

**Law No. 508-II of the Republic of Kazakhstan, dated December 19, 2003,
On Advertising**
(with amendments and additions as of 01/11/2021)

This law regulates relationships occurring in the process of the manufacture, distribution, placement and utilization of advertising within the Republic of Kazakhstan.

Chapter 1. General Provisions

Article 1. Objectives of the law...

The objectives of this law are to ensure the necessary conditions for the manufacture, distribution, placement and utilization of advertising, protection from unfair competition in the area of advertising, the prevention and suppression of inappropriate advertising.

Article 2. Scope of the current Law

1. This law extends to relationships occurring in the process of the activity of physical and legal entities manufacturing, distributing, placing and utilizing advertising within the Republic of Kazakhstan.

2. This law does not extend to announcements of physical entities, including those appearing in mass media, not connected with the implementation of business activity, or to political agitation and propaganda accomplished in accordance with legal statutes of the Republic of Kazakhstan.

Article 3. Basic concepts

The following basic concepts are used in the current law:

...

Article 3 is augmented by subparagraph 1-2 in accordance with Law No. 269-V of the Republic of Kazakhstan, dated 12/29/2014 (brought into force on January 01, 2015); outlined in the version of Law No. 215-VI of the Republic of Kazakhstan, dated 01/08/2019 (brought into force on April 11, 2019) (see legacy version)

1-2) advertising is information disseminated and/or placed in any form using any means and intended for an indeterminate group of people and called upon to generate and maintain interest toward a physical or legal entity, goods, trademarks, labor, or services and to promote their realization;

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Chapter 2. General and Special Requirements for Advertising

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Article 13 is outlined in the version of [Law No. 171-III of the Republic of Kazakhstan, dated 07/07/2006 \(see legacy version\)](#); a heading is added in accordance with [Law No. 264-III of the Republic of Kazakhstan, dated 06/19/2007](#)

Article 13. Specific features of the advertising of individual types of products (labor and services)

Paragraph 1 is outlined in the version of [Law No. 264-III of the Republic of Kazakhstan, dated 06/19/2007 \(see legacy version\)](#)

1. Advertising is prohibited:

In subparagraph 1, there are changes incorporated in accordance with [Law No. 394-VI of the Republic of Kazakhstan, dated 12/30/2020 \(see legacy version\)](#)

- 1) [of ethyl alcohol](#) and [alcoholic products](#), and products imitating alcoholic beverages;
- 2) breast milk substitutes;

Subparagraph 3 is outlined in the version of [Law No. 479-V of the Republic of Kazakhstan, dated 03/29/2016 \(see legacy version\)](#)

3) of goods (labor, services) [subject to mandatory compliance confirmation](#) that have not undergone their compliance confirmation;

In subparagraph 4, there are changes incorporated in accordance with [Law No. 361-VI of the Republic of Kazakhstan, dated 07/07/2020 \(see legacy version\)](#)

4. The sale of tobacco products, including products with heated tobacco, tobacco for a hookah pipe, a hookah blend, systems for heating tobacco, electronic systems of consumption and the liquids for them is prohibited;

See: [Response of the Minister of Information and Social Development of the Republic of Kazakhstan, dated May 04, 2020, to question No. 611230, dated April 27, 2020 \(dialog.gov.kz\)](#) "Concerning Advertising of an Electronic Tobacco Heating System in Mass Media," [Response of the Chairman of the Committee of State Revenues, Ministry of Finance of the Republic of Kazakhstan, dated May 20, 2020, to question No. 613888/1 of May 07, 2020 \(dialog.egov.kz\)](#) "On the Mass Media Advertising of Electronic Systems for Heating Tobacco"

In subparagraph 5, there are changes incorporated in accordance with [Law No. 361-VI of the Republic of Kazakhstan, dated 07/07/2020 \(see legacy version\)](#)

5) in the form of conducting various events, including prize giveaways and raffles aimed at stimulating demand and interest in an alcoholic product, tobacco and tobacco products, including products with heated tobacco, tobacco for a hookah, a hookah blend, systems for heating tobacco, electronic systems of consumption and the liquids for them;

