

LAW OF THE REPUBLIC OF KAZAKHSTAN

On mass media of July 23, 1999 No. 451-I

(amended as of 02-04-2019)

This Law governs the public relations in the field of mass media, establishes the state guarantees of their freedom according to [the Constitution](#) of the Republic of Kazakhstan.

Chapter 1. General provisions

Article 1. The basic concepts used in this Law

In this Law the following basic concepts are used:

- 1) accreditation - appointment procedure of the journalist and recognition of its powers by state body, public association and organization;
- 2) the editor-in-chief (editor) - the physical person who is heading the editorial office of mass media and having appropriate authority on its release and distribution, broadcast;
- 3) mass information - the printing, audiovisual and other messages and materials intended for the unrestricted group of people;
- 4) mass media - the periodic printing edition, TV, radio channel, film documentary, audiovisual record and other form of periodic or continuous public distribution of mass information, including Internet resources;
- 5) products of mass media - the circulation or part of circulation of separate number of the periodic printing edition or audiovisual program, separate release of radio - the TV, film chronicle program, information placed on Internet resource;
- 5-1) monitoring of mass media - process of collection and the analysis of products of mass media regarding compliance with law of the Republic of Kazakhstan;
- 6) authorized body in the field of mass media - the state body performing state regulation in the field of mass media (further - authorized body);
- 7) distribution of products of mass media - sale (subscription, delivery, distribution) of periodic printing editions, broadcast of radio - TV programs, demonstration of film chronicle programs and placement of information on Internet resources;
- 8) the editorial office of mass media - physical person or on-stage performance group, being structural division of the legal entity, the performing collection, preparation of materials and release of mass media;
- 8-1) online media - the Internet resource which underwent the procedure of registration in authorized body which information and communication infrastructure is placed in the territory of the Republic of Kazakhstan;
- 9) the journalist (the representative of mass media) - the physical person performing activities for collection, processing and preparation of messages and materials for mass media on the basis of employment or other contractual relations;
- 10) complex - set of the buildings connected by general purpose and constituting single structure;
- 10-1) fund - the structural division of the legal entity who is under authority of authorized body, performing sales activity of projects, the mass media allocated for support and contribution to growth of professionalism of the Kazakhstan journalists (further - Fund);
- 11) the periodic printing edition - the newspaper, the log, the almanac, the bulletin, the appendices to them having the permanent name, the current issue and issued at least once in three months;
- 12) film, video production of pornographic and special sexual and erotic nature - the naturalistic, detailed fixing of sexual intercourse or demonstration of naked genitals in the course of sexual contact promoting excitation of

sexual inclination or satisfaction of sexual requirements which do not correspond to moral values offend honor and advantage of the person;

13) the official report - the information provided and (or) distributed through mass media by the owner of information established according to [the Law](#) of the Republic of Kazakhstan "About information access";

13-1) stationary rooms - the capital buildings, constructions or their part having the base which movement is impossible without causing damage to their bearing construction;

14) information propagandizing suicide - information inducing to intended deprivation of own human life;

15) the distributor - the physical person or legal entity performing distribution of products of mass media under the agreement with her owner, the publisher or on other legal causes;

16) TV, radio channel - the mass media representing set TV, radio programs and audiovisual works, plots and materials created according to broadcasting schedule for the subsequent broadcasting and/or relaying;

17) TV, radio, the film chronicle program - is informative complete part TV, radio channel which has the corresponding name, the amount of broadcasting also can be used irrespective of other parts TV, radio channel;

18) censorship - preliminary approval of messages and materials by mass media of state bodies, officials and other organizations for their requirement or for other bases for the purpose of restriction or imposing of prohibition on distribution of messages and materials or their separate parts;

19) broadcast - broadcasting TV, radio programs, audiovisual record with use of analog and digital electromagnetic systems;

20) products of erotic nature - the printing edition or TV, radio program which show the sexual relations of people, intimate parts of human body, except for genitals and do not contain pornography elements.

Article 2. Freedom of expression, obtaining and distribution of information

1. Freedom of expression, creativity, expression in printing and other form of the views and beliefs, obtaining and distribution of information by any method which is not prohibited by the law are guaranteed by the Constitution of the Republic of Kazakhstan.

Censorship is forbidden.

2. State bodies, public associations, officials and mass media shall provide to each citizen opportunity to study the documents affecting its rights and interests, decisions and sources of information.

2-1. Mass media shall help the state bodies performing counteraction to terrorism.

3. Disclosure of the data constituting the state secrets or other secret protected by the law promotion and justification of extremism or terrorism, distribution of information opening techniques and tactics of anti-terrorist operations during their carrying out promotion of drugs, psychotropic substances, their analogs and precursors, and also cult of cruelty, violence and pornography are prohibited.

4. Use of mass media for the purpose of making of criminal and administrative offenses is forbidden.

Note. For the purposes of this Law promotion in mass media is understood as distribution of views, facts, arguments and other information including intentionally distorted for forming of positive public opinion about the Republic of Kazakhstan prohibited by the legislation of information and (or) motives to making of illegal action or failure to act of the unrestricted group of people.

Article 2-1. Basic principles of activities of mass media

The basic principles of activities of mass media are:

1) objectivity;

2) legality;

3) reliability;

4) respect of private life, honor, advantage of man and citizen.

Article 3. Language of mass media

1. Mass media extend on state and other languages.
2. The state provides the right of everyone to use of the native language during the obtaining and distribution of mass media according to the legislation of the Republic of Kazakhstan on languages.
3. *No. 546-IV ZRK is excluded according to the Law of the Republic of Kazakhstan of 18.01.2012*

Article 4. Legislation of the Republic of Kazakhstan on mass media

1. The legislation on mass media is based on the Constitution of the Republic of Kazakhstan, consists of this Law and other regulatory legal acts of the Republic of Kazakhstan.
2. If the international treaty ratified by the Republic of Kazakhstan establishes other rules, than those which contain in this Law then are applied rules of the international treaty.
3. Operation of the legislation of the Republic of Kazakhstan on public procurements does not extend to the legal relationship settled by this Law regarding placement of the state order on carrying out the state information policy at the republican level.

