Resolution of the Cabinet of Ministers of the RK

On the Rules of Public Demonstration of cine-,
video production on the territory of the RK

In order to implement the Decree of the President of the RK as of March 17, 1995 “On introduction of changes and amendments into some legislative acts of the RK”, within the purposes of regulation of public demonstration of cine-, video production on the territory of the RK the Cabinet of Ministers of the RK decrees:

1. Approve the attached Rules of public demonstration of cine-, video production on the territory of the RK.

2. Establish, that on the territory of the RK the public demonstration of all types of cine-, video production in the cinemas, video- and other types of halls (irrespective of types of their property), their circulation (drawing) and distribution through the video-rental stores and videotecs, and also demonstration on air and cable TV is carried out only after obtaining the corresponding permission at the authorized state body of the RK.

Such permissions are not required for production: received from abroad for demonstration within the framework of international tele-, cine- festivals and other cultural measures, which have rental certificates of the former USSR Goskino (USSR State Cinema); which have rental certificates of CIS countries, if they have been obtained before introduction into force the present Rules.

3. State cine-company Kazakhkino at the Cabinet of Ministers of the RK shall:

issue the permission on public demonstration, drawing and distribution of cine-, video-production and also their demonstration on air and cable TV;

prepare, together with interested ministries, state committees and departments, suggestions on introduction into the current legislative acts the amendments, stipulated the responsibility for breaking the present Rules.

Prime-Minister of the RK A.Kazhegildin,
Almaty, July 5, 1995
#926

APPROVED

by the resolution of the Cabinet of
Ministers of the RK
as of July 5, 1995, # 926

R U L E S
of public demonstration of cine-, video production on the territory of the RK

1. General provisions

1. All institutions, organizations and enterprises irrespective of forms of their property, which possess cine-, video devices on the territory of the RK, have the right to demonstrate only those cine-, video-production, which have permitting renting certificates issued by the State cine-company “Kazakhkino” at the Cabinet of Ministers of the RK (hereinafter - State cine-company “Kazakhkino”).

2. Republican, oblast, city television, commercial channels, cable and satellite television have the right to demonstrate with the permission of the copywriter only those, which have been locally produced and foreign cine-, video production, which have permissive renting certificates.

3. The following system of indexes, determining the age restrictions of the audience is introduced for public demonstration of cine-, video-production:

L - any type of audience
D - for children
D + - except special performance for children
D++ - children up to 16 years old are not permitted
C - people up to 18 years are not permitted.

Public demonstration of cine-, video-production with index “C” is permitted on night performances only using cine-, video devices, registered in the established by the legislation order.

For the performance of cine-, video production with index “C” the special Announcement with the seize not less than 50x100 cm with indication of age restrictions of the audience shall be prepared at the tickets selling places.

Demonstration of cine-, video production with index D ++ on TV channels is permitted after 10.00. p.m., and with index C - after 00.00. up to 5.00. a.m. of the local time.

4. Breaking the present Rules entails the responsibility stipulated by the legislation of the RK.

II. Procedure and terms of registration and issuing permissing renting certificates

5. Permitting renting certificate is considered to be a document, which gives the right on public demonstration of cine-, video production.

6. Obtained renting certificate is obligatory for all cine-, video production, created in the RK (including those, created with foreign participation) as well as purchased in other countries and subject to public demonstration or distribution on the territory of the RK.

7. Acquiring the rights of renting cine-, video production, which have renting certificate to the natural or legal entity, it is necessary to obtain, in accordance with the established by the legislation order, notarially verified copy of renting certification.

8. Issuing of permissive renting certificates of the State cine-company “Kazakhkino” is carried out at the availability of application of the owner of vine-, video production or the possessor of the rights of its renting on issuing of the

renting certificate. The decision on its issuing is made by State cine-company “Kazakhkino” after obligatory demonstration of the submitted cine-, video production.

9. Indexsation of cine-, video production in accordance with the clauses of point 3 of the present Rules is included in functions of the State cine-company “Kazakhkino” and fixed in renting permissive certificate.

10. Permission of the State cine-company “Kazakhkino” on indexsation of cine-, video production is obligatory for the owners of cine-, video-places of entertainment cine-devices, possessors of the rights to rent and establish television company irrespective of the forms of property.

11. In order to obtain renting permitting certificate on the cine-, video production to the owner or possessor of the rights of renting, it is necessary to submit:

application to the State cine-company “Kazakhkino”;

document, confirming the property right of the Applicant on the production (for the foreign cine-, video production notarially certified copy of the agreement on acquiring the renting rights and customs certificate on importation to the RK cine-, and video production);

copy of the film or tape with the recording cine-, and video production and advertising roll, which are in compliance with the technical requirements;

one sample of clipping (dialog) lists with Annexes of brief annotations of cine-, video production. Clipping lists are verified at the last page by the seal of an Applicant.

12. Permissive renting certificate is formed on the form of the established norm with the signature of authorized person and it is verified by the seal. Each certificate gets its individual number. After obtaining the certificate the cine-, video production is put into united Catalog of the register of cine-, video production of the RK. In case of changing in the future the name of cine-, video production the corresponding reference is made in the catalog of the register of cine-, video production of the RK without changing its number.

The following data is included into the permissive renting certificate:

full name of cine-, video production, output data, including the list of family names of the creative stuff of the authors (script writer, director, operator, artist, compositor, characters);

name of cine-, video enterprise, which created the work and who is the owner of this work;

name of the institution, which is the possessor of the renting rights,

period of renting (for local production - without fixed period, for foreign - in accordance with the agreement on acquisition of the right);

age and other restrictions of public demonstration on cine-, video production.

Registration and issuing of renting certificate on cine-, video production is made not later than 15 days since the day of submitting application, submitting copy of cine-, video production and necessary documents. Copy of cine-, video production and clipping lists are transferred for the storage in the state Republican fund of films (Gosfilmofund), which issues guarantees of non-usage these materials within the commercial purposes. Officials, who are guilty in breaking these guarantees, reimburse the damage, made by them to the right possessor of cine-, video production at the amount, determined by the court.

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