The paragraph is augmented by subparagraph 5-1 in accordance with [Law No. 361-VI of the Republic of Kazakhstan, dated 07/07/2020](#)

5-1) in the form of a demonstration of tobacco products and the process for consuming tobacco in audiovisual productions intended for children, including television and video films, in theatrical presentations, on radio, in television, video and newsreel programs, as well as public performance, information broadcast live, via cable and any other use of the specified productions, presentations, or programs in which a demonstration is made to exhibit tobacco products and the process for using tobacco;

The paragraph is augmented by subparagraph 5-2 in accordance with [Law No. 361-VI of the Republic of Kazakhstan, dated 07/07/2020](#)

5-2) in the form of a demonstration of tobacco products and the process for consuming tobacco in audiovisual productions intended for adults, including television and video films, in theatrical presentations, on radio, in television, video and newsreel programs, as well as public performance, information broadcast live, via cable and any other use of the specified productions, presentations, or programs in which a demonstration is made to exhibit tobacco products and the process for using tobacco, with the exception of instances when such an act is an indelible part of an artistic concept;

The paragraph is augmented by subparagraph 6 in accordance with [Law No. 166-V of the Republic of Kazakhstan, dated 01/17/2014](#)

6) of activity [of a financial \(investment\) pyramid](#).

Article 13 is augmented by paragraph 1-1 in accordance with [Law No. 264-III of the Republic of Kazakhstan, dated 06/19/2007](#); changes incorporated in accordance with [Law No. 210-V of the Republic of Kazakhstan, dated 06/18/2014 \(see legacy version\)](#); [Law No. 361-VI of the Republic of Kazakhstan, dated 07/07/2020 \(see legacy version\)](#); [Law No. 394-VI of the Republic of Kazakhstan, dated 12/30/2020 \(see legacy version\)](#)

1-1. It is prohibited to advertise goods (labor, services) with the use of elements of a trademark and/or title known as the name of an alcoholic product, a product imitating alcoholic beverages, tobacco and tobacco products, including products with heated tobacco, tobacco for a hookah, a hookah blend, systems for heating tobacco, electronic systems of consumption and the liquids for them, that directly or indirectly offer an alcoholic product, a product imitating alcoholic beverages, tobacco and tobacco product, with the exception of advertising a trademark and/or name of a wine produced within the Republic of Kazakhstan if such advertisement complies with the requirements of [Article 14-2](#) of this Law.

The Article is augmented by subparagraph 1-2 in accordance with [Law No. 479-V of the Republic of Kazakhstan, dated 03/29/2016](#); outlined in the version of [Law No. 215-VI of the Republic of Kazakhstan, dated 01/08/2019 \(brought into force on April 11, 2019\) \(see legacy version\)](#)

1-2. It is prohibited to advertise services for mandatory compliance confirmation and/or intermediary services in the scope of product compliance confirmation by organizations not accredited according to the procedures established [by the laws of](#) the Republic of Kazakhstan on accreditation in the area of compliance assessment.

The Article is augmented by paragraph 1-3 in accordance with [Law No. 343-VI of the Republic of Kazakhstan, dated 06/10/2020](#)

1-3. It is prohibited to advertise raffles, with the exception of advertising placed by the raffle operator and/or raffle distributors (agents) as part of an agency agreement concluded with the [raffle operator](#).

2. Excluded in accordance with [Law No. 264-III of the Republic of Kazakhstan, dated 06/19/2007 \(see legacy version\)](#)

Paragraph 3 is outlined in the version of [Law No. 186-IV of the Republic of Kazakhstan, dated 07/16/2009 \(see legacy version\)](#); [Law No. 211-VI of the Republic of Kazakhstan, dated 12/28/2018 \(see legacy version\)](#)

3. Specific features of advertising for medical services, methods and means of prophylaxis, diagnosis, treatment, and medical rehabilitation, drugs and medical devices, and probiotic dietary supplements are regulated [by the laws of](#) the Republic of Kazakhstan in the area of healthcare.