Chapter 1-1. State regulation in the field of mass media

Article 4-1. State regulation in the field of mass media

State regulation in the field of mass media is performed by legal support, the state control of compliance with law of the Republic of Kazakhstan about mass media.

Article 4-2. Competence of the Government of the Republic of Kazakhstan in mass media

Government of the Republic of Kazakhstan:

- Develops 1) and provides realization of the main directions of state policy in the field of mass media;
- 2) is determined by procedure of accounting of the foreign periodic printing editions distributed in the Republic of Kazakhstan;
- 3) *No. 546-IV ZRK is excluded according to the Law of the Republic of Kazakhstan of 18.01.2012*
- 4) performs other functions assigned to it [by the Constitution](#), the laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan.

Article 4-3. Competence of authorized body

Authorized body:

- 1) provides forming and realization of state policy in the field of mass media;
 - 2) performs registration, inventory of periodic printing editions, news agencies and online medias;
 - 2-1) keeps registers of the registered periodic printing editions, news agencies and online medias;
 - 2-2) keeps the register of the subjects distributing the periodic printing editions or Internet resources placing materials of erotic nature;
 - 3) *No. 546-IV ZRK is excluded according to the Law of the Republic of Kazakhstan of 18.01.2012*
 - 4) *No. 546-IV ZRK is excluded according to the Law of the Republic of Kazakhstan of 18.01.2012*
 - 5) *No. 546-IV ZRK is excluded according to the Law of the Republic of Kazakhstan of 18.01.2012*
 - 6) *Res is excluded according to the Law publics Kazakhstan of 18.01.2012 No. 546-IV ZRK*
- Creates 7), places and controls implementation of the state order on carrying out the state information policy at the republican level according to established by it rather;
- 7-1) approves procedure for placement of the state order on carrying out the state information policy at the republican level;
 - 8) performs international cooperation in the field of mass media;
 - 8-1) performs accounting of the foreign periodic printing editions distributed to the territories of the Republic of Kazakhstan;

9) is conducted by the unified register of accounting of the foreign periodic printing editions distributed to the territories of the Republic of Kazakhstan;

10) *the subitem 10) of Article 4-3 is excluded according to the Law of the Republic of Kazakhstan of 03.07.2013 No. 124-V ZRK*

11) is determined by procedure for storage of the records having historical and (or) cultural value;

12) approves rules of accreditation of journalists;

12-1) approves standard regulations on the authorized person (division) on interaction with mass media;

12-2) approves rules of interaction of the authorized person (division) on interaction with mass media with authorized body;

12-3) approves rules of provision of official reports to mass media in case of violation of conditions of life activity of the population in certain territory;

13) exercises the state control of compliance with law of the Republic of Kazakhstan about mass media;

13-1) performs monitoring of mass media;

13-2) approves rules of carrying out monitoring of the mass media extended to the territories of the Republic of Kazakhstan, and technique of its calculation;

13-3) approves rules of forming of electronic archive of obligatory complimentary copies of periodic printing editions;

14) is coordinated by activities of the central and local executive bodies concerning mass media;

14-1) issues instructions in case of identification of violation of requirements of the legislation of the Republic of Kazakhstan on mass media;

15) performs other powers provided by this Law, other laws of the Republic of Kazakhstan, acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan.

Article 4-4. Competence of local executive bodies of areas (cities of republican value, capital)

Local executive bodies of areas (cities of republican value, capital):

1) realize the state information policy through regional mass media;

2) *No. 419-V ZRK is excluded according to the Law of the Republic of Kazakhstan of 24.11.2015*

3) *No. 36-V ZRK is excluded according to the Law of the Republic of Kazakhstan of 10.07.2012*

4) are created, placed and control implementation of the state order on carrying out the state information policy at the regional level according to the procedure established by the legislation of the Republic of Kazakhstan;

5) *No. 419-V ZRK is excluded according to the Law of the Republic of Kazakhstan of 24.11.2015*

6) *No. 419-V ZRK is excluded according to the Law of the Republic of Kazakhstan of 24.11.2015*

7) is performed for the benefit of local public administration by other powers assigned to local executive bodies by the legislation of the Republic of Kazakhstan.

Article 4-5. The state control of compliance with law of the Republic of Kazakhstan about mass media

1. *No. 419-V ZRK is excluded according to the Law of the Republic of Kazakhstan of 24.11.2015*

2. *No. 419-V ZRK is excluded according to the Law of the Republic of Kazakhstan of 24.11.2015*

3. The state control of compliance with law of the Republic of Kazakhstan about mass media is exercised by authorized body in the form of checks and preventive control with visit of subject (object) of control according to the Entrepreneurial [code](#) of the Republic of Kazakhstan, and also in the form of preventive control without visit of subject (object) of control according to the Entrepreneurial code of the Republic of Kazakhstan and this Law.

4. *No. 156-VI ZRK is excluded according to the Law of the Republic of Kazakhstan of 24.05.2018.*

4-1. Object of preventive control without visit of subject (object) of control in the field of mass media are activities of periodic printing editions, TV, radio channels, film documentary, audiovisual record and other form of periodic or continuous public distribution of mass information, including Internet resources.

Subjects of control are owners of mass media.

The purposes of preventive control without visit of subject (object) of control are timely suppression and non-admission of violations, provision to subjects of control of the right of independent elimination of the violations revealed by authorized body by results of preventive control without visit of subject (object) of control and decrease in administrative load of them.

Preventive control without visit of subject (object) of control is carried out by the analysis of the data received from different sources of information, including according to the procedure, determined by rules of carrying out monitoring of mass media.

