

**ON AMENDING  
THE REPUBLIC OF KAZAKHSTAN GOVERNMENT RESOLUTION  
OF 29 NOVEMBER 2017 NO. 790**

**“ON THE APPROVAL OF THE STATE PLANNING SYSTEM  
IN THE REPUBLIC OF KAZAKHSTAN”**

**Republic of Kazakhstan Government Resolution of ... No. ...**

Pursuant to the provisions set out in the Constitutional Law of the Republic of Kazakhstan of 18 December 1995 “On the Government of the Republic of Kazakhstan (Article 9, Sub-clause 5-2), the Republic of Kazakhstan Government

HAS HEREBY DECIDED AS FOLLOWS:

1. Amend the Republic of Kazakhstan Government Resolution of 29 November 2017 No. 790 “On the Approval of the State Planning System in the Republic of Kazakhstan” as follows:

Section “State Planning System”

Amend Clause 55 to read as follows:

“55. The State Planning System comprises the following processes: development, strategic environmental assessment, approval, implementation, monitoring (including the monitoring of likely significant environmental impacts resulting from the implementation of documents generated by the State Planning System), evaluation, adjustment, and follow-up control of implementation of planning documents.

Monitoring is the collection, systematization, analysis, and summarisation of information about the implementation of documents generated by the State Planning System.

Evaluation is a tool for evaluating the efficiency and effectiveness in the process of implementing documents generated by the State Planning System.

Adjustment refers to introducing changes and amendments to the State Planning System documents based on the results of monitoring and evaluating the implementation of a specific document, as well as specific provisions of the Presidential Addresses and Orders.

Follow-up control refers to reviewing the completeness and timeliness of the implementation of the State Planning System documents.

Strategic environmental assessment is planned and conducted in accordance with the environmental legislation of the Republic of Kazakhstan.

Strategic environmental assessment is required for draft documents generated by the State Planning System and existing documents in the State Planning System, the implementation of which may cause a significant environmental effect, and changes and amendments made therein pursuant to the provisions of the environmental legislation of the Republic of Kazakhstan.

When formulating changes and/or amendments to an existing document in the State Planning System for which the implementation may cause a significant environmental effect, the existing document is subject to the strategic environmental assessment along with the draft changes and/or amendments”.

Amend the Section on the State Planning System by inserting Clause 55-1, which reads as follows:

“Strategic environmental assessment is required for the following documents in the State Planning System:

[Kazakhstan Development Strategy until 2050];

Republic of Kazakhstan Strategic Development Plan;

Country’s Long-Term Spatial Development Planning Framework;

State programmes for agriculture, forestry, fisheries, energy, industry (including mining), transport, waste management, water management, telecommunications, tourism, town and country planning or land use, and those state programmes which set the framework for future projects that are subject to mandatory environmental impact assessment under the environmental legislation of the Republic of Kazakhstan;

Development concepts approved before the introduction of the present State Planning System and proposed changes and/or amendments thereto, if these development concepts are intended for agriculture, forestry, fisheries, energy, industry (including mining), transport, waste management, water management, telecommunications, tourism, town and country planning or land use, and set the framework for future projects that are subject to mandatory environmental impact assessment under the environmental legislation of the Republic of Kazakhstan;

Development concepts approved before the introduction of the present State Planning System and proposed changes and/or amendments thereto, and state programmes not subject to provisions set out in the fifth and sixth paragraphs of the first part of the present Clause may require a mandatory strategic environmental assessment if they include provisions which set or may set the framework for future development consents or notifications (as applicable pursuant to the Republic of Kazakhstan Law on Consents and Notifications) for projects that are likely to cause an environmental effect. These state programmes, concepts and proposed changes and/or amendments thereto are subject to mandatory strategic environmental assessment if the screening of strategic documents conducted pursuant to the environmental legislation of the Republic of Kazakhstan determines that strategic environmental assessment is required”;

Amend by inserting Clause 146-1, which reads as follows:

“146-1. The monitoring of significant environmental effects resulting from the implementation of the Republic of Kazakhstan Strategic Development Plan, state programmes and spatial development programmes is an integral part of the monitoring programmes for these strategic documents.

The monitoring of significant environmental effects resulting from the implementation of the Republic of Kazakhstan Strategic Development Plan, state programmes, and spatial development programmes is conducted in accordance with a regulation on the provision of a methodological framework to support the monitoring of these documents, to be approved by the competent authority”;

Amend by inserting Clause 149-1, which reads as follows:

“The results of the monitoring of significant environmental impacts associated with the implementation of the Republic of Kazakhstan Strategic Development Plan, state programmes, and spatial development programmes are presented in the significant environmental impact monitoring reports prepared for the Republic of Kazakhstan Strategic Development Plan, state programmes, and spatial development programmes, respectively. These reports are prepared pursuant to the requirements set out in the regulation on the provision of a methodological framework to support the

monitoring of these documents that are part of the Strategic Planning System, which is approved by the competent authority”;

Amend Clause 158 to read as follows:

“158. The monitoring for the Republic of Kazakhstan Strategic Development Plan is conducted by the competent state planning authority and involves the preparation of the implementation report and significant environmental impact monitoring report based on information provided by governmental authorities”;

Amend Clause 160 to read as follows:

“160. To facilitate the monitoring of the Republic of Kazakhstan Strategic Development Plan, the governmental authorities responsible for achieving the target indicators within the scope of their competence submit information on the implementation of the Republic of Kazakhstan Strategic Development Plan and its significant environmental effect to the competent state planning authority by the 1<sup>st</sup> of June of the year following the reporting year”;

Amend Clause 161 to read as follows:

“161. Based on the information on the implementation of the Republic of Kazakhstan Strategic Development Plan and its significant environmental effect, submitted by the governmental authorities, the competent state planning authority prepares the implementation report, draft conclusion, and significant environmental impact monitoring report for the Republic of Kazakhstan Strategic Development Plan.

