been taken into account in the preparation of the environmental report, approval of the strategic document, or decision on the results of the assessment, as well as reasons why the provision and decisions included in the approved version of the strategic document or decision based on the results of the assessment have been selected among other available alternatives;
- A copy of the consent granted or evidence of notification received by the governmental authority on the grounds of the decision based on the results of the assessment (where the planned activity subject to environmental impact assessment requires granting governmental consents or submitting notifications to the governmental authority, which are specified in the list of consents and notifications approved by the Republic of Kazakhstan Government).

The excerpts from the documents referred to in the second and third points of the first paragraph in the present Clause are specified by the competent environmental authority.

8. The initiating party and developer are required to submit the post-project analysis reports to the competent environmental authority (if provision for post-project analysis is made in the decision based on the results of the assessment or an agreement with the affected party) or the significant environmental impact monitoring reports for the strategic document, with notarised translations thereof into the language specified through consultation with the affected parties.
9. Within five working days after the date of submitting the documents specified in Clauses 7 and 8 of the present Article, the competent environmental authority sends them to the Ministry of Foreign Affairs of the Republic of Kazakhstan for transmission to the affected parties which have taken part in the transboundary environmental impact assessment.
10. If additional information which may influence the results of the transboundary environmental impact assessment becomes available to the developer, initiating party, or interested authorities in the Republic of Kazakhstan, or if an affected party informs that any such information has become available to them, the competent environmental authority holds consultations with the affected party as to whether the approved strategic document or decision based on the results of the assessment needs to be revised or mitigation measures need to be identified to avoid or reduce significant adverse transboundary environmental impacts.

Article 32. Rights and Responsibilities of the Initiating Party, Developer, and Competent Environmental Authority in the Process of Transboundary Environmental Impact Assessment

1. The initiating party and developer have the right to take part in the transboundary environmental impact assessment including consultations with the affected parties.
2. The initiating party and developer have the following responsibilities:
 - 1) Identify the potential significant adverse transboundary environmental impact of the planned activity or strategic document;

- 2) Reflect complete and justified information about the likely significant adverse transboundary environmental impacts in the documents submitted at the screening and scoping stages in the strategic environmental assessment or environmental impact assessment process;
 - 3) Ensure a proper assessment of the likely significant adverse transboundary environmental impacts in the environmental report or environmental impact report;
 - 4) Submit to the competent environmental authority those documents that have to be provided to the affected parties pursuant to the requirements of the present Code;
 - 5) Ensure the provision of translation/interpretation services of proper quality in the process of public hearings if the representatives of the public from the affected parties will take part in these hearings;
 - 6) Provide support and assistance to the competent environmental authority in the process of transboundary environmental impact assessment;
 - 7) Take consideration of the outcome of the consultations with affected parties, including any comments and suggestions provided by the interested authorities and the public of the affected parties during consultations and public hearings, in the preparation of the environmental report, strategic document, and environmental impact report;
 - 8) Submit to the competent environmental authority for transmitting to the affected parties a copy of the consent granted or evidence of notification received by the governmental authority on the grounds of the decision based on the results of the assessment (where the planned activity subject to environmental impact assessment requires granting governmental consents or submitting notifications to the governmental authority, which are specified in the list of consents and notifications approved by the Republic of Kazakhstan Government), accompanied by the notarized translation thereof into the language specified during the consultations with the affected parties.
3. The initiating party bears all expenses involved in the transboundary impact assessment process unless these expenses are covered from the state budget pursuant to the legislation of the Republic of Kazakhstan, or unless it has been agreed through consultation with the party of origin that these expenses are to be borne by the party of origin.
 4. The competent environmental authority has the following responsibilities:
 - 1) Post all materials relating to the transboundary environmental impact assessment to the Centralised Register and make them publicly accessible;
 - 2) Transmit to the Ministry of Foreign Affairs of the Republic of Kazakhstan documents intended for the affected parties within three working days following the date these documents were received from the initiating party or the developer, unless otherwise specified by the present Code or agreed upon through consultation with the affected party involved in the transboundary environmental impact assessment.

Article 33. Participation of the Republic of Kazakhstan in the Transboundary Environmental Impact Assessment as an Affected Party

1. If the Republic of Kazakhstan receives a notification from another country about a planned activity or strategic document that is likely to have a significant adverse transboundary impact on the environment in the Republic of Kazakhstan, the competent environmental authority shall organise the participation of the Republic of Kazakhstan in the transboundary environmental impact assessment procedure as an affected party.

2. Within two working days following the date of receipt of the notification referred to in Clause 1 of the present Article, the competent environmental authority posts the notification in the Centralised Register along with an invitation for the local public in the Republic of Kazakhstan to express their opinion regarding the need for conducting the transboundary environmental impact assessment and provide their comments and suggestions with respect to the planned activity or proposed strategic document.
3. When there are grounds for concluding that implementing a planned activity or strategic document outside the borders of the Republic of Kazakhstan may cause a significant adverse transboundary impact on the environment in the Republic of Kazakhstan, the Government of the Republic of Kazakhstan, upon the recommendation of the competent environmental authority, may request the party of origin to initiate the transboundary impact assessment procedure.
4. Upon the commencement of the transboundary environmental impact assessment procedure, the competent environmental authority:
 - 1) Ensures that the public and local executive authorities in the affected areas are informed about the transboundary environmental impact assessment procedure by the means and methods specified in Article 24 (Clause 3 and Clause 5, Sub-clause 1) of the present Code;
 - 2) Holds consultations with the party of origin within the framework of the transboundary environmental impact assessment process.
5. The expenses associated with providing information to the local public and executive authorities about the forthcoming transboundary environmental impact assessment procedure will be covered from the state budget unless it has been agreed upon with the party of origin through consultation that these expenses will be borne by the party of origin.