4. Excluded in accordance with [Law No. 186-IV of the Republic of Kazakhstan, dated 07/16/2009 \(see legacy version\)](#)

In paragraph 5, there are changes incorporated in accordance with [Law No. 237-VI of the Republic of Kazakhstan, dated 03/18/2019 \(brought into force on April 10, 2019\) \(see legacy version\)](#)

5. Advertising [of a service or civilian-grade weapon](#), as well as arms, military equipment and dual-use products, the exportation and importation of which are executed in accordance with [the laws of the Republic of Kazakhstan](#), is permissible only in special publications and at specialized exhibitions or sales fairs. Such advertising must not directly or indirectly disclose the technology of the production or means of using military and specialized weaponry, arms, or military equipment.

The Article is augmented by subparagraph 5-1 in accordance with [Law No. 361-VI of the Republic of Kazakhstan, dated 07/07/2020](#)

5-1. In the showing of audiovisual presentations, including televised films and videos and television, video, and newsreel programs in which tobacco products and the process of their use are demonstrated, the broadcaster or organizer of the demonstration should provide an accompanying textual message about the harm of using tobacco directly before the beginning or during the demonstration of such a work or program.

The Article is augmented by subparagraph 6 in accordance with [Law No. 504-V of the Republic of Kazakhstan, dated 04/21/2016](#); outlined in the version of [Law No. 215-VI of the Republic of Kazakhstan, dated 01/08/2019 \(brought into force on April 11, 2019\)](#) ([see legacy version](#))

6. It is prohibited to advertise a residential home (residential building) under construction or brought into use and which does not conform to the classification of residential homes (residential buildings) in the approved project design documentation.

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Chapter 3. State Regulation in Advertising

Article 17. State Regulation in Advertising

In paragraph 1, there are changes incorporated in accordance with [Law No. 215-VI of the Republic of Kazakhstan, dated 01/08/2019 \(brought into force on April 11, 2019\)](#) ([see legacy version](#))

1. State regulation in the area of advertising is understood to mean supervision established in accordance with the legal statutes of the Republic of Kazakhstan over the production, dissemination and placement of advertising.

State regulation in advertising is accomplished through the authorized agency in the area of advertising, which regulates state agencies in the area of advertising, as well as local executive authorities within the scope of their competency as established by the laws of the Republic of Kazakhstan.

2. The primary goals of state regulation in advertising are:

- 1) the protection of national interests;
- 2) the prevention and suppression of inappropriate advertising as well as advertisements that encroach upon community values and universal moral principles and ethics;
- 3) protection [from unfair competition](#).

The Article is augmented by paragraph 3 in accordance with [Law No. 215-VI of the Republic of Kazakhstan, dated 01/08/2019 \(brought into force on April 11, 2019\)](#)

3. State monitoring over compliance with the laws of the Republic of Kazakhstan concerning advertising shall be executed in the form of verification and preventative monitoring in accordance with [the Entrepreneurial Code](#) of the Republic of Kazakhstan.

See: [Order No. 22 of the Minister of National Economics of the Republic of Kazakhstan, dated March 29, 2019, "On the Approval of Criteria for Risk Assessment and the Checklist for Compliance with the Laws of the Republic of Kazakhstan Concerning Advertising"](#)

The Article is augmented by paragraph 4 in accordance with [Law No. 215-VI of the Republic of Kazakhstan, dated 01/08/2019 \(brought into force on April 11, 2019\)](#)

4. Preventative monitoring without a site visit to the subject (object) of the monitoring shall be accomplished in accordance with this Law.

The activity of advertising distributors and advertisers is the object of preventative monitoring without a site visit to the subject (object) of the monitoring.

Advertising distributors and advertisers are the subjects of preventative monitoring without a site visit of the subject (object) of the monitoring.

