

On approval of the Rules for transfer of state property assigned to state legal entities from one type of state property to another

Invalidated Unofficial translation

the Decree of the Government of the Republic of Kazakhstan No. 616 dated June 1, 2011. Abolished by the Decree of the Government of the Republic of Kazakhstan dated July 11, 2023 No. 550

Unofficial translation

A footnote. Abolished by the Decree of the Government of the Republic of Kazakhstan dated July 11, 2023 No. 550 (it is put into effect after ten calendar days after the date of its first official publication).

In accordance with Paragraph 2 of Article 9 of the Law of the Republic of Kazakhstan dated March 1, 2011 "On State Property", the Government of the Republic of Kazakhstan hereby **DECREES AS FOLLOWS:**

1. Approve the attached Rules for transfer of state property assigned to state legal entities from one type of state property to another.

2. Declare to be no longer in force:

1) Decree of the Government of the Republic of Kazakhstan dated January 22, 2003 No. 81 "On approval of the Rules for transfer of state property from one type of state property to another" (Collected Acts of the President and the Government of the Republic of Kazakhstan, 2003, No. 3, Article 38);

2) Decree of the Government of the Republic of Kazakhstan dated September 10, 2010 No. 927 "On Amendments to the Decree of the Government of the Republic of Kazakhstan dated January 22, 2003 No. 81" (Collected Acts of the President and the Government of the Republic of Kazakhstan, 2010, No. 51, Article 482).

3. This Decree shall be enforced upon expiry of ten calendar days after the first official publication.

*The Prime Minister
of the Republic of Kazakhstan*

K. Massimov

Approved by
the Decree of the Government of
the Republic of Kazakhstan
No. 616 dated June 1, 2011

Rules

for transfer of state property assigned to state legal entities from one type of state property to another

Footnote. The Rules are in the wording of Decree of the Government of the Republic of Kazakhstan dated 11.23.2017 No. 769 (shall be enforced upon expiry of ten calendar days after the day its first official publication, while for cities of district significance, villages, settlements, rural districts with a population of more than two thousand people shall be enforced from 01.01.2018 and for cities of district significance, villages, settlements, rural districts with a population of two thousand or less people - from 01.01.2020).

1. These Rules for transfer of state property assigned to state legal entities from one type of state property to another (hereinafter referred to as the Rules) shall be developed in accordance with Paragraph 2 of Article 9 of the Law of the Republic of Kazakhstan dated March 1, 2011 “On State Property” and determine the procedure transfer of state property assigned to state legal entities from one type of state property to another.

2. The transfer of state property assigned to state legal entities from one type of state property to another shall be carried out in the following order:

1) Republican legal entities as property complexes, shares of joint stock companies and shares in the charter capital of limited liability partnerships that are in the republican ownership shall be transferred to communal ownership by decision of the Government of the Republic of Kazakhstan on the basis of a request from akim of region (city of republican significance, capital);

2) property of republican legal entities shall be transferred to communal property on the basis of a petition of akim of region (city of republican significance, capital) by decision of the authorized agency for managing state property, agreed with the authorized agency of the relevant industry, managing the republican legal entity, to whose balance the property shall be transferred;

property assigned to the National Bank of the Republic of Kazakhstan shall be transferred to communal property on the basis of a petition of akim of region (city of republican significance, capital) by decision of the National Bank of the Republic of Kazakhstan;

3) communal legal entities as property complexes, shares of joint-stock companies and shares in the charter capital of limited liability partnerships that are in communal ownership shall be transferred to republican ownership on the basis of the Decree of the Akimat of region (city of republican significance, capital) and the Decree of the Government of the Republic of Kazakhstan on adoption to republican property;

4) property of communal legal entities shall be transferred to republican ownership on the basis of the Decree of the Akimat of region (city of republican significance,

capital), agreed with the authorized agency for managing state property and the authorized agency of the relevant industry, managing the republican legal entity to whose balance the property shall be transferred;

property of communal legal entities shall be transferred to republican ownership to the balance of the National Bank or its subordinate republican state institutions and enterprises on the basis of the Decree of the Akimat of region (city of republican significance, capital) agreed with the National Bank of the Republic of Kazakhstan;

5) communal legal entities of local self-government as property complexes in communal ownership shall be transferred to republican ownership on the basis of a decision of the Akim's Administration of city of district significance, village, settlement, rural district in coordination with the meeting of local community and Akim of region (city of regional significance), and Decrees of the Government of the Republic of Kazakhstan on adoption to republican ownership;

6) property of communal legal entities of local self-government shall be transferred to republican ownership on the basis of a decision of the Akim's Administration of city of district significance, village, settlement, rural district, agreed with the territorial division of the authorized agency for state property management and the authorized agency of the relevant industry, managing the republican legal entity, to whose balance the property shall be transferred.

Footnote. Paragraph 2 as amended by the Decree of the Government of the Republic of Kazakhstan dated 05.15.219 No. 287 (shall be enforced upon expiry of ten calendar days after the day its first official publication).

3. After making a decision on transfer of state property from one type of state property to another, delivery acceptance report of property (transfer act) shall be drawn up within no more than 30 calendar days).

In case of transfer of state property assigned to state legal entities from one type of state property to another in accordance with Subparagraphs 3) and 5) of Paragraph 2 of these Rules, delivery acceptance report of property (transfer act) shall be executed within a period of not more than 30 calendar days after decision by the Government of the Republic of Kazakhstan.

In case of transfer of property in the form of housing from the housing stock of state institutions and state enterprises from one type of state property to another, delivery acceptance report of housing shall be executed no more than fifteen calendar days after a decision shall be made by the authorized agency for managing state property and the local executive authority.

Delivery acceptance report of property (transfer act) shall be signed by authorized officials of the sending and receiving parties and approved by the heads of the territorial divisions of the authorized agency for state property management (deputy chairman of the National Bank of the Republic of Kazakhstan) and the executive

authority, financed from the local budget, authorized to manage communal property , or the Akim's Administration of city of district significance, village, settlement, rural district.

Delivery acceptance report (transfer act) shall be drawn up in four copies in the State and Russian languages, one copy for each of the Parties participating in execution of delivery acceptance report (transfer act).

Footnote. Paragraph 3 as amended by the Government of the Republic of Kazakhstan dated 15.05.2019 No. 287 (shall be enforced upon expiry of ten calendar days after the day its first official publication); No. 976 dated December 25, 2019 (shall be enforced upon expiry of ten calendar days after the day its first official publication).