

On cinematography

Unofficial translation

Law of the Republic of Kazakhstan dated January 3, 2019 No. 212-VI LRK.

Unofficial translation

This Law shall regulate social relations and define the legal, economic and organizational framework of cinematography.

Article 1. Basic concepts used in this Law

For the purposes of this Law, the following basic concepts shall be used:

1) socially significant films - topical films, including historical ones, aimed at enhancing the patriotic, spiritual, moral, intellectual and cultural potential of society, educating the younger generation;

2) a co-production film - a film, which is produced with the participation of foreign individuals and (or) legal entities and citizens of the Republic of Kazakhstan and (or) legal entities of the Republic of Kazakhstan;

3) debut film - the first film of the director;

4) voice-over translation - a type of film translation in which the translated speech is overlaid on the original sound track of the work;

5) cinematography - a branch of culture that unites creative, organizational, industrial, economic, scientific, educational activities, aimed at the production, use and storage of films;

5-1) a subject of cinematographic activity - an individual who shall be a subject of entrepreneurship, the main activities of which shall be: film production and (or) film records, film rental, film screening, film restoration, cinema hall maintenance, film materials production, work and production services, educational, scientific, research, publishing, advertising and propaganda activities in the field of cinematography, film storage; cinematographic organization;

6) cinematographic organization - a legal entity whose main activities are: film production and (or) film chronicles, film distribution, film screening, film restoration, cinema hall maintenance, film production, performance of work and film production services, educational, scientific, research, publishing, promotional activities in the field of cinematography, film storage;

7) film project - a set (package) of documents and materials (script, directorial explication, estimates for film production, production schedule, marketing plan, visual materials), on the basis of which the film is produced and released;

8) film chronicles - documentary scenes, reflecting the characteristic features of time, place, circumstances, and intended for film production;

- 8-1) film series - multi-part film production;
- 8-2) film play - an adaptation of a theatrical performance carried out by means of cinematography and (or) television;
- 8-3) film festival - an event that shall be a screening of specially selected films;
- 9) films, produced in the Republic of Kazakhstan – films, produced by citizens of the Republic of Kazakhstan and (or) legal entities of the Republic of Kazakhstan and whose copyright holders are also the citizens of the Republic of Kazakhstan and (or) legal entities of the Republic of Kazakhstan;
- 10) State film fund - a film collection of national films, films produced in the Republic of Kazakhstan, films of joint production and film description, including the initial materials of national films and film description as an integral part of the national cultural heritage;
- 11) the State register of films - a list of films that are released and shown in the territory of the Republic of Kazakhstan;
- 12) event films — films for jubilee and memorable dates, dedicated to prominent personalities, socially significant and important events;
- 12-1) producer - a physical and (or) legal entity performing the functions of organizing the financing, production and rental of a film;
- 13) subtitling - the process of adding textual support of a film in the original language or translated, duplicating and (or) supplementing the dialogues and actions in scenes;
- 14) an authorized body - the central executive body that exercise management and inter-sectoral coordination in the field of cinematography;
- 15) certificate of a national film - a document of a prescribed form, certifying the right of an individual or legal person to the state support measures, provided for by this Law;
- 16) film - an audiovisual work created on the basis of a creative idea, consisting of an image and sound accompaniment recorded on a medium and connected to a thematic whole, including a film series, a film play;
- 17) film dubbing (dubbing) - a creative and production activity, consisting of the synchronous reconstruction of the language part of a film's sound range in another language by means of a translation that corresponds to syllable articulation of the characters;
- 18) a film distribution certificate (hereinafter referred to as a distribution certificate) - a standard document, certifying the right of an individual or legal entity to distribute a film in the territory of the Republic of Kazakhstan, which indicates technical information about the film, information about the creators, age category and film genre;
- 19) film storage – activities, aimed at ensuring reliable, long-term storage of films and film chronicles and their initial materials, preventive processing, restoration and rehabilitation of initial materials and copies of films;
- 20) initial materials of films and film chronicles - negatives, duplicate negative, picture negative, phonogram negative, reference copy, installation videos, passports and recordings to them, control copy of the film, the original of magnetic phonograms of dubbing, music, noise,

video tape recording -master, CD and other materials necessary for the replication of the film in any material form;

