



On approval of the Rules for the use of electronic identifiers (navigation seals)

Unofficial translation

Order of the Minister of Finance of the Republic of Kazakhstan dated October 8, 2020 No. 971. Registered with the Ministry of Justice of the Republic of Kazakhstan on October 9, 2020 No. 21383

Unofficial translation

In accordance with clause 6 of article 45 of the Law of the Republic of Kazakhstan dated July 4, 2003 "On Automobile Transport", I HEREBY ORDER:

1. To approve the attached Rules for the use of electronic identifiers (navigation seals).
2. The State Revenue Committee of the Ministry of Finance of the Republic of Kazakhstan, in accordance with the procedure, established by law, shall ensure:
 - 1) state registration of this order with the Ministry of Justice of the Republic of Kazakhstan;
 - 2) placement of this order on the Internet resource of the Ministry of Finance of the Republic of Kazakhstan;
 - 3) within ten working days after the state registration of this order with the Ministry of Justice of the Republic of Kazakhstan, submission to the Legal Service Department of the Ministry of Finance of the Republic of Kazakhstan, of information about implementation of measures, stipulated by subclauses 1) and 2) of this clause.
3. This order shall come into force upon expiry of ten calendar days after the date of its first official publication.

*Minister of Finance
of the Republic of Kazakhstan*

Ye. Zhamaubayev

Approved
by the order of the
Minister of Finance
of the Republic of Kazakhstan
dated October 8, 2020 No. 971

Rules the use of electronic identifiers (navigation seals)

Chapter 1. General Provisions

1. These Rules for the use of electronic identifiers (navigation seals) (hereinafter referred to as the Rules) have been developed in accordance with clause 6 of article 45 of the Law of the Republic of Kazakhstan dated July 4, 2003 "On Automobile Transport" and shall determine the procedure for the use of electronic identifiers (navigation seals) by state revenue bodies on motor vehicles.

2. The following concepts are used within the framework of these Rules:

1) a freighter – an individual or a legal entity on behalf of which the shipment of freight is documented;

2) a recipient of freight – an individual or a legal entity, authorized for the receipt of the freight on the basis of a contract;

3) the State Revenue Committee of the Ministry of Finance of the Republic of Kazakhstan (hereinafter referred to as the Committee) – a state body, ensuring, within its competence, the receipt of taxes and payments to the budget, customs regulation in the Republic of Kazakhstan, powers to prevent, identify, suppress and disclose administrative offenses attributed by the legislation of the Republic of Kazakhstan to the jurisdiction of this body, as well as performing other powers prescribed by the legislation of the Republic of Kazakhstan;

4) "Route Tracker" Information System – an information system of the operator of the information system for tracking international automobile transfers, through which control over goods and vehicles moving across the territory of the Republic of Kazakhstan is carried out;

5) a state revenue body – a territorial subdivision of the State Revenue Committee of the Ministry of Finance of the Republic of Kazakhstan;

6) a carrier – an individual or a legal entity that owns motor vehicles, with the exception of light motor vehicles, on the basis of ownership or on other legal grounds, carrying out entrepreneurial activities in the transportation of goods;

7) the national operator of the international road transport tracking information system (hereinafter referred to as the – Operator) – a person, determined by the Government of the Republic of Kazakhstan in accordance with article 14-1 of the Law of the Republic of Kazakhstan dated July 4, 2003 "On Automobile Transport";

8) an electronic identifier (navigation seal) - a device that ensures the transfer of information about the route of movement of the motor vehicle, as well as the safety (opening) of the device, to the information system for tracking international automobile transfers.

Chapter 2. Procedure for the use of electronic identifiers (navigation seals)

3. When carrying out international automobile transfers of goods from the member states of the Eurasian Economic Union (hereinafter referred to as the EAEU) to the Republic of Kazakhstan or from one member-state of the EAEU to another member state of the EAEU in transit through the territory of the Republic of Kazakhstan, cargo compartments of vehicles shall be sealed by the territorial state revenue bodies on the State border of the Republic of Kazakhstan with the EAEU member states (hereinafter referred to as the state border) with electronic identifiers (navigation seals).

4. When a vehicle enters the territory of the Republic of Kazakhstan at an automobile checkpoint on the state border, an official of the territorial body of state revenue (hereinafter

referred to as the - official) shall request from the carrier the consignment notes (CMR, bill of lading) with information about the transported cargo, route of travel and shall put into the "Route Tracker" information system the following information:

- 1) state registration license plate number of the motor vehicle, the country of registration;
- 2) type of object (s) to be sealed (motor vehicle, trailer, semitrailer);
- 3) number and date of the consignment note (CMR, bill of lading);
- 4) codes of goods in accordance with the Commodity Nomenclature of the EAEU foreign economic activities;
- 5) name of the carrier, the country of registration of the carrier;
- 6) surname, name, patronymic (if any) of the driver of the vehicle, telephone number;
- 7) endorsements (estimated date for goods delivery).

