



**On approval of the Rules of interaction of the authorized body in the field of trade regulation with state bodies and quasi-public sector entities, fifty or more percent of the shares (participatory interests in the authorized capital) of which belong to the state, on issues related to the membership of the Republic of Kazakhstan in the World Trade Organization**

*Invalidated Unofficial translation*

Decree of the Government of the Republic of Kazakhstan dated September 6, 2019 No. 664. Abolished by the Decree of the Government of the Republic of Kazakhstan dated 08/03/2023 No. 641

*Unofficial translation*

**Footnote. Abolished by the Decree of the Government of the Republic of Kazakhstan dated 08/03/2023 No. 641 (effective after ten calendar days after the date of its first official publication).**

In accordance with Article 22-3 of the Law of the Republic of Kazakhstan dated April 12, 2004 “On Regulation of Trading Activities”, the Government of the Republic of Kazakhstan **RESOLVES**:

1. To approve the attached Rules for the interaction of the authorized body in the field of regulation of trade with government bodies and quasi-public sector entities, fifty or more percent of the shares (participatory interests in the authorized capital) of which belong to the state, on issues related to the membership of the Republic of Kazakhstan in the World Trade Organization.

2. This resolution shall be enforced after ten calendar days after the day its first official publication.

*Prime Minister of the Republic of Kazakhstan*

*A. Mamin*

Approved by the  
Decree of the Government of the  
Republic of Kazakhstan  
dated September 6, 2019 No. 664

**Rules for the interaction of the authorized body in the field of regulation of trade with government bodies and quasi-public sector entities, fifty or more percent of the shares (participatory interests in the authorized capital) of which belong to the state, on issues related to the membership of the Republic of Kazakhstan in the World Trade Organization**

## **Chapter 1. General Provisions**

1. These Rules for the interaction of the authorized body in the field of trade regulation with state bodies and quasi-public sector entities, fifty or more percent of the shares (participatory interests in the authorized capital) of which belong to the state, on issues related to the membership of the Republic of Kazakhstan in the World Trade Organization, have been developed in accordance with article 22-3 of the Law of the Republic of Kazakhstan dated April 12, 2004 "On the regulation of trade activities" and determine the order of interaction of an authorized body in the field of regulation of trade activities with state bodies and quasi-public sector entities, fifty or more percent of shares (stakes in the authorized capital) of which belong to the state (hereinafter referred to as quasi-public sector entities), on issues related to the membership of the Republic of Kazakhstan in the World Trade Organization (hereinafter - the WTO).

2. The following definitions and concepts are used in these rules:

1) WTO working bodies - the Secretariat and the permanent advisory bodies of the WTO;

2) the WTO information center - the official Internet resource of a WTO member, registered in the WTO Secretariat, functioning in order to ensure transparency in the application of state regulation measures and other measures affecting the obligations of the Republic of Kazakhstan within the framework of WTO membership;

3) members of the WTO - states, unions of states and individual customs territories that are members of the WTO;

4) state body - the central executive state body of the Republic of Kazakhstan, the state body of the Republic of Kazakhstan directly subordinate and accountable to the President of the Republic of Kazakhstan;

5) notification - a notification of the established form containing information on the measures taken or being developed by the state regulation in the field affected by the WTO rules, as well as the obligations of the Republic of Kazakhstan in the framework of membership in this organization;

6) the authorized body in the field of regulation of trade activities (hereinafter referred to as the authorized body) - the central executive body that forms the trade policy and carries out management, as well as intersectoral coordination in the field of trade.

## **Chapter 2. The procedure for interaction of the authorized body with state bodies and with entities of the quasi-public sector on issues related to the membership of the Republic of Kazakhstan in the World Trade Organization**

3. In order to coordinate work on issues related to the membership of the Republic of Kazakhstan in the WTO, the authorized body:

1) provides clarification on requests from state bodies and entities of the quasi-public sector on issues related to the membership of the Republic of Kazakhstan in the WTO;

2) informs state bodies and entities of the quasi-public sector about the activities within the WTO, during which it is planned to consider issues related to their field of activity.