21) film screening - a public demonstration of the film, carried out in the cinema, on television and radio channels, distributed in telecommunications networks and other technical means;

22) film release – a distribution of the film by ways not prohibited by the laws of the Republic of Kazakhstan, in order to demonstrate it;

23) film registration – entering information about a film, intended for distribution in the territory of the Republic of Kazakhstan, to the State register of films;

24) film replication - making one or more copies of the film (circulation) in any material form;

25) film production - the process of implementing the creative concept of the author, as a result of which the film is created;

25-1) stage and production facilities of national films - a set of material decoration items formed and used in the production of national films;

26) limited release - a one-time display of films in cinema halls, the number of which does not exceed ten percent of the total number of cinema halls operating in the territory of the Republic of Kazakhstan.

Footnote. Article 1, as amended by the Law of the Republic of Kazakhstan dated 29.09.2022 № 143 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

Article 2. Legislation of the Republic of Kazakhstan on cinematography

1. The legislation of the Republic of Kazakhstan on cinematography shall be based on the Constitution of the Republic of Kazakhstan and consist of this Law and other regulatory legal acts of the Republic of Kazakhstan.

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

3. Legal relations regulated by the legislation of the Republic of Kazakhstan on cinematography shall not be covered by the legislation of the Republic of Kazakhstan on public procurement in terms of the acquisition of services for the provision of state support in the form of financing film projects claiming to be recognized as national films and national films.

Footnote. Article 2 with the amendment introduced by the Law of the Republic of Kazakhstan dated 29.09.2022 № 143 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

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

State policy in the field of cinematography shall be implemented on the basis of the principles of:

- 1) creating conditions for production, use, duplication, release, screening and storage of national films;
- 2) stimulating and supporting the distribution and promotion of national films, including in foreign countries;
- 3) state support for the development of the creative, production, technical, educational and scientific base of cinematography;
- 4) availability of cinematographic works for the population in the territory of the Republic of Kazakhstan;
- 5) creating conditions for development of the Kazakh language in the field of cinematography.

Article 4. Competence of the Government of the Republic of Kazakhstan

The Government of the Republic of Kazakhstan shall:

- 1) excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication).
- 2) create the State center for support of national cinema;
- 3) excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication).

Footnote. Article 4 as amended by the Law of the Republic of Kazakhstan dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication).

Article 5. Competence of the authorized body

An authorized body within its competence shall:

- 1) forms and implements state policy in the field of cinematography;
- 2) conduct the state regulation and support of cinematography;
- 3) support and coordinate the activities of state organizations for development of cinematography;
- 4) keep the State register of films;
- 5) develop and approve the rules for selection of film projects, claiming to be recognized as the national films for the provision of state financial support for their production;
- 5-1) develop and approve the rules for the selection of children's animated films and films for family viewing imported into the territory of the Republic of Kazakhstan for dubbing into the Kazakh language;
- 6) develop and approve the rules for issuance of a distribution certificate;
- 7) develop and approve the rules to recognize a film as national and issuance of a certificate of national film;
- 8) issue a distribution certificate and a certificate of national film;
- 9) develop and approve the rules of financing and standards for amounts of financing for production of film projects, claiming to be recognized as the national films;

Note RCLI!

Sub-paragraph 10) shall be valid until 31.12.2025 in accordance with Article 18 of this Law.

10) develop and approve the rules and conditions for payment of subsidies in the field of cinematography;

11) make an age classification of films intended for release in the territory of the Republic of Kazakhstan when issuing a distribution certificate;

12) recognize a film as national in the manner, determined by the legislation of the Republic of Kazakhstan;

13) promote the development of science and education in the field of cinematography, training, retraining and advanced training of creative and technical personnel;

14) develop international relations in the field of cinematography, organize the participation of subjects of cinematic activities in international commissions, film festivals, conferences and other events;

15) provide for systematization and accounting of film releases in the territory of the Republic of Kazakhstan by establishing and maintaining a Unified automated information system to monitor films in the territory of the Republic of Kazakhstan;

16) monitor the release of films in the territory of the Republic of Kazakhstan;

17) exercise other powers provided for by this Law, other Laws of the Republic of Kazakhstan, acts of the President and the Government of the Republic of Kazakhstan.