In case of identification of violations by results of preventive control without visit of subject (object) of control by authorized body the recommendation in time no later than five working days from the date of identification of violations is submitted to the subject of control.

The recommendation shall be handed to the subject of control personally under list or the different way confirming the facts of its sending and obtaining.

The recommendation submitted to one of following methods is considered handed in the following cases:

- 1) purposely - from the date of mark in the recommendation of obtaining;
- 2) by mail - from the date of the notification on receipt of the mailing the registered mail;
- 3) by electronic method - from the date of sending by authorized body for the e-mail address of the subject of control specified in the letter in case of request by authorized body.

The recommendation of elimination of the violations revealed by results of preventive control without visit of subject (object) of control shall be performed within ten working days from the date of, its delivery following behind day.

The subject of control in case of disagreement with the violations specified in the recommendation having the right to send to the authorized body which submitted the recommendation, objection within five working days from the date of, the delivery of the recommendation following behind day.

Non-execution of the recommendation of elimination of the violations revealed by results of preventive control without visit of subject (object) of control attracts at the scheduled time purpose of preventive control with visit of subject (object) of control by inclusion in the semi-annual list of carrying out preventive control with visit of subject (object) of control.

Preventive control without visit of subject (object) of control is carried out not more often than once a day.

5. *It is excluded*

Chapter 2. Organization of activities of mass media

Article 5. Right to creation of mass media

1. The right to creation of mass media belongs to physical persons and legal entities according to the legislation of the Republic of Kazakhstan.

Mass media can be created both in the form of the legal entity, and in the form of structural division of the legal entity.

The basis for implementation of release (broadcast) of products of mass media, distribution of messages and materials of information nature is the certificate on registration TV, radio channel, the periodic printing edition, news agency and (or) online media.

These requirements do not extend to Internet resources.

2. It is forbidden to foreigners and foreign legal entities, stateless persons directly and (or) to own, use, dispose and manage indirectly more than 20 percent of shares (share, shares) the legal entity - the owner of mass media in the Republic of Kazakhstan or performing activities in this sphere. The provision of part one of this Item does not extend to the Internet resources intended for electronic commerce.

Article 6. Owner of mass media

1. The owner - the physical person or legal entity or consolidation of physical and (or) legal entities performing right of possession, uses and orders of mass media.

2. The owner of mass media has the right to act as edition, the editor, the journalist, the publisher, the distributor as concerning own, and other mass media on the basis of the relevant agreement.

Article 7. Editorial office of mass media

1. Edition performs preparation and release (broadcast) of mass media at the request of the owner.
2. The editor-in-chief (editor) directs edition.
 - 2-1. Cannot be the editor-in-chief (editor):
 - 1) the citizens recognized by court incapacitated;
 - 2) the citizens having at the time of assignment criminal record which is not removed or is not extinguished in the procedure established by the law;
 - 3) foreigners or stateless persons.
 - 4) the citizens who were editors-in-chief (editors) of mass media because of which release (broadcast) of mass media was stopped by the judgment, within three years from the date of the introduction in legal force of the judgment.
3. The relations between the owner and edition are regulated by the charter and the agreement.

Article 8. News agency

1. The news agency is the legal entity registered according to legal acts of the Republic of Kazakhstan whose activities are directed to collection, processing and distribution of messages and materials of information nature.
2. Messages and materials of news agency shall be followed by its name and date of issue.
3. In case of distribution of messages and materials of news agency by mass media the reference to news agency is obligatory.
4. Operation [of articles 2, 10](#) these Laws extends to news agency.

Article 9. Publisher of mass media

1. The publisher - the physical person or legal entity performing material logistics of production of mass media.
2. If the owner is not at the same time and the publisher of mass media, then the right, obligation and responsibility of the owner and publisher are determined by the separate agreement.

Article 10. Registration or inventory of the periodic printing edition, news agency and online media

1. The periodic printing editions, news agencies operating in the territory of the Republic of Kazakhstan are subject to obligatory registration.

Registration of Internet resource as online media is performed in voluntary procedure.
2. For registration or inventory the owner of the periodic printing edition, news agency and online media or person authorized by it submits the application meeting the requirements of article 11 of this Law.
3. In case of registration of the periodic printing edition or news agency or online media, and also in case of receipt of the duplicate of the document certifying registration of the periodic printing edition or news agency or online media collection according to the procedure, determined by the Code of the Republic of Kazakhstan "About taxes and other obligatory payments in the budget" (Tax code) is levied.
4. The statement for accounting or inventory of the periodic printing edition or news agency or online media is subject to consideration within ten working days from the date of receipt. Following the results of consideration of the application the authorized body issues to the owner of the periodic printing edition or news agency or online media the certificate on registration or inventory or refuses on the following bases:
 - 1) if the authorized body earlier grants the certificate on registration or inventory of the periodic printing edition, news agency and online media with the same name and distribution in the same territory or similar to extent of its mixing with the name of earlier created periodic printing edition, news agency and online media;

- 2) if contents of the statement do not conform to requirements of article 11 of this Law;
- 3) if collection is not paid for registration of the periodic printing edition, news agency and online media;
- 4) if in the statement for inventory of the periodic printing edition or news agency or online media in view of change of the owner number and date of the agreement confirming assignment of rights of property on the periodic printing edition or news agency or online media to other person are not specified;
- 5) if to registration the periodic printing edition or news agency or online media with the same name (part of the name) and the same thematic orientation which release is earlier stopped by court is declared or the periodic printing edition or news agency or online media duplicating the name and thematic orientation and also in case of filing of application by the owner or editor-in-chief (editor) of the periodic printing edition or news agency or online media which release was stopped by the judgment, within three years from the date of the introduction in legal force of the judgment is declared.