Upon receipt of requests, inquiries or information from the working bodies of the WTO or members of the WTO, the authorized body shall ensure that they are sent to interested state bodies and subjects of the quasi-public sector no later than ten business days from the day such information is received;

3) ensures coordination of interaction between state bodies and quasi-public sector entities with the competent bodies of WTO members, WTO working bodies, and other international organizations on issues related to ensuring the participation of the Republic of Kazakhstan in the WTO;

4) consider proposals of state bodies and entities of the quasi-public sector with a view to their compliance with WTO agreements and acts;

5) organizes the work on the formation of the final position of the Republic of Kazakhstan on issues considered within the WTO, based on information from government bodies and entities of the quasi-public sector.

4. The state bodies of the Republic of Kazakhstan and the subjects of the quasi-public sector interact with the authorized body within their competence by:

1) determining the structural unit responsible for the internal coordination of issues that are the subject of regulation of the WTO agreements, which carries out constant interaction with the authorized body.

The state bodies of the Republic of Kazakhstan and the quasi-public sector entities shall notify the authorized body of the determination of the responsible structural unit;

2) sending to the authorized body information on the facts of violation by the WTO members of their obligations to the Republic of Kazakhstan that became known to them within five working days from the date of establishing the fact of violation or receiving such information;

3) coordination with the authorized body of the proposal on the application of state regulation measures affecting the obligations of the Republic of Kazakhstan within the framework of WTO membership, and draft legal acts on issues that are the subject of regulation of WTO agreements, in the manner established by the legislation of the Republic of Kazakhstan ;

4) the provision of reasonable answers to the requests of the authorized body on issues related to ensuring the participation of the Republic of Kazakhstan in the WTO,

within five working days or within the time period established in the request of the authorized body;

5) timely submission to the authorized body of draft notifications within its competence in accordance with the WTO agreements and their derivatives.

State bodies, as well as, if necessary, quasi-public sector entities submit draft notifications to the authorized body in the state, Russian and English languages, unless otherwise provided by the WTO agreements, no later than fifteen business days before the deadline for sending them to the WTO in the relevant WTO agreement.

In the case of poor-quality filling out of the notification or its submission in an unspecified form, or in cases where the information provided in the notification does not correspond to reality or contains irrelevant data, the notification project shall be returned by the authorized body for revision to the state body within five working days from the date of receipt of the draft notification.

State bodies are finalizing the draft notification and resubmitting them to the authorized body within two business days from the date of return.

In the event that an urgent measure is taken in accordance with the WTO Agreement on Technical Barriers to Trade, as well as the WTO Agreement on the Application of Sanitary and Phytosanitary Measures, the draft notifications must be submitted to the authorized body no later than one business day following the day the corresponding measures;

6) providing assistance to the authorized body in order to exercise its powers to interact with the WTO within its competence.

5. Issues related to the membership of the Republic of Kazakhstan in the WTO, on which a consolidated decision of state bodies is required, as well as related to participation in multilateral WTO agreements, are submitted for consideration by the Interdepartmental Commission of the Republic of Kazakhstan on foreign trade policy and participation in international economic organizations.

6. In the framework of ensuring the functioning of the information center, the authorized body:

1) brings to the attention of WTO bodies and its members information on the activities of state bodies of the Republic of Kazakhstan and other official information on issues related to ensuring the participation of the Republic of Kazakhstan in the WTO, including through notifications;

2) post on the intranet portal of government bodies and on the official website of the authorized body a guide to compiling notifications at the WTO, including information on the frequency, cases, forms and timing of notifications to the authorized body;

3) make notifications of the Republic of Kazakhstan to the Registration Center for WTO notifications;

4) develops and draws up answers to questions and (or) comments by members and working bodies of the WTO on notifications of the Republic of Kazakhstan with state bodies and subjects of the quasi-public sector.

7. The authorized body coordinates the work of state bodies on issues related to disputes and prior procedures within the WTO.

State bodies and/or subjects of the quasi-state sector, whose interests are affected in the dispute within the framework of the WTO, shall be directly involved in the relevant work under the guidance of the authorized body, including through appointment of officials responsible for quality elaboration of the position of the Republic of Kazakhstan within their competence.

In order to work out the position of the Republic of Kazakhstan, state bodies and subjects of the quasi-public sector shall submit positions, reference materials and other information to the authorized body within three business days from the receipt of the request from the authorized body, unless otherwise indicated in the text of the corresponding written request.