By the 10<sup>th</sup> of July of the year following the reporting period, the competent state planning authority submits the implementation report, draft conclusion, and significant environmental impact monitoring report for the Republic of Kazakhstan Strategic Development Plan to the Republic of Kazakhstan Government and posts the implementation report and significant environmental impact monitoring report for the Republic of Kazakhstan Strategic Development Plan, signed by the head of the authority, on the web-portal (excluding secret and classified information).

The implementation report for the Republic of Kazakhstan Strategic Development Plan should also contain information on the progress toward achieving key national indicators set for the activity area, sector, and region level (in line with the Strategic Map)”;

Amend Clause 163 to read as follows:

“163. The monitoring for the state programme is conducted by the governmental authority that has developed this programme and involves the preparation of the implementation report and significant environmental impact monitoring report based on information provided by other governmental authorities and organisations involved in the implementation of the programme (state enterprises, joint stock companies, and limited liability companies in which the government holds shares, including national managing holdings, national holdings, and national companies).

The significant environmental impact monitoring is conducted for those state programmes that are subject to mandatory strategic environmental assessment pursuant to the environmental legislation of the Republic of Kazakhstan”;

Amend Clause 165 to read as follows:

“165. To facilitate the monitoring of the state programme:

1) The governmental authority and organisations involved in the implementation of the programme (state enterprises, joint stock companies, and limited liability companies in which the government holds shares, including national managing holdings, national holdings, and national companies) within the scope of their competence submit information on the implementation of the state programme and its significant environmental impacts to the governmental authority that has developed this programme by the 15<sup>th</sup> of February of the year following the reporting year;

2) Based on the information on the implementation of state programme and its significant environmental impacts, the governmental authority that has developed the state programme prepares the implementation report and significant environmental impact monitoring report, submits them to the competent state planning authority, and posts these documents, signed by the head of the authority, on the web-portal (excluding secret and classified information) by the 10<sup>th</sup> of March of the year following the reporting year”;

Amend Clause 166 to read as follows:

“166. Based on the implementation report and significant environmental impact monitoring report for each state programme, the competent state planning authority prepares a draft conclusion for each state programme and submits the draft conclusions, accompanied by the implementation reports and significant environmental impact monitoring reports for the state programmes, to the Republic of Kazakhstan Government and also posts these documents on the web-portal (excluding secret and classified information) by the 25<sup>th</sup> of March of the year following the reporting period.

The submitted reports and draft conclusions regarding the implementation of the state programmes are presented at the Republic of Kazakhstan Government meeting, which is also attended by the members of the Kazakhstani Parliament, members of the Public Expenditure and State Budget Scrutinizing Committee, and representatives of the public councils”;

Amend Clause 171 to read as follows:

“171. The monitoring of the development programmes adopted at the regional, regional capital city, and national capital city level is conducted by the competent planning authority at the regional, regional capital city, and national capital city level, respectively, with the involvement of other public agencies taking part in implementing these programmes in their respective jurisdictions, and involves the preparation of the implementation report and significant environmental impact monitoring report for each programme based on information provided by the state authorities involved in the implementation of the development programmes adopted at the regional, regional capital city, and national capital city level”;

Amend Clause 172 to read as follows:

“172. The monitoring of the development programme adopted at the district (district centre) level is conducted by the competent district (district centre) planning authority jointly with other public authorities taking part in the implementation of the programme and involves the preparation of the implementation report and significant environmental impact monitoring report for the programme based on information provided by the state authorities involved in the implementation of the programme at the district (district centre) level;

Amend Clause 174 to read as follows:

“174. To facilitate the monitoring of the development programme adopted at the district (district centre) level on an annual basis:

1) The public authority involved in the implementation of the programme at the district (district centre) level within the scope of its competence submits information on the implementation and significant environmental impacts of the programme to the competent district (district centre) planning authority by the 1<sup>st</sup> of February of the year following the reporting year;

2) Based on the information on the implementation and significant environmental impacts of the programme submitted by the public authorities involved in the implementation of the programme, the competent district (district centre) planning authority prepares the implementation report and significant environmental impact monitoring report for the development programme adopted at the district (district centre) level and posts these documents, signed by the head of the authority, on the web-portal (excluding secret and classified information) by the 15<sup>th</sup> of February of the year following the reporting year.

If a district (district centre) planning authority has no web-portal of its own, the reports on the programme implementation and significant environmental impacts are posted on the web-portal of the district (district centre) Akimat”;

Amend Clause 175 to read as follows:

«175. To facilitate the monitoring of the development programme adopted at the regional (regional capital city) level on an annual basis:

“1) The public authority involved in the implementation of the programme at the regional (regional capital city and national capital city) level within the scope of its competence submits information on the implementation and significant environmental impacts of the programme to the competent regional (regional capital city and national capital city) planning authority by the 15<sup>th</sup> of February of the year following the reporting year;

2) Based on the information on the implementation and significant environmental impacts of the programme submitted by the public authorities involved in the implementation of the programme, the competent regional (regional capital city and national capital city) planning authority prepares the implementation report and significant environmental impact monitoring report for the development programme adopted at the regional (regional capital city and national capital city) level and posts these documents, signed by the head of the authority, on the web-portal (excluding secret and classified information) by the 1<sup>st</sup> of March of the year following the reporting year.

If a regional (regional capital city and national capital city) planning authority has no web-portal of its own, the reports on the programme implementation and significant environmental impacts are posted on the web-portal of the regional (regional capital city and national capital city) Akimat”.