5. The owner of the periodic printing edition reserves the right to start production of the periodic printing edition within three months from the date of receipt of the certificate on registration.

Owners of news agency or online media reserve the right to start distribution of messages and materials within six months from the date of receipt of the certificate on registration.

The certificate on registration of the periodic printing edition or news agency or online media is declared by the decision of authorized body invalid in case of the omission of term of production of the periodic printing edition or news agency or online media, and also product discontinuance of the periodic printing edition or news agency or online media within three months, except as specified suspensions by court of release of the periodic printing edition or news agency or online media.

The certificate on registration of online media is declared by the decision of authorized body invalid if following the results of the state control it is revealed that information and communication infrastructure of the owner of online media is outside the Republic of Kazakhstan.

In case of recognition voided certificates on registration of the periodic printing edition, news agency or online media according to the decision of the owner or court release of mass media stops.

6. The periodic printing edition, news agency and online media are subject to inventory in cases of change of the owner or change of its name, and also name, language of the edition or materials and messages, the territory of distribution, the main thematic orientation and frequency of release.

Article 11. Statement for registration or inventory of the periodic printing edition, news agency and online media

1. In the statement for registration or inventory of the periodic printing edition, news agency and online media shall be specified:

1) surname, name and middle name (if it is specified in the identity document), individual identification number, the residence of the owner of the periodic printing edition or news agency or online media - physical person, the name, business and identification number, the location of the owner of the periodic printing edition or news agency or online media - the legal entity;

2) language (languages) of the periodic printing edition or materials and messages of news agency or online media;

3) expected frequency of release;

4) main thematic orientation;

5) distribution territory;

6) surname, name, middle name (if it is specified in the identity document) the editor-in-chief (editor);

7) address of the editorial office.

2. Presentation of other requirements in case of registration or inventory of the periodic printing edition, news agency and online media is forbidden.

Article 12. Release from registration of mass media

Registration of periodic printing editions is not required:

with a circulation less than hundred copies;

official, normative and other acts;

bulletins of court practice;

the paragraph the fifth is excluded according to the Law of the Republic of Kazakhstan of 18.01.2012 No. 546-IV ZRK

Article 13. Suspension and termination of release of mass media or distribution of products of mass media

1. Suspension or the termination of release or distribution of products of the mass media registered in authorized body is possible according to the decision of the owner or court.

2. Suspension is understood as the temporary termination of release of one or several numbers of editions, broadcast TV, radio programs, TV, radio channels, temporary suspension of operations of online media, and also distribution of products of mass media before elimination of the reasons which formed the basis for suspension.

Suspension of release of mass media or distribution of products of mass media is allowed for the term of no more than three months.

3. The bases for suspension of release of mass media or distribution of products of mass media in the procedure established by the laws of the Republic of Kazakhstan are: promotion or propaganda of cult of cruelty and violence, social, racial, national, religious, class and patrimonial superiority, disclosure of the data constituting the state secrets or other secret protected by the law, distribution of the information propagandizing suicide, opening techniques and tactics of anti-terrorist operations during their carrying out, promotion of drugs, psychotropic substances, their analogs and precursors, distribution TV, radio programs TV, radio channels and also demonstration of film video production of pornographic and special sexual and erotic nature, use of mass media for the purpose of violation of conditions of carrying out the election propaganda, implementation by foreigners, stateless persons, foreign legal entities and the international organizations of the activities interfering and (or) promoting promotion and election of candidates, political parties pushed the party list, to achievement of certain result on elections, carrying out propaganda during its prohibition, coercion to participation or failure from participation in strike, violation of the law of the Republic of Kazakhstan about procedure for the organization and holding peaceful assemblies, meetings, processions, pickets and demonstrations, about copyright and the related rights on the Internet, and also violation of requirements, stipulated in Item the 6th article 10 of this Law.

4. The bases for the termination of release of mass media or distribution of products of mass media are: promotion or propaganda of violent change of the constitutional system, violation of integrity of the Republic of Kazakhstan, undermining safety of the state, war, promotion of extremism or terrorism, the publication of materials and distribution of information directed to kindling of international and interfaith hostility, and also not elimination of the reasons of suspension of release of mass media or distribution of products of mass media at the scheduled time.

5. In case of suspension or the termination of release of mass media or distribution of products of mass media according to the decision of the owner or court the notification goes to authorized body.

The termination of release of mass media or distribution of products of mass media attracts cancellation of the certificate on registration.

6. In case of suspension or the termination on the judgment of release of mass media or products of mass media which took legal effect when mass media is the Internet resource, authorized state bodies, owners of Internet resources shall suspend or stop release of mass media or distribution in the territory of the Republic of Kazakhstan of products of mass media.

7. The introduction in legal force of the judgment about suspension of distribution of products of mass media or release of mass media when mass media is the Internet resource, attracts prohibition on use of domain name with the same or duplicative name for the term of no more than three months.

The judgment about the termination of distribution of products of mass media or release of mass media when mass media is the Internet resource, attracts canceling of registration of domain name and prohibition on use within one year of domain name with the same or duplicative name which registration is cancelled by the judgment.

Article 13-1. Fund

Fund:

- 1) realizes projects on training and advanced training of the Kazakhstan journalists;
- Will organize 2) and holds republican and regional forums;
- 3) *No. 170-VI ZRK is excluded according to the Law of the Republic of Kazakhstan of 02.07.2018;*
- 4) *No. 170-VI ZRK is excluded according to the Law of the Republic of Kazakhstan of 02.07.2018;*
- 5) participates in determination of personnel requirement in the field of journalism and forming of training programs of faculties of journalism of the Kazakhstan higher educational institutions;
- 6) conducts researches in the field of mass media;
- 7) realizes the projects directed to promotion of Kazakhstan on the international scene;
- 8) performs promotion of information culture among children;
- 9) *No. 170-VI ZRK is excluded according to the Law of the Republic of Kazakhstan of 02.07.2018.*

Chapter 3. Distribution of products of mass media

Article 14. Distribution of products of mass media

1. Distribution of products of mass media is performed according to the decision of the owner by him or on contractual or other legal causes by the editorial office, the publisher, and also the organizations or citizens.