The objectives of preventative monitoring without a visit to the subject (object) of the monitoring are to execute the timely suppression and prevention of violations, to provide to the subjects of monitoring the right to independently extirpate violations uncovered as the result of preventative monitoring without a site visit to the subject (object) of the monitoring, and to reduce the administrative workload on them.

Preventative monitoring without a visit to the subject (object) of the monitoring is done by means of analyzing information gathered from various sources of information.

If violations are found as the result of preventative monitoring without a site visit of the subject (object) of the monitoring, the subject of the monitoring shall be sent recommendations no later than five business days from the day the violations were found.

The recommendations sheet must be handed to the subject of monitoring in person with a signature or other means of confirming the fact that it was delivered and received.

Recommendations sent by one of the methods listed below shall be deemed as duly delivered in the following cases:

- 1) personal delivery - from the date of receipt marked in the recommendations;
- 2) delivery by mail - from the notification date regarding receipt of the postal delivery by registered letter;
- 3) by electronic means - from the mailing date to the electronic address of the subject of monitoring, indicated in a letter upon inquiry by a state or local authority.

Recommendations for extirpating violations discovered by the results of preventative monitoring without a site visit to the subject (object) of the monitoring must be executed within ten business days from the day following the day the recommendations were delivered.

The subject of monitoring, in the event of a dispute of the violations specified in the recommendations, has the right to send an objection, within five business days from the day following the day the recommendations were delivered, to the state or local authority that sent the recommendations.

Non-fulfillment of the recommendations for extirpating violations within the set deadline after such violations were found as the result of preventative monitoring without a site visit to the subject (object) of monitoring shall trigger the engagement of preventative monitoring involving a site visit to the subject (object) of monitoring by incorporating a half-yearly schedule for conducting preventative monitoring involving a site visit to the subject (object) of monitoring.

Preventative monitoring without a visit to the subject (object) of the monitoring shall be performed no more frequently than twice a month.

The Law is augmented by article 17-1 in accordance with [Law No. 264-III of the Republic of Kazakhstan, dated 06/19/2007](#); outlined in the version of [Law No. 215-VI of the Republic of Kazakhstan, dated 01/08/2019](#) (brought into force on April 11, 2019) ([see legacy version](#))

Article 17-1. Competency of the authorized agency in the area of advertising and the regulatory state agencies in advertising

1. [The authorized state agency in the domain of advertising](#):

1) develops and approves [rules for](#) the placement of an exterior (visual) advertisement in an open space and outdoors in populated areas, along the right-of-way of roadways for general use, in an open space outdoors and outside of populated areas and outside the right-of-way of roadways for general use;

2) affirms [the registry](#) of specially designated spaces for the placement of announcements of cultural, athletic and participation sports events;

3) exercises other powers specified by this Law, by other laws of the Republic of Kazakhstan, and by executive orders of the President of the Republic of Kazakhstan and Government of the Republic of Kazakhstan.

2. [The authority](#) in the area of television and radio broadcast communications shall in the scope of its authority:

1) affirm [the rules](#) for the generation and placement of public service announcements on required television and radio channels;

2) exercise other powers specified by this Law, by other laws of the Republic of Kazakhstan, and by executive orders of the President of the Republic of Kazakhstan and Government of the Republic of Kazakhstan.

3. [The authorized state agency](#) for roadways shall in the scope of its authority:

1) develop and affirm [the rules](#) for the placement of objects of exterior (visual) advertising in the right-of-way of roadways for general use having international, republic-wide, provincial and regional significance;

2) exercise other powers specified by this Law, by other laws of the Republic of Kazakhstan, and by executive orders of the President of the Republic of Kazakhstan and Government of the Republic of Kazakhstan.

4. [The authoritative agency](#) for architectural affairs, urban development and construction shall in the scope of its authority:

1) develop and affirm [the procedure for](#) the placement of objects of exterior (visual) advertising in an open space within premises in populated areas;

2) exercise other powers specified by this Law, by other laws of the Republic of Kazakhstan, and by executive orders of the President of the Republic of Kazakhstan and Government of the Republic of Kazakhstan.