Footnote. Article 5 as amended by the Law of the Republic of Kazakhstan dated 29.09.2022 № 143 (shall enter into force upon expiry of ten calendar days after its first official publication); dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication).

Article 6. Competence of local executive bodies of regions, cities of republican significance and the capital

Local executive bodies of regions, cities of republican significance and the capital shall:

1) implement the state policy in the field of cinematography;

2) organize work on creation of conditions for accessibility of cinematographic works for the population in the relevant administrative-territorial unit;

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

Article 7. Release and screening of a film

1. Release and screening of a film in the territory of the Republic of Kazakhstan, except for the cases when a film is shown at festivals, seminars, retrospectives, shall be carried out only when it is registered in the State register of films and in accordance with the distribution certificate issued.

This requirement shall not apply to films produced by cinematographic organizations of the former USSR.

2. A distribution certificate shall be issued to the film, registered in the State register of films.

3. The issuance of a distribution certificate shall be carried out in the form, approved by the authorized body.

4. To obtain a distribution certificate, an individual or legal entity must submit:

1) an application, addressed to the head of the authorized body;
2) documents, confirming the right of an individual or legal entity to a film or its use (notarized copies in Kazakh and (or) Russian are attached to the documents in a foreign language);

3) film annotation;

4) information about works, used in films, produced in the Republic of Kazakhstan.

5. An application for obtaining a distribution certificate shall be subject to consideration within seven working days from the date of receipt. Based on the results of consideration of the application, the authorized body shall issue a distribution certificate to an individual or legal entity.

6. The authorized body shall refuse an individual or legal entity to issue a distribution certificate for the following reasons:

1) provision by an individual or legal entity of unreliable and (or) corrupted information;

2) the failure by an individual or legal entity to submit the documents and materials, specified in paragraph 4 of this article;

3) in case of non-compliance with the requirements, provided for by paragraphs 3 and 5 of Article 9 of this Law;

4) if the content of the film is aimed at promoting or agitating the violent changes to the constitutional order, violating the integrity of the Republic, destruction of security of the state, inciting social, racial, national, religious, class and tribal strife, the cult of cruelty and violence, and pornography.

7. In case of establishing the unreliability and (or) corrupted information about the film, which previously served as the basis for issuance of a distribution certificate, the authorized body shall suspend the effect of a distribution certificate.

The effect of the distribution certificate shall be suspended for the period necessary to eliminate the reasons that caused the suspension of the distribution certificate, but not more than sixty calendar days.

The decision to suspend the distribution certificate shall be issued by the order of the person who issued it or the person, replacing him, within three working days from the day the circumstances were revealed by the authorized body and shall enter into force from the date of notification of an individual or legal entity who received the distribution certificate about the decision made.

The effect of the distribution certificate shall be resumed by the order of the person who suspended the distribution certificate, or the person replacing him, within three working days

from the date of registration of the written application of an individual or legal entity who received the distribution certificate to eliminate the circumstances that previously caused the suspension of the effect of the distribution certificate.

In case of failure to eliminate the circumstances that previously served as the basis for suspending the effect of the distribution certificate, the authorized body shall revoke the distribution certificate in court.

Article 8. Age classification of films

1. All films, produced in the Republic of Kazakhstan and films imported (delivered) into the territory of the Republic of Kazakhstan for release, shall be classified by age with assignment of the following age categories:

- 1) "under 6 years old" – films, intended for children under six years old;
- 2) "from 6 years old" – films, intended for children over six years old;
- 3) "from 12 years old" – films, intended for children over twelve years old;
- 4) "from 14 years old" – films, intended for children over fourteen years old;
- 5) "from 16 years old" – films, intended for children over sixteen years old;
- 6) "from 18 years old" – films, intended for viewers over eighteen years old;
- 7) "from 21 years old" – films, intended for viewers over twenty one years old.