2. The public authorities are to take all necessary measures ensuing from the present Resolution.

3. The present Resolution enters into force on the date it is signed and should be officially published.

**On Amending the Republic of Kazakhstan  
Minister of Agriculture Order of 27 February 2015  
No. 18-02/163 “On the Approval of the Rules  
Guiding the State Forest Accounting,  
State Forest Cadastre Keeping,  
State Forest Monitoring and  
State Forest Management”**

Pursuant to the Republic of Kazakhstan Water Code (Article 37, Clause 1, Sub-clause 7-10) of 9 July 2003 No. 481, **I HEREBY ORDER TO:**

1. Amend the Republic of Kazakhstan Minister of Agriculture Order of 27 February 2015 No. 18-02/163 “On the Approval of the Rules Guiding the State Forest Accounting, State Forest Cadastre Keeping, State Forest Monitoring and State Forest Management” (registered with the Republic of Kazakhstan Ministry of Justice on 16 June 2015 No. 11387 and published in the Edilet Legal Information System on 02.07.2015; in the Kazakhstanskaya Pravda newspaper on 23.04.2016 No. 77 (28203); and in the Egemen Kazakhstan newspaper on 23.04.2016 No. 77 (28805)) as follows:

Amend the State Forest Management Rules by inserting Clause 13, to read as follows:

“13. The state forest management projects are subject to mandatory strategic environmental assessment pursuant to the provisions of the environmental legislation of the Republic of Kazakhstan.

When drafting changes and/or amendments to the existing state forest management project, this project is subject to mandatory strategic environmental assessment along with the proposed changes and/or amendments”.

2. The Department... is responsible for ensuring that the following actions are taken in the manner defined by the national legislation:

- 1) Register this Order with the Ministry of Justice of the Republic of Kazakhstan;
- 2) Within ten calendar days of the registration with the Ministry of Justice of the Republic of Kazakhstan, send the electronic and printed copies of the Order in the Kazakh and Russian languages to the printed periodicals and State Republican Enterprise “Republican Legal Information Centre” for official publishing and entering into the Republic of Kazakhstan Reference Bank of Legislative and Regulatory Documents;
- 3) Publish the present Order on the official website of the Ministry of Agriculture of the Republic of Kazakhstan;
- 4) Within ten working days after the registration of the present Order with the Ministry of Justice of the Republic of Kazakhstan, provide information on the completion of the actions specified in Sub-clauses 1), 2), and 3) of the present Clause to the Legal Department of the Ministry of National Economy of the Republic of Kazakhstan.

3. Assign the regulatory responsibility for enforcing this order to the Vice Minister of Agriculture of the Republic of Kazakhstan.

4. The present Order shall enter into force upon the expiry of a period of ten calendar days following the date of its first official publication.

Minister of Agriculture  
of the Republic of Kazakhstan

**On Amending the Republic of Kazakhstan  
Minister of Agriculture Order of  
30 March 2015 No. 19-1/277  
“On the Approval of the Rules Guiding  
the Development and Adoption of the General and Basin-wide  
Integrated Water Resource Management and Protection Frameworks”**

Pursuant to the Republic of Kazakhstan Water Code (Article 37, Clause 1, Sub-clause 7-10) of 9 July 2003 No. 481, **I HEREBY ORDER TO:**

5. Amend the Republic of Kazakhstan Minister of Agriculture Order of 30 March 2015 No. 19-1/277 “On the Approval of the Rules Guiding the Development and Adoption of the General and Basin-wide Integrated Water Resource Management Frameworks and Water Balances” (registered with the Republic of Kazakhstan Ministry of Justice on 1 July 2015 No. 11524 and published in the Edilet Legal Information System on 22.07.2015; in the Kazakhstanskaya Pravda newspaper on 28.05.2016 No. 101 (28227); and in the Egemen Kazakhstan newspaper on 28.05.2016 No. 101 (28829)) as follows:

Amend the Rules Guiding the Development and Adoption of the General and Basin-wide Integrated Water Resource Management Frameworks and Water Balances by inserting Clause 10-1, to read as follows:

“10-1. The draft General Integrated Water Resource Management Framework (IWRMF) is subject to mandatory strategic environmental assessment pursuant to the provisions of the environmental legislation of the Republic of Kazakhstan.

When drafting changes and/or amendments to the existing General IWRMF, this draft, along with the proposed changes and/or amendments, is subject to mandatory strategic environmental assessment pursuant to the provisions of the environmental legislation of the Republic of Kazakhstan”.

Amend Clause 11 to read as follows:

“11. The draft General IWRMF should be agreed upon with the other interested authorities and organisations as and when necessary, including the strategic environmental assessment process”;

Insert Clause 15-1, to read as follows:

“15-1. The Basin-wide IWRMF is subject to mandatory strategic environmental assessment pursuant to the provisions of the environmental legislation of the Republic of Kazakhstan.

When drafting changes and/or amendments to the existing Basin-wide IWRMF, this draft, along with the proposed changes and/or amendments, is subject to mandatory strategic environmental assessment pursuant to the provisions of the environmental legislation of the Republic of Kazakhstan”.

Amend Clause 16, to read as follows:

“16. The draft Basin-wide IWRMF is developed and approved by the competent authority”;



Insert Clause 16-1, to read as follows:

“16-1. The strategic environmental assessment process for the Basin-wide IWRMF should involve consultations with the interested authorities pursuant to the provisions of the environmental legislation of the Republic of Kazakhstan. The range of interested authorities that should be involved in the consultation process includes the local executive authorities and territorial divisions of competent state authorities whose mandate includes roles and responsibilities in state planning, industrial innovations, transport and communications, state geological surveying, sustainable and integrated management of subsoil resources, sanitary and epidemiological safety of the public, regional development, land resource management, and environmental protection in the areas lying within the water basin in question”.