5. The regulatory state agencies in the area of advertising shall in the scope of their authority:

1) bring to the regulatory agency on advertising proposals for refining the laws of the Republic of Kazakhstan concerning advertising;

2) implement state monitoring for compliance with the laws of the Republic of Kazakhstan on advertising;

3) exercise other powers specified by this Law, by other laws of the Republic of Kazakhstan, and by executive orders of the President of the Republic of Kazakhstan and Government of the Republic of Kazakhstan.

The Law is augmented by article 17-2 in accordance with [Law No. 264-III of the Republic of Kazakhstan, dated 06/19/2007](#); outlined in the version of [Law No. 452-IV of the Republic of Kazakhstan, dated 07/05/2011](#) (brought into force upon the expiration of three months following its first official publication) ([see legacy version](#)); changes are incorporated in accordance with [Law No. 269-V of the Republic of Kazakhstan, dated 12/29/2014](#) (brought into force on January 01, 2015) ([see legacy version](#)); [Law No. 376-V of the Republic of Kazakhstan, dated 10/29/2015](#) (brought into force on January 01, 2016) ([see legacy version](#)); [Law No. 156-VI of the Republic of Kazakhstan, dated 05/24/2018](#) ([see legacy version](#)); outlined in the version of [Law No. 215-VI of the Republic of Kazakhstan, dated 01/08/2019](#) (brought into force on April 11, 2019) ([see legacy version](#))

Article 17-2. Authority of local representatives and enforcement agencies

1. The local administrative agencies of cities of national significance, capital cities, and cities of provincial significance shall:

1) carry out the reception and review of notifications regarding the placement of exterior (visual) advertising in an open space outdoors in a city of national significance, a capital, or city of provincial significance, on the right-of-way of general use roadways running through a city of national significance, a capital city, or city of provincial significance in accordance with the [Law](#) of the Republic of Kazakhstan "On Permits and Notifications";

2) implement, within its authority, state monitoring for compliance with the laws of the Republic of Kazakhstan on advertising;

3) identify exterior (visual) advertising placed without notification, and the objects of exterior (visual) advertising placed without the agreement of building (structure) owners, the owners of residential and non-residential premises within a residential home (residential building) or the site management company of a condominium, and individuals possessing other proprietary rights to the buildings (structures);

4) issue, in accordance with the [Entrepreneurial Code](#) of the Republic of Kazakhstan, improvement notices for mandatory execution to extirpate violations of the laws of the Republic of Kazakhstan regarding advertising;

5) establish the actual placement of exterior (visual) advertising in an open space outdoors in a city of national significance, a capital, city of provincial significance, on the right-of-way of general use roadways running through a city of national significance, capital, city of provincial significance, by means of a photographic or videographic confirmation of its placement with mandatory statement specifying the placement site, name of the advertising distributor and date that the placement verification was established;

6) implement, in the interests of the local government administration, other authoritative powers resting on the local administrative agencies by the laws of the Republic of Kazakhstan.

2. Local administrative agencies of a region shall:

1) carry out the receipt and review of notifications regarding the placement of exterior (visual) advertising in an open space outdoors in a city of regional significance, village, or settlement, on the right-of-way of general use roadways running through a city of regional significance, village, settlement, or rural area, in an open space outdoors outside of populated areas and outside of the right-of-way of general use roadways in accordance with the [Law](#) of the Republic of Kazakhstan "On Permits and Notifications";

2) implement, within its authority, state monitoring for compliance with the laws of the Republic of Kazakhstan on advertising;

3) identify exterior (visual) advertising placed without notification, and the objects of exterior (visual) advertising placed without the agreement of building (structure) owners, the owners of residential and non-residential premises within a residential home (residential building) or the site management company of a condominium, and individuals possessing other proprietary rights to the buildings (structures);

4) issue, in accordance with the [Entrepreneurial Code](#) of the Republic of Kazakhstan, improvement notices for mandatory execution to extirpate violations of the laws of the Republic of Kazakhstan regarding advertising;

5) establish the actual placement of exterior (visual) advertising in an open space outdoors in a city of regional significance, a village, on the right-of-way of general use roadways running through a city of regional significance, village, small town, rural area, in an open space outdoors and outside of the right-of-way of general use roadways by means of a photographic or

videographic confirmation of its placement with mandatory statement specifying the placement site, name of the advertising distributor and date that the placement verification was established;

6) implement, in the interests of the local government administration, other authoritative powers resting on the local administrative agencies by the laws of the Republic of Kazakhstan.