2. The criteria for classifying films by age categories “up to 6 years old”, “from 6 years old”, “from 12 years old”, “from 14 years old” and “from 16 years old” shall meet the criteria , stipulated in the Law of the Republic of Kazakhstan “On protection of children from information harmful to their health and development."

The age category "from 18 years old" shall include films containing:

information harmful to the health and development of children, except for the information , prohibited by the Constitution of the Republic of Kazakhstan and the laws of the Republic of Kazakhstan;

descriptions and (or) images of suicide, murder, problems of family life and divorce, drug and alcohol addiction, diseases, antisocial behavior, undressing, scenes of sexual intercourse or other erotic actions, provided that their plot and artistic task of the film is justified;

the occasional use of coarse slang words, abusive language, obscene words.

The age category "from 21 years old" shall include the films:

containing descriptions and (or) images of any scenes, except for the information prohibited by the Constitution of the Republic of Kazakhstan and the laws of the Republic of Kazakhstan;

not containing restrictions on the use of coarse slang words, abusive language, obscene words.

3. Release of the film on TV channels with the age category “from 18 years old” shall be allowed from 22.00 to 06.00, local time, with the age category “from 21 years old” - from 00.00 to 06.00, local time, except for the films, distributed on paid basis with the use of decoding technical devices.

Rental of a film with the age category "since 21" on the territory of the Republic of Kazakhstan shall be allowed in cinemas and other places intended for this purpose after 22 hours to 06 in the morning of local time.

4. Individuals or legal entities that have received a distribution certificate and (or) are releasing films in the territory of the Republic of Kazakhstan shall be obliged to inform the viewer about the age category of the film.

5. The sign of the age category of films "up to 6 years old", "from 6 years old", "from 12 years old", "from 14 years old", "from 16 years old" and "from 18 years old" must comply with the requirements, stipulated by the legislation of the Republic of Kazakhstan on protection of children from information harmful to their health and development.

The sign of the age category of films "from 21 years old" shall be indicated by the sign "21+" in a diamond and (or) text warning in the form of the phrase "for viewers who have reached the age of twenty-one."

6. Information about the age category of the film should be indicated and available to viewers in accordance with the requirements of the legislation of the Republic of Kazakhstan on protection of children from information harmful to their health and development.

Footnote. Article 8 as amended by the Law of the Republic of Kazakhstan dated 29.09.2022 № 143 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

Article 9. Language of film release

1. Films shall be released in the Republic of Kazakhstan in the Kazakh and other languages.

2. The rental of national films should be carried out in the Kazakh language and can be carried out in other languages.

3. Films, rental and screening of which in the territory of the Republic of Kazakhstan shall be carried out in cinemas and other places intended for this purpose not in the Kazakh language, must be dubbed or subtitled, or provided with voice-over translation into the Kazakh language, with the exception of films of limited distribution.

When duplicating, subtitling or providing voice-over translation of films into Kazakh, the order of words in the sentence, their correct composition and pronunciation must be observed. Subtitling shall be stated in accordance with spelling standards.

Translation of the content of duplication, subtitling or providing voice-over translation of films should not distort their main meaning.

Release and screening of films on TV channels shall be carried out in accordance with the legislation of the Republic of Kazakhstan on television and radio broadcasting.

3-1. The rental of children's animated films and films for family viewing, which received state support in the form of financing dubbing into the Kazakh language, and their screening in cinemas and other places intended for this purpose in the territory of the Republic of Kazakhstan should be carried out in the Kazakh language.

Rental and screening on the territory of the Republic of Kazakhstan of such films in cinemas and other places intended for this purpose can be carried out in other languages.

4. The obscene words used in the film should be eliminated by appropriate technical means (sound signal).

5. If other languages are used in the film produced in the Republic of Kazakhstan together with the Kazakh language, when it is rented and shown, the text in other languages must be subtitled or provided with voice-over translation into Kazakh.

Footnote. Article 9 as amended by the Law of the RK dated 29.12.2021 № 94-VII (shall enter into force upon the expiry of ten calendar days after the day of its first official publication); dated 29.09.2022 № 143 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

Article 10. Types of films

1. Films shall be divided by types:

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

2) a documentary film - a film, created on the basis of a scenario plot with actual events, facts of reality in the aggregate, which are interpreted by the director by means of camera art, the editing system and other means;

3) a fiction film - a film, created on the basis of the script and personified by means of acting, directing, cinematography, creativity of director, composer and other actors in the field of cinematography;

4) a historical film - a film that records current events and facts of reality.