1-1. Mass media by preparation, publication, reproduction and distribution of products of mass media do not need the consent of the represented person in the following cases:

1) if this person is present or participates in spectacular cultural and mass, socially important in the field of culture, sports and mass actions, meetings, meetings, processions or demonstrations and other public actions;

2) if the distributed information contains the image of person and the data connected with office and (or) public activities of this person and also is published by person, his legal representative or the authorized person in sources, access to which is not limited;

3) if use of the represented person is performed for the purpose of protection of the constitutional system, protection of public order, human rights and freedoms, health and morality of the population.

2. Retail sale of the periodic printing editions publishing materials of erotic nature is forbidden:

1) in non-stationary rooms;

2) not in sealed transparent packages;

3) in rooms and in the territories of the organizations of education, child care facilities, cult buildings (constructions);

4) to persons which did not reach eighteen-year age.

2-1. Subjects prior to implementation of activities for distribution of the periodic printing editions or Internet resources placing materials of erotic nature shall notify on it authorized body according to legal acts of the Republic of Kazakhstan.

3. Advertizing of alcoholic products is forbidden since January 1, 2004.

Advertizing of tobacco and tobacco products is forbidden.

3-1. *No. 546-IV ZRK is excluded according to the Law of the Republic of Kazakhstan of 18.01.2012*

3-2. It is forbidden to place information on vacancies for employment containing requirements of discrimination nature in the field of work.

3-3. Advertizing of financial activities (investment) pyramid is forbidden.

3-4. Distribution in mass media or networks of telecommunications personal and biometric these persons, including information on his parents and other legal representatives is forbidden, to other information allowing to identify the personality about:

1) child injured with illegal actions (failure to act);

2) minors, suspects and (or) the administrative and (or) criminal offenses accused of making.

Action of the subitem 2) of part one of this Item does not extend to the minors found by court guilty of making of heavy and (or) especially serious crimes including information on their parents and other legal representatives.

The restrictions set by this Item do not extend to the cases provided [by part two of Item 2-2 of article 25](#) of this Law.

3-5. It is forbidden to place information on goods (works, services) for the purpose of realization with indication of the price (rates, quotations, rates) not in tenge.

4. Hindrance to the distribution of products of mass media performed on legal causes from physical persons or legal entities, and equally in officials of state bodies, illegal confiscation, and also destruction of circulation or its part are not allowed, differently as based on the judgment which took legal effect.

Article 15. Output data

1. Each release of the periodic printing edition shall contain the following data:

- 1) name of the periodic printing edition;
- 2) owner of the periodic printing edition;
- 3) surname and initials of the editor-in-chief (editor);
- 4) number and date of the certificate on registration or inventory and the name of the body which issued it;
- 5) frequency of the edition;
- 6) sequence number and date of issue of the periodic printing edition;
- 7) circulation of this release;
- 8) name of typography, its address and address of the editorial office.

1-1. News agencies and online medias shall spread in specially intended Section:

- 1) name of news agency or online media;
- 2) surname and initials or name of the owner of news agency or online media;
- 3) surname and initials of the editor-in-chief (editor);
- 4) number and date of the certificate on registration or inventory and the name of the body which issued it;
- 5) contact information of edition (postal address, phone number, e-mail address).

2. In case of each broadcast, and in case of continuous broadcasting - at least four times a day, mass media shall announce the name.

Article 16. Obligatory copies of periodic printing editions and storage of materials TV, radio programs

1. Obligatory complimentary copies of periodic printing editions including exempted from registration owing to article 12 of this Law, or their electronic and digital forms certified by the electronic digital signature of the editor-in-chief (editor) within fifteen calendar days from the date of their release are allocated by the owner mass media in national libraries, National state book chamber of the Republic of Kazakhstan.

Electronic and digital forms of obligatory complimentary copies of periodic printing editions including exempted from registration owing to article 12 of this Law, certified by the electronic digital signature of the editor-in-chief (editor), within fifteen calendar days from the date of their release go to the state library of area, city of republican value and the capital which is given the status "central".

Electronic and digital forms of obligatory complimentary copies of periodic printing editions including exempted from registration owing to article 12 of this Law, certified by the electronic digital signature of the editor-in-chief (editor), in day of their production go to authorized body.

2. The editorial offices of mass media (TV, radio channels) shall save within six months records own TV, the radio programs which aired and also to fix them in the register of the radio work and to store it at least one year from the moment of the last record in it. The records having historical or cultural value remain according to the procedure, the determined legislation of the Republic of Kazakhstan on National Archive Fund and archives.

3. The authorized body creates electronic archive of obligatory complimentary copies of periodic printing editions.

Chapter 4. Relation of mass media with citizens and organizations

Article 17. Author's works and letters

1. Edition, the owner of Internet resource shall observe the rights to the used objects of intellectual property right, including author's, adjacent and other intellectual property rights, and also processing and personal data protection according to the legislation of the Republic of Kazakhstan.

2. In case of the publication of reader's letters, including information placed by users on Internet resource the reducing and editing their text which are not distorting sense of its content are allowed.

3. Nobody has the right to oblige the editorial office of mass media to promulgate the material rejected by it if other is not provided by this Law.

Placement in mass media of letters of readers, including information placed by users on Internet resource, containing the data prohibited by the laws of the Republic of Kazakhstan is not allowed.

Article 18. Official reports

1. The official report can extend in oral or written form, including in the form of the electronic document.

Distribution of the official report in oral form can be performed by public statement of the head or the representative on it the official of the owner of information.