3. The local administrative agencies of provinces, cities of national significance and capitals, on the basis of the rules for the placement of exterior (visual) advertising in an open space outdoors in populated areas, on the right-of-way of general use roadways outdoors and outside of populated areas and outside of the right-of-way of general use roadways shall, by agreement with the authorized agency for advertising, develop and provide for approval, to the local representative bodies of provinces, cities of national significance, and capital city, the rules regarding the [procedure](#) and conditions for the placement of exterior (visual) advertising in an open space outdoors in populated areas, on the right-of-way of general use roadways, in an open space outdoors outside of populated areas and outside of the right-of-way of general use roadways.

4. It is prohibited for the local representative and administrative bodies to adopt normative legal acts on issues for the regulation of exterior (visual) advertising, with the exception of cases stipulated by this Law.

Article 18. Submission of Advertising Information

In the event that the requirements of this Law are not fulfilled, the advertiser, advertising producer and advertising distributor are obliged, upon the demand of the authorities, to provide documented evidence of the advertised information in the legally-established procedure of the Republic of Kazakhstan.

If the advertiser, despite a warning, does not alter its specifications for an advertisement or does not provide the documented evidence of the veracity of its advertised information, or does not remove other circumstances that may make the advertisement inappropriate, the advertising producer and/or advertising distributor have the right, in an established procedure, to dissolve the contract and require full compensation for losses unless otherwise specified in the contract.

Article 19. Retraction

1. If a violation of the advertising laws of the Republic of Kazakhstan is proven, the entity committing the violation shall be obligated to immediately halt the dissemination and placement of such advertising and to implement a retraction according to the legally established procedure of the Republic of Kazakhstan. All expenses for retraction shall be borne by the entity that committed the violation.

2. The counter-ad shall be implemented via the same means of distribution and placement, with the use of the same characteristics of duration, space, place, and order as the retracted, inappropriate ad.

3. If the counter-ad is not implemented within the established deadline, the retraction must be, upon the decision of the authorities, carried out by the advertising distributors, who have the right to submit a counter demand (regress) of compensation for incurred expenses to the entity that committed the violation of the advertising laws of the Republic of Kazakhstan and that did not implement a retraction within the established deadline.

Article 20. Responsibility for violating the advertising laws of the Republic of Kazakhstan

In paragraph 1, there are changes incorporated in accordance with [Law No. 264-III of the Republic of Kazakhstan, dated 06/19/2007](#) ([see legacy version](#))

1. The advertiser bears [responsibility](#) for violation of the advertising laws of the Republic of Kazakhstan with respect to the advertisement's content and language unless it is shown that this has occurred due to the fault of the advertisement producer or advertisement distributor.

2. The ad producer bears [responsibility](#) for violation of the advertising laws of the Republic of Kazakhstan on advertising with respect to its design, production, and preparation.

3. The ad distributor bears [responsibility](#) for violation of the advertising laws of the Republic of Kazakhstan with respect to the time, place and means of distribution and placement of the advertisement.

4. The responsibility of the entities specified in paragraphs 1, 2, 3 of this article shall ensue according to the procedure stipulated by the laws of the Republic of Kazakhstan.

Article 21. Procedure for the entry into force of the current Law

This Law shall enter into force on the day of its official [publication](#), with the exception of subparagraph 1) of paragraph 1 [article 13](#), which enters into force on January 01, 2004.

**President
Republic of Kazakhstan**

N. NAZARBAYEV