5. The official, after putting the necessary information into the "Route Tracker" information system, installs an electronic identifier (navigation seal) on the cargo compartment of the vehicle, informs the Operator about the beginning of the route of the vehicle and activates the electronic identifier (navigation seal).

6. On departure of a vehicle from the Republic of Kazakhstan, an official at the state border inspects the electronic identifier (navigation seal) in order to determine the serviceability, integrity and (or) the presence of damage.

After the inspection, the official informs the Operator about the completion of the route of the motor vehicle in the territory of the Republic of Kazakhstan, deactivates and removes the electronic identifier (navigation seal).

7. After removing the electronic identifier (navigation seal), the official must charge of the electronic identifier (navigation seal) to ensure uninterrupted operability during its subsequent installation on other vehicles.

8. Registration of sealing and removing electronic identifiers (navigation seals) shall be carried out by the Operator and the territorial state revenue body. The Operator shall send registration information to the Committee weekly on Thursdays according to Appendix 1 to these Rules.

9. If circumstances arise that prevent the carrier from fulfilling his duties or further transportation of goods due to an accident, force majeure or other circumstances that prevent the delivery of goods, the carrier or the person moving the goods, shall take all measures to ensure the safety of the goods and the vehicle, immediately inform the nearest authority state revenues and the Operator about these circumstances and about the location of the goods.

10. Upon arrival at the location of the vehicle, an official shall draw up a report on the circumstances that prevent further transportation of goods, according to Appendix 2 to these Rules. After drawing up the report, the official shall make a decision to remove the electronic identifier (navigation seal) and establish it in case of integrity and absence of damage to another vehicle.

11. After installation of an electronic identifier (navigation seal), the official shall carry out activities stipulated by clauses 4 and 5 of these Rules.

12. The operator is obliged immediately, on a 24 hours a day, 7 days a week basis, to inform about the following circumstances that have arisen during the transportation of goods, the Committee and the state revenue body on whose territory the circumstances have arisen:

1) deviation of a vehicle from the route (highway of republican significance) at a distance of more than 1 (one) kilometer;

2) receipt of a signal from the electronic identifier (navigation seal) about a possible opening (malfunction) of the electronic identifier (navigation seal) or about a decrease in the battery level of the electronic identifier (navigation seal) to 10% and below;

3) lack of communication with the electronic identifier (navigation seal) for more than 2 (two) hours;

4) uncoupling the rolling stock, on which the electronic identifier (navigation seal) is installed, from the motor vehicle;

5) the occurrence of a technical malfunction of a motor vehicle along the route.

13. The state revenue body, in whose territory the circumstances have arisen, shall conduct a thematic audit in accordance with subclauses 15) and 18) of clause 1 of article 142 of the Code of the Republic of Kazakhstan dated December 25, 2017 "On taxes and other obligatory payments to the budget (Tax Code)".

14. Upon completion of the thematic audit, the state revenue body through the communication channel shall inform the Committee about the results of its conduct.

15. In case of confirmation, based on the results of a thematic inspection carried out by the state revenue authority, of the circumstances that prevent the carrier from fulfilling his duties or further transportation of goods due to an accident, force majeure or other circumstances that prevent the delivery of goods, the official shall inform the Committee and the Operator about the possibility of further movement of the goods by transshipment of goods to another vehicle with the installation of another electronic identifier (navigation seal).

Appendix 1
to the Rules for
the use of electronic identifiers
(navigation seals)
form

Registration of sealing and removal of electronic identifiers (navigation seals)

No.	State registration license plate number of a motor vehicle	State registration license plate number of a trailer	Surname, name, patronymic (if any) of the driver	Electronic identifier (navigation seal) No.	Quantity electronic identifiers (navigation seals)	Departure point (automobile checkpoint)	Destination (automobile checkpoint)	Date of installation	Date of removal
1	2	3	4	5	6	7	8	9	10

**Report
on circumstances that prevent further transportation of goods**

I, _____,
surname, name, patronymic (if any) (hereinafter referred to as the – surname, name,
patronymic) position of the employee
of state revenue bodies
State Revenue Office for _____
of the State Revenue Department for _____
in the presence of driver _____

–
_____ surname, name, patronymic of the driver
have performed an inspection of the motor vehicle of car make _____
_____,
with the state registration license plate number _____,
trailer No. _____, carrying goods according to the consignment note (CMR, bill of lading) No. _____ dated _____, from
_____ to _____

–
_____ indicate the country of departure indicate the country of destination to

–
_____ indicate city, village, highway, and other circumstances
By results of the inspection, the following have been established:
- road traffic accident involving a motor vehicle;
- other circumstances that prevent further transportation of goods

_____ indicate reason

_____	_____	_____
surname, name, patronymic	date	signature
_____	_____	_____
surname, name, patronymic	date	signature