In case of distribution in writing, including in the form of the electronic document, the official report shall be signed by the head or the official of the owner of information authorized on it (in case of the electronic document - it is certified by the electronic digital signature).

2. The official report is provided to mass media on equal terms, irrespective of their patterns of ownership and accessory.

3. On the written request of mass media on explanation of the provided official reports the owner of information shall provide the answer no later than two working days from the date of registration of request according to the procedure, determined by the legislation of the Republic of Kazakhstan, or to give the answer with indication of the term of its representation or motivated failure.

For the written request on explanation of the provided official reports requiring additional studying and check, term of consideration it can be once extended by the head of the owner of information no more than for fifteen calendar days about what to mass media it is reported within two working days from the moment of prolongation of term of consideration.

4. In case of receipt to the owner of information from mass media of the written request on explanation of the provided official reports which competence permission of the questions posed does not enter in time no later than two working days this inquiry shall be sent to relevant organs with the message on it to mass media.

The requests of mass media on explanation of the provided official reports given in writing and (or) in the form of the electronic document go behind the signature and (or) make sure the electronic digital signature of the editor-in-chief (editor), authorized person or accredited journalist.

5. The replies to the requests on explanation of the provided official reports given in writing or in the form of the electronic document are represented in address language.

Replies to the requests on explanation of the provided official reports are represented in the form of the arrived request if other is not specified in the request.

6. The failure in provision of required data can be appealed by the representative of mass media in higher body or to the official according to the procedure of subordination or in court according to the procedure, stipulated by the legislation the Republic of Kazakhstan.

Article 18-1. Requests about provision of information which is not incoming official reports

1. Mass media have the right to make to the owner of information inquiries on provision of information which is not incoming the official report.

The journalist of mass media in case of the address to the owner of information with oral request by phone shall be provided and report about conversation audio recording in case of its maintaining.

The requests of mass media about provision of information sent in writing and (or) in the form of the electronic document go behind the signature and (or) make sure the electronic digital signature of the editor-in-chief (editor), authorized person or accredited journalist.

Reply to the request is represented within seven working days from the date of its receipt in form and in language of the arrived request if other is not specified in the request.

In cases when the queried information is included into competence of several owners of information and in case of the answer to the written request receipt of information from other owners of information is required, the term of consideration can be once extended by the head of the owner of information no more than for fifteen calendar days about what to mass media it is reported within two working days from the moment of prolongation of term of consideration.

2. In provision of information on request refuses:

1) if content of request is not included into competence of the owner of information to whom the request was addressed;

2) if the request does not conform to requirements of this Law;

3) if the queried information belongs to information with limited access;

4) before decision making by results of the inspections which are carried out within the state control and supervision;

5) before acceptance of the final decision developed on the basis of interdepartmental and interdepartmental correspondence or meetings in state bodies;

6) before adoption of the mutual agreement on conditions of disclosure of the documents which arrived from foreign states or the international organizations.

3. Officials of state bodies bear the responsibility established by the laws of the Republic of Kazakhstan for non-presentation or untimely representation of reply to the request of mass media.

4. The failure in provision of the queried information can be appealed by the representative of mass media according to the procedure of subordination or in court according to the procedure, provided by the laws of the Republic of Kazakhstan for appeal of wrongful acts of the state bodies and officials infringing the rights of citizens.

Article 18-2. Obligatory messages

1. Authorized state bodies of the corresponding industry within the competence and (or) local executive bodies in case of violation of conditions of life activity of the population in certain territory shall no later than three hours from the moment of approach of event provide to mass media official reports about the current situation according to the procedure determined by authorized body.

Officials of state bodies bear the responsibility established by the laws of the Republic of Kazakhstan for failure to provide or untimely provision of official reports.

2. The editorial offices of mass media shall publish on a grant basis:

1) the judgment which took legal effect if it contains the requirement about publication of the answer or confutation in mass media which were defendant in this legal procedure;

2) official reports about introduction of emergency state according to [article 5](#) of the Law of the Republic of Kazakhstan "About emergency state";

3) official reports of authorized state bodies, [the stipulated in Article 47](#) Laws of the Republic of Kazakhstan "About civil protection";

4) official reports of authorized state bodies, [stipulated in Item 2 articles 15](#) of the Law of the Republic of Kazakhstan "About counteraction to terrorism";

5) official reports of authorized state bodies, stipulated in Item 1 this Article.

3. Obligatory messages are published:

1) TV, the radio channels airing daily - within a day;

2) mass media with other frequency or time of issue (air) - in time, established by authorized state bodies or court for such publications.

Article 18-3. The authorized person (division) on interaction with mass media

1. In the central state and local executive bodies, departments, and also state bodies, directly subordinate and accountable to the President of the Republic of Kazakhstan (except for Services of the state protection), the authorized person is designated or the authorized division on interaction with mass media performing distribution of information on the questions which are within the competence of state body, and also its activities is created.

The independent structural authorized division and (or) established post are created within the limits of the number of staff approved according to the legislation of the Republic of Kazakhstan and also submit directly to the first head of state body.

In the state bodies specified in part one of this Item with the number of staff less than twenty five people of function, stipulated in Item 2 these Articles, are assigned to one of the staff of state body without release from its fundamental functional obligations.

2. Basic functions of the authorized person (division) on interaction with mass media are:

1) provision to users of information of reliable and necessary information on the questions which are within the competence of state body, and also its activities;

2) assistance in preparation of interview, comments, publications in mass media;

3) carrying out temporary or permanent accreditation of journalists and other representatives of mass media, and also rendering assistance to them for the most complete and wide dissemination of information on the questions which are within the competence of state body, and also its activities;

4) organization of press conferences, briefings, interview and meetings of officials with representatives of mass media;

5) development and introduction of offers on technical supply of activities of Internet resource, its complex reconstruction, enhancement of design, upgrade and implementation of new technologies;

6) preparation of timely responses to the arriving requests of users of information;

7) placement of information on Internet resource of state body and (or) its first head;

8) other functions promoting the maximum disclosure of information on the questions which are within the competence of state body, and also its activities, except for information prohibited or otherwise the Republic of Kazakhstan limited to distribution to the laws or the court resolutions which took legal effect.