6. The Department... is responsible for ensuring that the following actions are taken in the manner defined by the national legislation:

- 5) Register this Order with the Ministry of Justice of the Republic of Kazakhstan;
- 6) Within ten calendar days of the registration with the Ministry of Justice of the Republic of Kazakhstan, send the electronic and printed copies of the Order in the Kazakh and Russian languages to the printed periodicals and State Republican Enterprise “Republican Legal Information Centre” for official publishing and entering into the Republic of Kazakhstan Reference Bank of Legislative and Regulatory Documents;
- 7) Publish the present Order on the official website of the Ministry of Agriculture of the Republic of Kazakhstan;
- 8) Within ten working days after the registration of the present Order with the Ministry of Justice of the Republic of Kazakhstan, provide information on the completion of actions specified in Sub-clauses 1), 2), and 3) of the present Clause to the Legal Department of the Ministry of National Economy of the Republic of Kazakhstan.

7. Assign the regulatory responsibility for enforcing this Order to the Vice Minister of Agriculture of the Republic of Kazakhstan.

8. The present Order shall enter into force upon the expiry of a period of ten calendar days following the date of its first official publication.

Minister of Agriculture  
of the Republic of Kazakhstan

ON THE APPROVAL OF THE RULES GOVERNING THE SCREENING OF STRATEGIC  
DOCUMENTS AND STRATEGIC ENVIRONMENTAL ASSESSMENT

**Republic of Kazakhstan Government Resolution of ... No. ...**

Pursuant to the Environmental Code of the Republic of Kazakhstan (Article ..., Sub-clause 1) of ...  
... (date), the Republic of Kazakhstan Government

HAS HEREBY DECIDED AS FOLLOWS:

1. Approve the Rules Governing the Screening of Strategic Documents and Strategic Environmental Assessment attached hereto.
2. This resolution shall come into force ten calendar days after it has been officially published.

Prime Minister of the Republic of Kazakhstan

Approved by the Republic of Kazakhstan  
Government Resolution  
of ... .. (year) No. ...

**Rules Governing the Screening of Strategic Documents and Strategic Environmental  
Assessment**

**Chapter 1. Key Provisions**

1. The present Rules Governing the Screening of Strategic Documents and Strategic Environmental Assessment ('the Rules') have been developed pursuant to the Environmental Code of the Republic of Kazakhstan (Article ..., Sub-clause 1) of ... No. ... ('the Code') and established the screening and strategic environmental assessment procedure for strategic documents.
2. The terms and definitions used herein shall be interpreted pursuant to the provisions of the environmental legislation and other laws and regulations of the Republic of Kazakhstan.

**Chapter 2. The Screening Procedure for Strategic Documents**

3. Pursuant to the Environmental Code (Article 8, Clause 1), the screening of strategic documents is a procedure used to determine whether strategic environmental assessment is required for documents listed in Article 7 (Clauses 3 and 4) of the Environmental Code, which is based on the set of criteria specified in Clause 16 of the present Rules.

4. Pursuant to the Environmental Code (Article 8, Clause 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 Environmental Code.
5. To conduct the screening of a strategic document subject to the provisions set out in Article 7 (Clauses 3 and 4) of the Environmental Code, the developer should post in the Centralised Register and submit to the competent environmental authority the following information in electronic and printed form, respectively, in the state and Russian languages:
  - 1) An application for the screening of the strategic document;
  - 2) The draft concept of the strategic document if the concept formulation is required under the Republic of Kazakhstan law, or information on key areas and the implementation timeline of a strategic document for which a prior concept formulation is not required under the Republic of Kazakhstan law;
  - 3) The description of the area where the strategic document is planned to be implemented;
  - 4) A general outline of the potential environmental effect associated with the implementation of the strategic document.
6. In addition to the set of documents listed in Clause 5 of the present Rules, the developer may attach to the submission documents required to determine the scope of the environmental report pursuant to the provisions set out in Clauses 23 and 24 of the present Rules. If the outcome of the screening process is the determination that strategic environmental assessment is required, the competent environmental authority will simultaneously issue the screening conclusion and the conclusion on the scope of the environmental report to the developer.
7. Within five working days from the date on which the developer submits the documents required for the screening of strategic documents with or without simultaneous scoping, the competent environmental authority takes the following actions:
  - 1) Reviews the documents for completeness and compliance with the requirements set out in Clauses 5, 23, and 24 of the present Rules;
  - 2) Determines the existence of the grounds for the transboundary environmental impact assessment procedure as defined by the Environmental Code (Article 29, Clause 1, Sub-clause 2).
8. If the document review determines that the set of documents submitted for the screening is not complete, the competent environmental authority rejects the developer's application for the screening by posting the notice of rejection in the Centralised Register within the timeframe specified in Clause 7 of the present Rules.  
 If the documents submitted to determine the scope of the environmental report are found to fall short of the requirements set out in Clauses 23 and 24 of the present Rules, the competent environmental authority rejects the developer's application for scoping by posting the notice of rejection in the Centralised Register within the timeframe specified in Clause 7 of the present Rules.
9. If the document review determines that the set of documents submitted for the screening or for the simultaneous screening and scoping is complete and that there are grounds for applying the transboundary environmental impact assessment procedure as defined by the Environmental

Code (Article 29, Clause 1, Sub-clause 2), the competent environmental authority issues the screening conclusion specifying that transboundary environmental impact assessment is required and initiates the transboundary environmental impact assessment procedure pursuant to the provisions set out in the Environmental Code (Article 30).

10. If the document review determines that the set of documents submitted for the screening or for the simultaneous screening and scoping is complete and that there are no grounds for the transboundary environmental impact assessment procedure as defined by the Environmental Code (Article 29, Clause 1, Sub-clause 2), the competent environmental authority takes the following actions:
  - 1) Within the timeframe specified in Clause 7 of the present Rules, posts the notice of acceptance of the submitted documents for further review; the notice is to include information about the area to be affected by the proposed strategic document and the public concerned;
  - 2) Takes the actions specified in Clause 12 of the present Rules;
  - 3) Within the timeframe specified in Clause 7 of the present Rules, provides the documents submitted by the developer to the interested authorities for consultation in accordance with Clause 11 of the present Rules.

11. 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.

