



On approval of the Standard Regulations on terms of payment of remuneration and bonuses to executive officers of national companies, joint-stock companies, the controlling blocks of stock of which belong to the state

Invalidated Unofficial translation

Decree of the Government of the Republic of Kazakhstan dated December 31, 2015 No . 1183. Abolished by the Decree of the Government of the Republic of Kazakhstan dated 09/01/2023 No. 753

Unofficial translation

Footnote. Abolished by the Decree of the Government of the Republic of Kazakhstan dated 09/01/2023 No. 753 (effective after the day of its first official publication).

In accordance with subparagraph 3) of article 15 of the Labour Code of the Republic of Kazakhstan dated November 23, 2015, the Government of the Republic of Kazakhstan HEREBY DECREES:

1. To approve the attached Standard Regulation on terms of payment of remuneration and bonuses to executive officers of national companies, joint-stock companies, the controlling blocks of stock of which belong to the state (hereinafter referred to as the Standard Regulation).

2. The state bodies, exercising the rights of ownership and use of the controlling blocks of stock of the national companies and joint stock companies, shall ensure the establishment by boards of directors of the national companies and joint stock companies the control blocks of stock of which belong to the state, the terms of payment of remuneration and bonuses to executive officers in accordance with the Standard Regulations.

The terms of payment of remuneration and bonuses to the chairperson and members of the board of Samruk-Kazyna National Welfare Fund Joint-Stock Company shall be determined by the Board of Directors of Samruk-Kazyna National Welfare Fund Joint-Stock Company.

3. To recognize terminated certain decisions of the Government of the Republic of Kazakhstan according to the annex to this decree.

4. This decree shall be put into effect from January 1, 2016 and is subject to the official publication.

*Prime Minister
of the Republic of Kazakhstan*

K. Massimov

Approved

**Standard Regulations on terms of payment of remuneration
and bonuses to executive officers of national companies,
joint-stock companies, the controlling blocks of stock of which
belong to the state**

1. General provisions

1. These Standard Regulations on terms of payment of remuneration and bonuses to executive officers of national companies, joint-stock companies, the controlling blocks of stock of which belong to the state, (hereinafter referred to as the Standard Regulation) have been developed in order to ensure uniform approaches in the matters of remuneration and motivation of labour of executive officers of national companies, joint stock companies, the control blocks of stock of which belong to the state (hereinafter referred to as the organizations).

2. Main definitions used in these Standard Regulations shall be as follows:

1) remuneration of labour – a system of relations, associated with ensuring by an employer of mandatory payment to the employee of remuneration for his labour in accordance with the Labour Code of the Republic of Kazakhstan dated November 23, 2015, other regulatory legal acts of the Republic of Kazakhstan, as well as agreements, labour, collective contracts, acts of the employer and these Standard Regulations;

2) official salary - fixed amount of remuneration of labour of an employee per month for performance of labour standards (employment duties) subject to qualification of an employee, complicity, quantity, quality and conditions of the performed work;

3) annual bonus - remuneration according to the results of work for a year, paid to the executive officers of the organization once a year, depending on the results of the work in order to materially encourage the achieved success and increase the efficiency of work. Annual bonus shall not be of permanent nature.

3. The executive officers of an organization shall be:

- 1) chief executive officer;
- 2) deputy chief officer;
- 3) member of the executive body (board).

4. Remuneration of labour and payment of bonuses of the executive officers of an organization shall be made at the expenses of funds, provided for remuneration of labour in the budget of the organization for the current financial year.

5. The amount of a monthly official salary, the right to receive the annual bonus of an executive officer of the organization shall be determined in a labour contract,

concluded in accordance with the procedure, established by the legislation of the Republic of Kazakhstan.

2. Terms of payment of remuneration and bonuses

6. The amount of a monthly official salary of the executive officers of the organization shall be determined on a case-by-case basis depending on complicacy of the performed work, position held, peculiarities and the scale of production (business) and associated risks, branch specifics of labour, role and place of organization in the socially-economical development of the republic and shall be established by decision of the Board of Directors of the organization.

7. Payment of an annual bonus shall be made in order to increase the interest in the executive officers of the organizations.

8. The size of the annual bonus shall be determined on the basis of an individual approach to the assessment of the activities of each executive officer of joint-stock companies the controlling blocks of stock of which are owned by the state, with the exception of joint-stock companies that are national managing holdings, national holdings, national companies, which are the part of the national managing holdings, national holdings, and depends on the qualitative and quantitative indices of achievement of their development plan.