2. A film of at least fifty-two minutes shall be a full-length film; a film of less than fifty-two minutes shall be a short-length film.

Article 11. Unified automated information system to monitor films in Kazakhstan

1. In order to systematize and record films in the territory of the Republic of Kazakhstan, the authorized body shall maintain a Unified automated information system to monitor films.

2. An organization that carries out film screening activities shall keep records and provide information on films to the Unified automated information system to monitor films.

3. The Unified automated information system to monitor films shall be maintained in the manner, determined by the authorized body.

Article 12. State support in the field of cinematography

1. State support in the field of cinematography shall be carried out in the following directions:

1) financing of national films;

2) financing of film projects, claiming to be recognized as the national films;

2-1) financing of dubbing into the Kazakh language of children's animated films and films for family viewing imported into the territory of the Republic of Kazakhstan;

2-2) financing activities aimed at the participation of subjects of cinematic activities in international film festivals, organizing days of Kazakhstani cinema in the country and abroad;

3) preservation of national films and their initial materials as an integral part of the national cultural heritage;

4) conduct of research in the field of cinematography in accordance with the legislation of the Republic of Kazakhstan on science;

Note RCLI!

Sub-paragraph 5) shall be valid until 31.12.2025 in accordance with Article 18 of this Law.

5) payment of subsidies in the field of cinematography;

6) organization of advanced training of personnel in the field of cinematography.

2. State financial support shall be provided for organization of production, release and screening of national films and the related activities, as well as promotion of national films abroad.

The funds allocated annually for the production of national films shall be directed in the following amounts:

1) for historical, patriotic and image films - seventy percent;

2) to co-finance private film projects, including debut films, - thirty percent.

3. Financing of film projects, claiming to be recognized as the national films for which a decision on financing was made, in accordance with this Law, shall be made in the following amounts:

1) for socially significant films, debut films, event films - up to one hundred percent of the estimated cost of production in accordance with the legislation of the Republic of Kazakhstan ;

2) for films of joint production - within the limits provided for under the relevant agreements on production of such films;

3) for fiction films, intended for a wide audience, may not exceed:

from January 1, 2019 - ninety percent of the estimated cost of their production;

from January 1, 2020 - eighty percent of the estimated cost of their production;

from January 1, 2021 - seventy percent of the estimated cost of their production.

4. The criteria for assigning films to the categories, specified in paragraph 3 of this article, shall be determined by the authorized body.

5. Individuals and (or) legal entities that have received state support in the form of financing of a national film through the state center for support of national cinema make deductions from income from the rental and screening of national films to the State center for support of national cinema in an amount commensurate with the percentage of state support received, in accordance with the procedure determined by the authorized body.

Individuals and (or) legal entities that have received state support for production of films, referred to in sub-paragraph 1) of paragraph 3 of this article shall make deductions to the

State center for support of national cinema in the amount of twenty percent of the income received from the release and screening of the national films.

6. In order to develop offers and recommendations on issues of state support in the form of financing of national films, dubbing into the Kazakh language of children's animated films and films for family viewing imported into the territory of the Republic of Kazakhstan, an advisory body is created - an Interdepartmental commission on state support in the field of cinematography.

Footnote. Article 12 as amended by the Law of the Republic of Kazakhstan dated 29.09.2022 № 143 (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication).

Article 13. State center for support of national cinema

1. The State center for support of national cinema shall be a non-profit organization, established in the organizational and legal form of a joint stock company, the sole founder and shareholder of which is the Government of the Republic of Kazakhstan.

2. The bodies of the State center for support of national cinema shall be:

1) the supreme body - the sole shareholder;

2) the management body – the board of directors;

3) the executive body - the board;

4) other bodies in accordance with the statute of the State center for support of national cinema.