For certain types of strategic documents, the list of the 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 these strategic documents.

Within 20 working days after the receipt of the documents provided by the developer, interested authorities send their comments and suggestions regarding the need (or lack thereof) for conducting a strategic environmental assessment of the document in question to the competent environmental authority.

12. Within five working days from the date of posting the notice of acceptance of the documents for further review pursuant to Clause 10 (Sub-clause 1) of the present Rules, the competent environmental authority publishes a notice inviting public comments and suggestions, to be provided in the state and Russian languages, and sends this notice to the local executive authorities in the affected areas for publishing on their official websites.

When the screening process is carried out for a strategic document intended to be implemented across the entire territory of the Republic of Kazakhstan, the competent environmental authority, within the timeframe specified in the first paragraph of this Clause, sends the notice inviting public comments and suggestions to all local executive authorities in the Republic of Kazakhstan for publishing on their official websites.

The local executive authorities in the affected areas publish the notice on their official websites not later than within one working day of receipt thereof.

13. The notice inviting public comments and suggestions should include the following information:

- 1) Reference data required to find the application and accompanying documents in the Centralised Register;
  - 2) Contact details of the developer;
  - 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.
14. The deadline for receiving comments and suggestions from the public is set as twenty calendar days from the date of publishing the notice containing all information specified in Clause 13 of the present Rules on the official websites of the competent environmental authority, local executive authorities in the affected areas, and mass media pursuant to Clause 15 of the present Rules.
15. Within five working days following the date on which the competent environmental authority posts the notice of acceptance of the submitted documents for further review in the Centralised Register pursuant to Clause 10 (Sub-clause 1) of the present Rules, the developer:
- 1) Publishes the notice, prepared in the state and Russian languages and containing the information specified in Clause 13 of the present Rules, in at least one mass media outlet (printed periodical, TV, or radio station) in order to distribute news and information in the affected area, and distributes 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) Distributes copies of the documents listed in Clauses 5, 23 and 24 of the present Rules in printed and electronic form to the territorial divisions of the competent environmental authority and to all local executive authorities in the affected area (each governmental/local executive authority and each public library should be provided with at least four printed copies of each document so that at least two copies are in the state language and at least two copies are in the Russian language);
  - 3) Sends copies of the notice containing the information specified in Clause 13 of the present Rules to those legal entities that are responsible for managing protected areas that may be influenced by environmental effects resulting from the implementation of the strategic document.
16. Taking into account the comments and suggestions of the interested authorities and using the criteria set out below as guidance, the competent environmental authority conducts the screening of strategic documents to determine whether strategic environmental assessment is required for a strategic document:
- 1) The relevance of the strategic document considering its potential for causing environmental effects and the need to align it with the goals of promoting sustainable development;
  - 2) The degree to which the strategic document establishes a framework for projects and other activities, either with regard to location, nature, size and operating conditions, or by allocating resources;

- 3) The degree to which the strategic document influences other plans and programmes, including those in a hierarchy;
  - 4) The environmental effects resulting from the implementation of a strategic document;
  - 5) The relevance of the strategic document to the fulfilment of obligations of the Republic of Kazakhstan ensuing from the national legislation and international treaties in the field of environmental protection;
  - 6) The nature of the environmental effects of the strategic document such as probability, duration, frequency, reversibility, magnitude, and extent (such as geographical area or size of the population likely to be affected);
  - 7) The risks to the environment, including human health;
  - 8) The transboundary nature of environmental effects resulting from the implementation of the strategic document;
  - 9) The degree to which the strategic document will affect protected natural areas, state nature reserves, ecological network components associated with a system of protected areas, habitats of rare and endangered species of plants and animals, historical and cultural heritage, recreational areas, and designated historical and cultural properties;
  - 10) The need for conducting an assessment of environmental effects of the strategic document, for which the strategic environmental assessment has not been conducted before, or, even if it has been conducted, no adequate consideration has been given to all potential environmental effects associated with the strategic document;
  - 11) The nature of the proposed changes and/or amendments to a strategic document which has already undergone strategic environmental assessment.
17. If the developer also submits documents required to determine the scope of the environmental report pursuant to Clause 6 of the present Rules, the competent environmental authority conducts the scoping process pursuant to the provisions set out in Article 9 of the Environmental Code and Chapter 3 of the present Rules.
18. Based on the outcome of the screening process and within fifteen working days from the specified deadline for receiving comments and suggestions from the interested authorities or the public (if the deadline set for public comments falls on a later date), the competent environmental authority:
- 1) Issues a screening conclusion that takes account of the comments and suggestions from the interested authorities and the public;
  - 2) Posts the screening conclusion on its official website and in the Centralised Register;
  - 3) Sends the electronic copy of the screening conclusion to the developer, competent public health authority, and local executive authorities in the affected areas for its publication on their official websites within two working days following the receipt of the screening conclusion.
19. The screening conclusion determines that strategic environmental assessment is either not required because the strategic document is not likely to cause significant effects on the environment, or it is required because the strategic document is considered to have significant environmental effects.

20. If the documents required to determine the scope of the environmental report have been attached to the screening application pursuant to Clause 6 of the present Rules and the screening has determined that strategic environmental assessment is not required, the competent environmental authority issues the screening conclusion specifying that strategic environmental assessment is not required.
21. If the documents required to determine the scope of the environmental report have been attached to the screening application pursuant to Clause 6 of the present Rules and the screening has determined that strategic environmental assessment is required, the screening conclusion is issued and communicated to the developer, interested authorities, and the public simultaneously with the conclusion on the scope of the environmental report pursuant to Clause 35 of the present Rules.
22. Within ten working days of the receipt of the screening conclusion, the developer takes the following actions:
  - 1) Publishes the notice, prepared in the state and Russian languages, which informs about the release of the screening conclusion in the manner set out in Clause 15 (Sub-clause 1) of the present Rules; the notice should contain references to the official websites of the developer and competent environmental and public health authorities, as well as addresses for places where the hard copies of the screening conclusion can be found;
  - 2) Publishes the notice, prepared in the state and Russian languages and which informs about the release of the screening conclusion, on its official website and disseminates the hard copies thereof pursuant to Clause 15 (Sub-clauses 2 and 3) of the present Rules.