9. The procedure and terms of payment of an annual bonus to the executive officers of the organizations shall be determined by the Board of Directors of the organization.

10. Annual bonuses to the executive officers shall be paid based on results of a financial year after the approval in accordance with the established procedure of results of financial-economic activities of organization on the basis of the audited financial reporting.

11. The calculation of the average salary of an executive officer shall be made in accordance with the procedure, established by the legislation of the Republic of Kazakhstan, without consideration of the annual bonus.

12. Terms of remuneration of labour and payment of bonuses of the executive officers of the organization shall be determined by the decision of the Board of Directors.

13. In establishing a system of remuneration and bonuses for executive officers, the Board of Directors of the organization shall be governed by these Standard Regulations

List of terminated decisions of the Government of the Republic of Kazakhstan

1. Decree of the Government of the Republic of Kazakhstan dated June 10, 2008 no.558 “On approval of the Standard Regulations on terms of payment of remuneration and bonuses to executive officers of national companies, joint-stock companies, the controlling blocks of stock of which belong to the state” (Collected Acts of the President and the Government of the Republic of Kazakhstan, 2008, no.29, art.291).

2. Paragraph 12 of amendments and supplements, which are entered to some decisions of the Government of the Republic of Kazakhstan, approved by the Decree of the Government of the Republic of Kazakhstan dated November 12, 2008, no.1048 “On certain issues of Samruk Kazyna National Welfare Fund Joint Stock Company”.

3. Paragraph 14 of amendments and supplements, which are entered to some decisions of the Government of the Republic of Kazakhstan, approved by the Decree of the Government of the Republic of Kazakhstan dated November 21, 2008 no.1080 “On creation of specialized councils on the issues of state corporate management under the Government of the Republic of Kazakhstan and on making amendments and supplements to certain decisions of the Government of the Republic of Kazakhstan and recognizing terminated certain decisions of the Government of the Republic of Kazakhstan” (Collected Acts of the President and the Government of the Republic of Kazakhstan, 2008, no.44, art.500).

4. Paragraph 5 of amendments, which are entered to some decisions of the Government of the Republic of Kazakhstan, approved by the Decree of the Government of the Republic of Kazakhstan dated March 25, 2009 no.399 “On amendments to certain decisions of the Government of the Republic of Kazakhstan” (Collected Acts of the President and the Government of the Republic of Kazakhstan, 2009, no.17, art.145).

5. Paragraph 13 of amendments, which are entered to some decisions of the Government of the Republic of Kazakhstan, approved by the Decree of the Government of the Republic of Kazakhstan dated July 20, 2009 no.1101 “On amendments to certain decisions of the Government of the Republic of Kazakhstan” (Collected Acts of the President and the Government of the Republic of Kazakhstan, 2009, no.33, art.317).

6. Decree of the Government of the Republic of Kazakhstan dated October 22, 2009 no.1638 “The Issues of Samruk Kazyna National Welfare Fund Joint Stock Company” (Collected Acts of the President and the Government of the Republic of Kazakhstan, 2009, no.43, art.418).

7. Decree of the Government of the Republic of Kazakhstan dated November 21, 2012 no.1470 “On amendments to the Decree of the Government of the Republic of Kazakhstan dated June 10, 2008 no.558 “On approval of the Standard Regulations on

terms of payment of remuneration and bonuses to executive officers of national companies, joint-stock companies, the controlling blocks of stock of which belong to the state” and recognition as terminated certain decisions of the Government of the Republic of Kazakhstan" (Collected Acts of the President and the Government of the Republic of Kazakhstan, 2012, no.80, art.1182).

8. Subparagraph 2) of paragraph 2 of the Decree of the Government of the Republic of Kazakhstan dated December 2, 2014 no.1266 “On determining of limits of certain administrative expenses of the national managing holdings (except for the National Welfare Fund), nation holdings and national companies, the controlling blocks of stock of which belong to the state, as well as national companies which are the part of the national managing holdings (except for national companies which are the part of the National Welfare Fund), national holdings and the mechanism of conducting their monitoring and making of amendments and supplements to certain decisions of the Government of the Republic of Kazakhstan” (Collected Acts of the President and the Government of the Republic of Kazakhstan, 2014, no.74, art.664).