

Article 57. Public of the state environmental impact assessment.

1. Public of the state environmental impact assessment and public participation in decision-making on environmental protection issues and use of natural resources are provided by carrying out public hearings.

2. The opportunity is given to all interested citizens and public associations to express the opinion during the state environmental impact assessment.

3. The user of nature directs the conclusion of the state environmental assessment for placement on an Internet resource of local executive body in the field of environmental protection within five working days after his receiving by the user of nature.

4. Natural and legal entities have a right to challenge the conclusion of the state environmental impact assessment in accordance with the legislation of the Republic of Kazakhstan.

5. All interested persons are given an opportunity to obtain information on object of assessment after decision-making according to the conclusion of the state environmental impact assessment, in course of the present Code;

Article 57-1. Public participation in decision-making on environmental protection issues.

Public participation in decision-making on environmental protection issues is carried out by:

Carrying out public hearings;

Carrying out public environmental impact assessment;

Carrying out public environmental control;

Submissions of remarks and offers in government bodies during the state environmental impact assessment;

Participations in public councils at government bodies;

Submissions of remarks and offers on drafts of regulations on environmental protection, including on drafts of documents of state planning system;

Article 57-2 Carrying Out Public Hearings

1. Carrying out public hearings is obligatory on projects:

1) in spheres rural and forestry, mining and manufacturing industry, construction, transport, power supply, heat supply, water supply, water disposal, the address with waste and in other branches of economy according to the list determined by authorized body in the field of environmental protection;

2) providing accommodation facilities in water protection zones, strips and sanitary protection zones of water sources;

3) providing accommodation facilities on lands of the state forest fund;

4) providing the lumbering on lands of the state forest fund, including planting greenery within borders of settlements;

5) providing activity of the nature user in protected areas and the former nuclear test site areas of the Semipalatinsk city;

6) being objects of the state environmental impact assessment specified in subparagraphs 1), 6), 8) 9) and 10) * paragraph 1 of Article 47 of the present Code.

2. The customer (initiator) of the planned activity on a contractual basis has the right to involve public associations to carrying out public informing activities for participation in public hearings.

3. Local executive bodies per twenty days prior to public hearings provide open access to ecological information. Open access belongs to environmental impact assessment, the planned economic and other activity and decision-making process on this activity through an Internet resource, and also using different ways of informing.

4. The order of public hearings is defined by authorized body in the field of environmental protection.

*1) preproject and project documentation of the planned activity which makes impact on environment with the materials of environment impact assessment according to stages. Stages are defined by article 37 of the present Code;

6) natural-science projects and feasibility studies on creation and expansion of protected areas, abolition of the state nature reserves and the state protected areas of republican significance and reduction of their territory;

8) projects of general development plans (development) of cities and territories, including the territories of special economic zones and territories with special regime of economic activity;

9) the materials of inspection of territories justifying classification of these territories to zones of ecological disaster or an emergency ecological situation;

10) projects of economic activity which can make environment impact of the neighboring states or her implementation requires use of the general natural objects with the neighboring states or which infringes on interests of the special states, including on the Baikonur complex, determined by international treaties of the Republic of Kazakhstan;