3. The authorized division on interaction with mass media performs the activities based on the provision developed on the basis of the standard provision approved by authorized body taking into account specifics of activities of special state bodies and National Bank of the Republic of Kazakhstan.

4. The authorized person (division) on interaction with mass media interacts with authorized body according to the procedure determined by authorized body.

5. The authorized person (the staff of division) on interaction with mass media take professional development course according to the procedure, determined by the legislation of the Republic of Kazakhstan.

6. The authorized person (division) on interaction with mass media is not subject to reducing (exception) on the number of staff (from the staff list) the state body specified in Item 1 of this Article, except as specified liquidation (abolition) or reorganization of state body.

Article 19. Right to confutation or answer

1. The citizen or the legal entity has the right to demand from the mass media of confutation of the data untrue and discrediting his honor, advantage and goodwill which were widespread in these mass media. Also representatives of the citizen or the legal entity have such right.

In case of the request of the citizen or the legal entity for confutation the editorial office of mass media which does not have proofs that the information spread by these mass media is true shall confute them in the same mass media.

2. The requirement about confutation shall be drawn up in writing with indication of the data untrue, time and method of their distribution by these mass media.

Confutation shall be published in periodic printing editions by the same font and is placed under the heading "Confutation" on that place where the confuted message or material was located.

On radio and television confutation shall be transferred at the same time days and in the same TV, radio program, as the confuted message or material, and in cases of closing specified TV, radio programs - in other TV, to radio program with the corresponding thematic orientation.

The amount of confutation cannot exceed twice and more than amount of the confuted message or material.

3. The citizen or the legal entity concerning whom are published by mass media the data infringing it the rights or legitimate interests, has the right to the free publication of the answer in the same mass media.

The answer shall be published in periodic printing editions by the same font and is placed under the heading "Answer" on that place where the confuted message or material was located.

On radio and television the answer shall be transferred at the same time days and in the same TV, radio program, as the confuted message or material, and in cases of closing specified TV, radio programs - in other TV, to radio program with the corresponding thematic orientation.

The amount of the answer cannot exceed twice and more than amount of the confuted message or material.

The answer of the citizen or legal entity or his representative is published or transferred:

in the mass media which are published (air) daily - within five calendar days from the date of receipt of the requirement about provision of the right to the answer from the citizen or the legal entity or his representative;

in mass media with other frequency or time of issue (air) - in the next planned release.

Mass media have the right to refuse publication of the answer if the answer of the citizen or legal entity or their representative contains information which distribution is forbidden by the laws of the Republic of Kazakhstan or otherwise violate the rights and legitimate interests of physical and (or) legal entities or the state.

4. The requirement of the citizen or legal entity about the publication of confutation or the answer in mass media is considered by court if mass media refused such publication or within a month did not publish confutation or the answer, and also in case of liquidation of these mass media.

5. The confutation or the answer distributed in pursuance of the judgment which took legal effect are published:

1) in the mass media which are published (air) at least once a week - within two days from the date of receipt of the requirement about confutation if other is not established by the applicant;

2) in mass media with other frequency or time of issue (air) - in the next planned release if other is not established by the applicant.

6. The citizen concerning whom the information discrediting his honor, advantage and goodwill having the right to require along with confutation of such data indemnification and the moral harm caused by their distribution is spread.

The legal entity concerning whom the information discrediting its goodwill having the right to require along with confutation of such data of indemnification caused by their distribution, according to the procedure is spread, determined by the legislation of the Republic of Kazakhstan.

Chapter 5. Rights and journalist's obligations

Article 20. Journalist's rights

The journalist has the right:

1) to perform search, to request, receive and distribute information;

2) to visit state bodies, the organizations of all patterns of ownership and to be accepted by their officials in connection with implementation of the service duties, to be present at all events held by the body which accredited him, except as specified when the decision on holding the closed action is made;

3) to make records, including with use of means of the audiovisual equipment, film and photographing, except as specified, prohibited by legal acts of the Republic of Kazakhstan;

4) to be present on presentation of the certificate of the journalist at regions of natural disasters, at meetings and demonstrations, and also at other forms of expression of public, group and private interests and protest;

5) to get access to documents and materials, except for their fragments containing the data constituting the state secrets;

- 6) to check reliability of the obtained information;
- 7) to address specialists when checking of the received information materials;
- 8) to distribute the messages and materials prepared by it behind the signature, under conditional name (alias);
- 9) to refuse the publication of material behind the signature if its content after editor's alterations contradicts personal beliefs of the journalist;
- 10) on preserving mystery of authorship and sources of information, except as specified, when these secrets are promulgated upon the demand of court.

Article 21. Journalist's obligations

The journalist shall:

- 1) to perform the program of activities of mass media with which it consists in contractual relations, being guided by the legislation of the Republic of Kazakhstan;
- 1-2) to take measures for check of reliability of the distributed information by the direction of requests to the corresponding physical and (or) legal entities or different ways which are not prohibited by the legislation of the Republic of Kazakhstan;
- 2) not to distribute information untrue;
- 3) to grant requests of persons which provided information for specifying of their authorship;
- 3-1) to receive consent from the physical and (or) legal entity or their representatives to distribution in mass media personal, family, medical, bank, commercial and other secrets protected by the law, except as specified if data are specified in official reports and (or) are extended by the physical and (or) legal entity or their representatives in sources, access to which is not limited;
- 4) to respect legitimate rights and interests of physical persons and legal entities;
- 4-1) *it is excluded*
- 5) to carry out other obligations assigned to it according to the legislation of the Republic of Kazakhstan.