3. The State center for support of national cinema shall establish an internal audit service.

4. Assets of the State center for support of national cinema shall be formed at the expense:

1) state property;

2) of the contributions of persons, referred to in paragraph 5 of Article 12 of this Law;

3) voluntary property contributions and donations from other persons;

4) other contributions not prohibited by the laws of the Republic of Kazakhstan to the State center for support of national cinema.

5. The State center for support of national cinema shall be a unified operator for:

1) providing state support in the form of financing of film projects claiming to be recognized as national films and national films, including a legal entity with 100% state participation in the authorized capital, the main subject of which shall be the production of films, in the amount of at least thirty-five percent of the total annual amount of state financial support;

2) financing dubbing into the Kazakh language of children's animated films and films for family viewing imported into the territory of the Republic of Kazakhstan;

Note!

Sub-paragraph 3) of part one of paragraph 5 shall be valid until 31.12.2025 in accordance with Article 18 of this Law.

3) payment of subsidies in the field of cinematography.

6. In order to develop proposals for recognizing the film as national and financing dubbing into the Kazakh language of children's animated films and films for family viewing imported into the territory of the Republic of Kazakhstan, an Expert Council is being created at the State center for support of national cinema - an advisory and advisory body from among creative workers, cultural workers and experts in the field of cinematography.

6-1. In order to develop proposals in the field of cinematography, the National film commission is being created at the State center for support of national cinema – a consultive and advisory body from among representatives of state bodies, subjects of cinematographic activities and experts in the field of cinematography.

The position and composition of the National film commission shall be approved by the authorized body.

7. Losses incurred to the State center for support of national cinema shall be reimbursed in the manner, determined by the civil legislation of the Republic of Kazakhstan.

8. Production of films within the framework of the state information order shall be carried out in accordance with the Law of the Republic of Kazakhstan "On mass media".

Footnote. Article 13 as amended by the Law of the Republic of Kazakhstan dated 29.09.2022 № 143 (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication).

Article 13-1. Stage productions of national films

The storage, preservation, use and provision for the use of stage productions of national films, partially or fully financed from budgetary funds, shall be carried out by a legal entity with one hundred percent participation of the state in the authorized capital, the main subject of which shall be the production of films.

Footnote. The Law as added by Article 13-1 in accordance with the Law of the Republic of Kazakhstan dated 29.09.2022 № 143 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

Article 14. National film

1. A film shall be recognized as national for the following reasons:

1) if the film reflects the events of national history, modern life of the Republic of Kazakhstan, is devoted to universal humanitarian, social and moral problems, events of world history of socio-cultural importance for the Republic of Kazakhstan, and (or) can contribute to strengthening the image and authority of the Republic of Kazakhstan at the international level;

2) when producing, distributing and showing films, at least seventy percent of the total volume of work on the estimate shall be carried out by subjects of cinematic activity registered in the territory of the Republic of Kazakhstan;

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

4) the team of the authors of the film (the author of the script, the director, the director of photography, the artistic director, the author of a musical work) includes not more than fifty percent of persons who are not citizens of the Republic of Kazakhstan.

2. In accordance with the terms of an international treaty ratified by the Republic of Kazakhstan, a film shot jointly with foreign subjects of cinematographic activity can be recognized as national.

3. A certificate of national film shall be issued for a film recognized as national.

Footnote. Article 14 as amended by the Law of the Republic of Kazakhstan dated 29.09.2022 № 143 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

Article 14-1. Animated films for children and family

1. The children's animated film is a film for children with the sign of the age category of films "under 6 years old," "from 6 years old" and "from 12 years old."

2. The film for family viewing is a feature film with the sign of the age category of films "under 6 years old," "from 6 years old" and "from 12 years old."

3. The selection of children's animated films imported into the territory of the Republic of Kazakhstan for state support in the form of financing dubbing into the Kazakh language shall be carried out on the whole of the following grounds, if the film:

1) aimed at harmonious intellectual and educational development of the individual, spiritual and moral education of children;

2) correspond to the age classification of films;

3) meet the requirements for the distribution of information products provided for by the Law of the Republic of Kazakhstan "On protection of children from information harmful to their health and development";

4) does not contradict the national interests of the Republic of Kazakhstan provided for by the Law of the Republic of Kazakhstan "On national security of the Republic of Kazakhstan";

5) designed for wide distribution with a high rating of expectations according to international standards;

6) won the required number of votes following the results of preliminary online voting on the Internet resource of the State center for support of national cinema.