### **Chapter 3. The Procedure for Determining the Scope of the Environmental Report**

23. In order to determine the scope of the environmental report, the developer at an early stage in the strategic planning process submits the scoping application to the competent environmental and public health authorities, including the draft concept of the strategic document if the concept formulation is required under the Republic of Kazakhstan law.
24. The scoping application should include the following information:
  - 1) The organisation responsible for developing the strategic document;
  - 2) The nature of the strategic document, its objectives, and any linkages with other existing and proposed strategic documents;
  - 3) The degree and scale of the potential environmental effect of the strategic document, including the transboundary context;
  - 4) The likely effects of the strategic document on protected natural areas, state nature reserves, ecological network components associated with a system of protected areas, habitats of rare and endangered species of plants and animals, historical and cultural heritage, recreational areas, and designated historical and cultural properties;
  - 5) The objectives and goals of the strategic document, actions proposed to achieve them, and available alternatives, including the zero alternative;
  - 6) The degree to which the strategic document establishes a framework for projects and other activities, either with regard to location, nature, size and operating conditions, or by allocating resources;

- 7) The environmental effects that will be reflected in the environmental report;
  - 8) The baseline surveys planned to be undertaken as part of the strategic environmental assessment, survey methods, and criteria;
  - 9) Measures to prevent, reduce or offset any significant adverse effects on the environment, which may result from the implementation of the strategic document;
  - 10) The public that is likely to be affected by the implementation of the strategic document, including its transboundary environmental effects.
25. Within five working days after the submission of the documents specified in Clauses 23 and 24 of the present Rules, the competent environmental authority takes the following actions:
    - 1) Reviews the documents for compliance with the requirements set out in Clauses 23 and 24 of the present Rules;
    - 2) Determines whether the strategic document is likely to be subject to the transboundary environmental impact assessment procedure pursuant to the Environmental Code (Article 29, Clause 1, Sub-clause 2).
  26. If the documents submitted for the scoping process do not meet the requirements set out in Clauses 23 and 24 of the present Rules, the competent environmental authority rejects the developer's application by posting the notice of rejection in the Centralised Register within the timeframe specified in Clause 25 of the present Rules.
  27. If the documents submitted for the scoping process meet the requirements set out in Clauses 23 and 24 of the present Rules and there are grounds for initiating the transboundary impact assessment procedure pursuant to the Environmental Code (Article 29, Clause 1, Sub-clause 2), the competent environmental authority initiates the transboundary impact assessment procedure as defined by the Environmental Code (Article 30).
  28. If the documents submitted for the scoping process meet the requirements set out in Clauses 23 and 24 of the present Rules and there are no grounds for initiating the transboundary impact assessment procedure pursuant to the Environmental Code (Article 29, Clause 1, Sub-clause 2), the competent environmental authority takes the following actions:
    - 1) Within the timeframe defined by the present Rules (Article 25), posts the notice of acceptance of the submitted documents for further review in the Centralised Register, to include information about the affected area and the interested public;
    - 2) Takes the actions defined by the present Rules (Article 30);
    - 3) Within the timeframe defined by the present Rules (Article 25), sends the documents submitted by the developer to interested authorities for consultation pursuant to the present Rules (Article 29).
  29. 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 the regulations governing the development and approval process for these strategic documents.



Within 20 working days following the date of receipt of the documents submitted by the developer, interested authorities provide their comments and suggestions regarding the scope of the environmental report to the competent environmental authority.

30. Within five working days after posting the notice of acceptance of the submitted documents for further review in the Centralised Register, 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 at the scoping stage, and provides this notice to the local executive authorities in the affected area, which have their own official websites.

When the scoping process is carried out for a strategic document intended to be implemented across the entire territory of the Republic of Kazakhstan, the competent environmental authority, within the timeframe specified in the first paragraph of this Clause, sends the notice inviting public comments and suggestions to all local executive authorities in the Republic of Kazakhstan, which have their own official websites.

The local executive authorities in the affected areas publish the notice on their official websites not later than within one working day of receipt thereof.

31. The notice inviting public comments and suggestions at the scoping stage should include the following information:
- 1) Reference data required to find the documents submitted by the developer pursuant to Clauses 23 and 24 of the present Rules in the Centralised Register;
  - 2) Contact details of the developer;
  - 3) Deadline for receiving comments and suggestions from the public;
  - 4) Postal and e-mail addresses which can be used by individuals and legal entities to send their comments and suggestions to the competent environmental authority.
32. The deadline for receiving comments and suggestions from the public is set as twenty calendar days from the date of publishing the notice containing all information specified in Clause 31 of the present Rules on the official websites of the competent environmental authority, the local executive authorities in the affected areas, and the mass media pursuant to Clause 33 (Sub-clause 1) of the present Rules.
33. Within five working days following the date on which the competent environmental authority posts the notice of acceptance of the submitted documents for further review in the Centralised Register, the developer:
- 1) Publishes the notice, prepared in the state and Russian languages and containing the information specified in Clause 30 of the present Rules, in at least one mass media outlet (printed periodical, TV, or radio station) distributing news and information in the affected area, and distributes the printed copies of the notice across the affected area 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) Distributes copies of the scoping application and draft concept of the strategic document in printed and electronic form to the territorial divisions of the competent environmental

authority and to all local executive authorities in the affected area (each governmental/local executive authority and each public library should be provided with at least four printed copies of each document so that at least two copies are in the state language and at least two copies are in the Russian language);