Chapter 6. Accreditation of journalists

Article 22. Accreditation of journalists

1. Mass media in coordination with owners of information, public associations and the organizations can accredit in case of them the journalists.
2. State bodies, public associations and the organizations under which the journalist is accredited shall inform previously him on meetings, meetings and other actions, to provide with shorthand reports, protocols and other documents.
3. The accredited journalist has the right to be present at the meetings, meetings and other events held by the state bodies which accredited him, public associations and the organizations, except as specified, when decisions on holding the closed action are made.
4. The journalist can be deprived of accreditation if he violates rules of accreditation or for distribution of the untrue data discrediting honor and advantage of the state bodies which accredited him, public associations and the organizations.
5. *it is excluded*

Article 23. Accreditation of mass media of the Republic of Kazakhstan abroad

The owner of mass media of the Republic of Kazakhstan has the right to open correspondent offices, to accredit journalists in other countries according to the procedure, stipulated by the legislation the Republic of Kazakhstan and adoptive state if other is not provided by international treaties.

Article 24. Activities of representatives of foreign mass media in the Republic of Kazakhstan

1. Accreditation of representative offices of foreign mass media and their journalists is carried out by the Ministry of Foreign Affairs of the Republic of Kazakhstan in the procedure established by it.

2. The legal status and professional activity of the foreign journalists and other representatives of foreign mass media accredited in the Republic of Kazakhstan are regulated by the legislation of the Republic of Kazakhstan and international treaties ratified by the Republic of Kazakhstan.

3. The prohibition, and for the foreign mass media which are Internet resources - suspension of access to the specified Internet resources in the territory of the Republic of Kazakhstan judicially is imposed on distribution of products of foreign mass media violating [the Constitution](#) of the Republic of Kazakhstan and regulation of this Law.

Chapter 7. Responsibility for violation of the legislation on mass media

Article 25. Responsibility for violation of the legislation of the Republic of Kazakhstan on mass media

1. Distribution of the untrue data discrediting honor and advantage of the citizen or the organization (state body, public, creative, scientific, religious or other association of citizens and legal entities), impact by mass media on court attract the responsibility provided by legal acts of the Republic of Kazakhstan.

2. The responsibility for violation of the legislation on mass media is born by officials of state bodies and other organizations, and also the owner, the distributor, the editor-in-chief (editor) of mass media, authors, guilty of it, of the distributed messages and materials.

2-1. The owner, the editor-in-chief (editor) of mass media bear the responsibility for distribution of the messages and materials containing promotion or propaganda of violent change of the constitutional system, violation of integrity of the Republic of Kazakhstan, undermining safety of the state, war, social, racial, national, religious, class and patrimonial superiority, cult of cruelty, violence and pornography established by legal acts of the Republic of Kazakhstan irrespective of source of their obtaining.

2-2. The owner, the editor-in-chief (editor), the journalist of mass media, including the physical persons or legal entities using Internet resources, having no right to disclose information specified in Item 3-4 of article 14 of this Law in the distributed messages and materials, except as specified, if distribution of such information is performed for the purpose of protection of the rights and legitimate interests of the child injured with illegal actions (failure to act), and minors, suspects and (or) the administrative and (or) criminal offenses accused of making, except for the minors found by court guilty of making of heavy or especially serious crimes including information on their parents and other legal representatives.

Information specified in part one of this Item can extend in mass media from consent:

1) the minor who reached the fourteen-year age injured with illegal actions (failure to act) and his legal representatives;

2) legal representatives of the minor who did not reach the fourteen-year age injured with illegal actions (failure to act);

3) the minor who reached the sixteen-year age which made administrative and (or) criminal offenses, and his legal representatives.

If one of the persons specified in part two of this Item does not give the consent to distribution information in mass media, distribution of this information is forbidden, except for the following cases:

1) without the consent of the minor who reached fourteen-year age and injured with illegal actions (failure to act) or his legal representatives if the legal representative is suspect or the person accused of making of these illegal actions (failure to act);

2) with the consent of one legal representative of the injured minor if the second legal representative is outside the Republic of Kazakhstan and its consent it is not possible to receive.

2-3. Mass media to the investigation of crime having the right for the purpose of assistance, establishment of persons involved in crime execution, search of the gone minors in the amount necessary for achievement of the specified purposes, and with observance of the requirements established by the Code of penal procedure of the Republic of Kazakhstan based on the procedural documents received from the bodies conducting criminal procedure to spread in mass media the information relating to the minor without receipt of consent of persons identified by part two of Item 2-2 of this Article.

3. Hindrance of legal professional activity of the journalist attracts the responsibility established by the laws of the Republic of Kazakhstan.

Article 26. Cases of discharge for distribution of the data untrue

Mass media, and equally his editor-in-chief (editor), the journalist do not bear responsibility for distribution in mass media of the data untrue if they:

- 1) contained in official reports;
- 2) contain in reply to the request of mass media or are received from materials of the authorized person (division) on interaction with mass media;
- 3) are received from advertisers and advertisement producers;
- 4) distribution of information prohibited or otherwise limited to distribution to the court resolutions or the laws of the Republic of Kazakhstan which took legal effect is literal reproduction of official speeches of deputies of representative bodies, official or authorized persons of state bodies, local government bodies, physical persons and legal entities, except for;
- 5) contained in the author's performances going to air without making an appointment or the texts which are not subject to editing according to this Law;
- 6) references to the mass media which distributed this message, except for distribution of information prohibited or otherwise limited to distribution to the court resolutions or the laws of the Republic of Kazakhstan which took legal effect contained in the messages, materials or their fragments extended by other mass media registered in authorized body, on condition of specifying in the message;
- 7) contained in the obligatory messages established according to [article 18-2](#) of this Law.

President of the Republic of Kazakhstan

N. Nazarbayev