4. The selection of films for family viewing imported into the territory of the Republic of Kazakhstan for state support in the form of financing dubbing into the Kazakh language shall be carried out on the whole of the following grounds, if the film:

1) aimed at strengthening and developing family relations, spiritual and moral values, shall not contradict the generally accepted of morality and ethical standards;

2) correspond to the age classification of films;

3) meet the requirements for the distribution of information products provided for by the Law of the Republic of Kazakhstan "On protection of children from information harmful to their health and development";

4) does not contradict the national interests of the Republic of Kazakhstan provided for by the Law of the Republic of Kazakhstan " On national security of the Republic of Kazakhstan ";

5) designed for wide distribution with a high rating of expectations according to international standards;

6) won the required number of votes following the results of preliminary online voting on the Internet resource of the State center for support of national cinema.

5. The online voting procedure shall be determined in accordance with the rules for the selection of children's animated films and films for family viewing, imported into the territory of the Republic of Kazakhstan, for dubbing into the Kazakh language.

Footnote. The Law as added by Article 14-1 in accordance with the Law of the Republic of Kazakhstan dated 29.09.2022 № 143 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

Note!

Article 15 shall be valid until 31.12.2025 in accordance with Article 18 of this Law.

Article 15. Subsidy in the field of cinematography

A subsidy in the field of cinematography shall be a type of budgetary subsidy provided on a gratuitous and irrevocable basis to a foreign legal entity, its branch or representative office that has entered into an agreement for the provision of a subsidy in the field of cinematography (hereinafter referred to as the agreement).

The cinema subsidy shall be provided by reimbursing up to thirty percent of the cost of goods, works and services related to the production of the film (or part of it) in the Republic of Kazakhstan.

An agreement shall be an agreement under which a Kazakh party shall undertake to pay a subsidy, and a foreign legal entity, its branch or representative office - to produce a film (or part of it) in the Republic of Kazakhstan.

The right to conclude an agreement from the Kazakh side shall be vested in the State center for the support of national cinema in agreement with the authorized body.

Footnote. Article 15 - as amended by the Law of the Republic of Kazakhstan dated 29.09.2022 № 143 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

Article 16. Storage of films

1. The state shall carry out measures aimed at preserving the State film fund.

2. The State fund of films is transferred for permanent storage to a legal entity of the Republic of Kazakhstan without foreign participation (hereinafter referred to in this Article as a legal entity), determined by the authorized body.

The legal entity shall carry out measures aimed at ensuring the safety, storage, copying, replication, rental and screening of the film collection of the State film fund.

National films that have received full government funding shall be included in the State film fund.

National films that have received partial state funding shall be included in the State Film Fund on the basis of contracts concluded between a unified operator specified in paragraph 5 of Article 13 of this Law and subjects of cinematic activities.

3. A legal entity shall transfer film materials, film records from analog to electronic media

4. When storing the State Film Fund, a legal entity provides free and gratuitous access to the source materials of films to their copyright holders, as well as compliance with copyright and related rights.

5. The State film fund shall not be subject to privatization.

Footnote. Article 16 as amended by the Law of the Republic of Kazakhstan dated 29.09.2022 № 143 (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication).

Article 17. Liability for violation of the legislation of the Republic of Kazakhstan on cinematography

Violation of the legislation of the Republic of Kazakhstan on cinematography shall entail liability, established by the laws of the Republic of Kazakhstan.

Article 18. Procedure for enactment of this Law

This Law shall enter into force upon the expiry of ten calendar days after its first official publication.

To establish that subparagraph 10) of Article 5, subparagraph 5) of paragraph 1 of Article 12, subparagraph 3) of paragraph 5 of Article 13 and Article 15 of this Law shall be recognized as valid until December 31, 2025.

Footnote. Article 18 with the amendment introduced by the Law of the Republic of Kazakhstan dated 29.09.2022 № 143 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

*President of the
Republic of Kazakhstan*

N. NAZARBAYEV