- 3) Sends copies of the notice containing the information specified in Clause 31 of the present Rules to those legal entities that are responsible for managing protected areas that may be influenced by environmental effects resulting from the implementation of the strategic document.
34. Within twenty working days from the specified deadline for receiving comments and suggestions from the interested authorities or the public (if the deadline set for public comments falls on a later date), the competent environmental authority:
    - Issues a conclusion on the scope of the environmental report that takes account of the comments and suggestions from the interested authorities and the public, as well as the outcome of the transboundary environmental impact assessment (if applicable);
    - Posts the conclusion on the scope of the environmental report on its official website and in the Centralised Register;
    - Sends the electronic copy of the conclusion on the scope of the environmental report to the developer, competent public health authority, and local executive authorities in the affected areas for its publication on their official websites.
  35. Within ten working days of the receipt of the conclusion on the scope of the environmental report, the developer takes the following actions:
    - 1) Publishes the notice, prepared in the state and Russian languages and which informs about the release of the conclusion on the scope of the environmental report pursuant to the provisions set out in Clause 33 (Sub-clause 1) of the present Rules; the notice should contain references to the official websites of the developer and competent environmental and public health authorities, as well as the addresses for the places where the hard copies of the conclusion on the scope of the environmental report can be found;
    - 2) Publishes the notice, prepared in the state and Russian languages and which informs about the release of the conclusion on the scope of the environmental report, on its official website and disseminates the hard copies thereof pursuant to the provisions set out in Clause 33 (Sub-clauses 2 and 3) of the present Rules.

#### **Chapter 4. Environmental Report Preparation and Quality Assessment**

36. Based on the conclusion on the scope of the environmental report, the developer ensures that the preparation of the environmental report meets the requirements set out in the Environmental Code (Article 10, Clauses 1–4).
37. The developer submits the environmental report to the competent environmental and public health authorities for quality evaluation by posting the report in the Centralised Register.
38. Within two working days from the date on which the planning authority posts the environmental report in the Centralised Register, the competent environmental and public health authorities agree on the deadline for providing comments and suggestions to the environmental report and

set the date for a joint meeting for considering and discussing the comments and suggestions received.

The overall duration of the environmental report review by the competent environmental and public health authorities, including the release of the conclusion regarding the environmental report quality, should not exceed fifteen working days following the date that the developer posts the environmental report in the Centralised Register.

39. Within the timeframe agreed upon between the competent environmental and public health authorities pursuant to Clause 38 of the present Rules, these authorities provide their comments and suggestions regarding the environmental report, using the following criteria as guidance:
- 1) Whether the report meets the requirements regarding the content of the environmental report, set out in the Environmental Code (Article 10, Clauses 1–4);
  - 2) Whether the environmental report is in line with the conclusion on the scope of the environmental report;
  - 3) Whether the environmental report provides an objective assessment of the technical, procedural, and other difficulties encountered and explains any uncertainties identified;
  - 4) The availability of proven alternatives and the reasons for selecting the options included in the strategic document; whether the available information and findings regarding the likely environmental effects of the strategic document have been fully and adequately considered;
  - 5) Whether thorough consideration has been given to issues raised during the consultations with the interested authorities and the public at the stage determining the scope of the environmental report;
  - 6) The availability of the required graphic information including maps, charts, drawings, and diagrams;
  - 7) The availability of a monitoring programme addressing the likely environmental effects resulting from the implementation of the strategic document.
40. Within the deadline set pursuant to Clause 38 of the present Rules, the competent environmental and public health authorities convene a joint meeting to discuss the comments and suggestions produced, agree upon which comments and suggestions should be considered in the conclusion on the environmental report quality, and decide whether the environmental report quality is to be considered satisfactory or unsatisfactory based on the criteria set out in Clause 39 of the present Rules.

The opinions of the meeting participants on whether the environmental report quality should be satisfactory or unsatisfactory and the discussion over whether specific comments and suggestions should be included in the conclusion on the environmental report quality are reflected in the minutes of the meeting, to be signed by all meeting participants.

Within two working days from the date of the joint meeting, the competent environmental authority posts the minutes of the joint meeting in the Centralised Register.

41. The competent environmental authority considers the results of the joint meeting and issues the conclusion on the environmental report quality, whereby the environmental report quality is determined as satisfactory or unsatisfactory. The competent environmental authority should

specify in this conclusion the reasons for disregarding those opinions of the meeting participants which differ from the findings stated in the conclusion.

The environmental report is deemed to be satisfactory if it meets all of the criteria set out in Clause 39 of the present Rules. If the environmental report fails to meet at least one criterion, its quality is deemed to be unsatisfactory.

Within two working days from the date of issue, the conclusion on the environmental report quality is posted in the Centralised Register and provided to the developer.

42. For an environmental report whose quality is deemed to be unsatisfactory, the conclusion should specify the corrective measures required to be taken to bring it into compliance.

In this case, the developer revises the environmental report by taking the corrective measures identified in the conclusion and re-submits the revised report to the competent environmental and public health authority in the manner defined in the present Chapter.

43. Within ten working days of receipt of the conclusion on the environmental report quality, the developer posts it on its official website in the state and Russian languages and disseminates information about the release of this conclusion using the means and methods defined in Clause 33 (Sub-clauses 1 and 3) of the present Rules.

#### **Chapter 5. Consultations with Interested Authorities**

44. The developer sends the draft environmental report whose quality is deemed to be satisfactory based on the outcome of the quality evaluation process, which is subject to the provisions set out in Chapter 4 of the present Rules, to the competent environmental and public health authorities and other interested authorities in order to receive their comments and suggestions regarding the content of the draft strategic document and environmental report.

45. Within five working days of the receipt of the draft strategic document and environmental report, the competent environmental and public health authorities publish these documents on their official websites along with information about the developer and inform other interested authorities about the publication of these documents.

46. Within a period not exceeding twenty-five working days after the receipt of the draft strategic document and environmental report, the interested authorities, including the competent environmental and public health authorities, provide their comments and suggestions regarding the draft strategic document and environmental report by sending them to the developer in written form.

Not providing any comments or suggestions within the specified timeframe is taken to mean the absence thereof.

47. The developer is required to address all comments and suggestions received from the interested authorities within the timeframe specified in Clause 46 of the present Rules.
48. The results of the consideration of comments and suggestions received by the developer are reflected in the minutes of the consultations with the interested authorities, to be prepared in accordance with the requirements set out in the Environmental Code (Article 11, Clause 7).
49. Within five working days following the date on which the minutes of the consultations with the interested authorities are prepared, the developer posts these minutes on its official website and in the Centralised Register, and disseminates information about the publication of the minutes in

the state and Russian languages using the means and methods defined in Clause 33 (Sub-clauses 1 and 3) of the present Rules.

This information should include the reference data required to find the minutes of the consultations with the interested authorities in the Centralised Register, the internet address of the developer's official website where the minutes of the consultations have been posted, and the contact details of the officer in charge of providing advice on accessing the document.

#### **Chapter 5. Public Participation in the Review of Draft Strategic Documents and Environmental Reports**

50. Pursuant to the Environmental Code (Article 12, Clause 6), when presenting the draft strategic document and environmental report whose quality is deemed to be satisfactory for consultations with the interested authorities in accordance with the requirements of the Environmental Code (Article 11) and present Rules (Chapter 4), the developer discloses these documents simultaneously for public hearings. The public hearing process is subject to the Public Consultation Rules approved by the competent environmental authority.
51. The members of the public may provide their comments and suggestions regarding the content of the draft strategic document and environmental report to the developer irrespective of whether they attend public hearings or not. These comments and suggestions, provided to the developer before the completion of the public hearing process, should be taken into account in the finalisation of the environmental report and draft strategic document along with the comments and suggestions received at the public hearings.

#### **Chapter 6. Public Notification Procedure for Informing about the Outcome of Consultations with the Public and Interested Authorities in the Strategic Document Approval Process**

52. Pursuant to the Environmental Code (Article 14, Clause 1), the approval process for the strategic document subject to strategic environmental assessment is required to include a stage in which the developer and the approval authority take into consideration comments and suggestions provided by the public, competent environmental and public health authorities and other interested authorities, and – where applicable – the results of the transboundary environmental impact assessment.
53. Within seven calendar days following the date of approval of the strategic document, the developer posts in the Centralised Register and on its official website, and sends to the competent environmental and public health authorities the electronic versions of the following documents:
  - 1) The text of the approved strategic document;
  - 2) The monitoring programme intended to monitor environmental effects resulting from the implementation of the strategic document;
  - 3) A summary of the process used to consider and take account of the environmental report findings on the likely environmental effects of the strategic document and comments and suggestions received from the interested authorities and the public (including those provided as part of the transboundary environmental impact assessment) when adopting the strategic document, as well as an outline of the reasons for selecting the alternatives included in the strategic document among other reasonable alternatives.
54. Within seven calendar days following the date of approval of the strategic document, the developer distributes the following information in the state and Russian languages:

- 1) The notice of disclosure of the information and documents listed in Clause 52 of the present Rules using the means and methods specified in Clause 33 (Sub-clauses 1 and 3) of the present Rules;
  - 2) The information and documents listed in Clause 53 of the present Rules using the means and methods specified in Clause 33 (Sub-clause 2) of the present Rules.
55. The notice of the disclosure of information listed in Clause 53 of the present Rules should include the following information:
- 1) The reference data required to find the specified information and documents in the Centralised Register;
  - 2) The Internet address of the developer's website where the specified information and documents have been posted;
  - 3) The addresses of the places where the printed copies of the specified information and documents are available for review;
  - 4) The contact details of the officer in charge of providing help in accessing the specified information and documents.

#### **Chapter 7. The Monitoring Procedure for Likely Significant Environmental Effects Resulting from the Implementation of Strategic Documents**

56. Pursuant to the Environmental Code (Article 15, Clause 1), the developer is responsible for the monitoring of the likely significant environmental effects of the implementation of the strategic document within the scope of its competence and in accordance with the monitoring programme developed during the preparation of the environmental report.
57. The monitoring of the likely significant environmental effects of the implementation of the strategic document involves the use of the statistical data, information from the state environmental monitoring system including other monitoring programmes as defined by the environmental legislation of the Republic of Kazakhstan, other environmental information, and sanitary and epidemiological monitoring data.
58. The list of indicators used to monitor the likely significant environmental effects of the implementation of the strategic document and the sources of information for each indicator are defined in the monitoring programme developed as part of the environmental report.
59. Pursuant to the provisions set out in the Environmental Code (Article 15, Clause 3), providing methodological support for the monitoring of the likely significant environmental effects of the implementation of the strategic document generated in the State Planning System is the responsibility of the competent planning authority.
60. The monitoring of the likely significant environmental effects associated with the strategic document other than those referred to in Clause 59 of the present Rules is conducted on an annual basis and involves the preparation of monitoring reports, to be submitted by the developer to the competent environmental and public health authorities each year by or before the 1<sup>st</sup> of April.
61. The developer shall publish the annual monitoring reports on the likely significant environmental effects of the implementation of the strategic document in the Centralised Register and on its official website and distribute the notice of publication of the report in the state and Russian

languages using the means and methods defined in Clause 33 (Sub-clauses 1 and 3) of the present Rules.

The notice of publication should include the reference data required to find the report in the Centralised Register, the internet address of the developer's official website where the report has been posted, and the contact details of the officer in charge of providing help in accessing the report.

62. Following the review of the monitoring report on the likely significant environmental effects of the implementation of the strategic document, the competent environmental and public health authorities may provide their recommendations for changing and/or amending the strategic document to the developer and approval authority.