



On further improvement of the public administration system of the Republic of Kazakhstan

Unofficial translation

Decree № 203 of the President of the Republic of Kazakhstan as of 11 November 2019.

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the Collected Acts of
the President and the Government
of the Republic of Kazakhstan

In accordance with Articles 17-1 and 19 of the Constitutional Law of the Republic of Kazakhstan “On the President of the Republic of Kazakhstan” as of 26 December 1995, I hereby **ORDER**:

1. To reorganize the National Bank of the Republic of Kazakhstan by separating from it the Agency of the Republic of Kazakhstan for the Regulation and Development of the Financial Market - a state body of the Republic of Kazakhstan directly subordinated and accountable to the President of the Republic of Kazakhstan.

2. To approve the appended:

1) Regulation on the Agency of the Republic of Kazakhstan for the Regulation and Development of the Financial Market (hereinafter referred to as the Agency);

2) The structure of the Agency.

3. Approve the total staff number of the Agency as 595 units.

Footnote. Paragraph 3 - as amended by the Decree of the President of the Republic of Kazakhstan dated 28.03.2023 № 157.

4. To designate the Agency as the legal successor of the rights and obligations of the National Bank of the Republic of Kazakhstan in accordance with the transferred functions and powers.

5. The National Bank of the Republic of Kazakhstan to take measures to implement this Decree together with the Government of the Republic of Kazakhstan.

6. To introduce amendments to some decrees of the President of the Republic of Kazakhstan in accordance with the appendix to this Decree.

7. To entrust control over the implementation of this Decree to the Administration of the President of the Republic of Kazakhstan.

8. To bring the Decree into force on the day it is signed, except for paragraphs 2, 3 of this Decree and paragraph 2 of the amendments to some decrees of the President of the Republic of Kazakhstan, which take effect from 1 January 2020.

President of the Republic of Kazakhstan

K. Tokayev

APPROVED
by Decree № 203 of the

REGULATIONS

on the Agency of the Republic of Kazakhstan for Regulation and Development of the Financial Market

Footnote. The provisions are in the wording of the Decree of the President of the Republic of Kazakhstan dated 06.06.2022 № 909.

Chapter 1. General provisions

1. The Agency of the Republic of Kazakhstan for Regulation and Development of the Financial Market (hereinafter referred to as the Agency) is a state body of the Republic of Kazakhstan directly subordinate to and accountable to the President of the Republic of Kazakhstan, exercising leadership in the field of state regulation, control and supervision of the financial market and financial organizations, as well as other persons within its competence, ensuring an appropriate level of protection of the rights and freedoms of citizens of the Republic of Kazakhstan. legitimate interests of consumers of financial services that contribute to ensuring the stability of the financial system and the development of the financial market.

2. The Agency carries out its activities in accordance with the Constitution and laws of the Republic of Kazakhstan, acts of the President and Government of the Republic of Kazakhstan , other regulatory legal acts, as well as this Regulation.

3. The Agency shall be a legal entity in the organizational and legal form of a republican state institution, has symbols and insignia, seals depicting the State Emblem of the Republic of Kazakhstan and stamps with its name in Kazakh and (or) Russian, forms of the established form, accounts with the National Bank of the Republic of Kazakhstan.

Footnote. Paragraph 3 – in the wording of the Decree of the President of the Republic of Kazakhstan dated 29.07.2024 № 606 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

4. The Agency enters into civil law relations on its own behalf.

5. The Agency has the right to act as a party to civil law relations on behalf of the state, if it is authorized to do so in accordance with the legislation of the Republic of Kazakhstan.

6. The Agency on issues of its competence, in accordance with the procedure established by the legislation of the Republic of Kazakhstan, makes decisions drawn up by resolutions of the Agency's Management Board, orders of the Agency's Chairman and other acts provided for by the legislation of the Republic of Kazakhstan.

7. The structure and total staffing of the Agency are approved by the President of the Republic of Kazakhstan.

8. Agency location: A15C9T5, 21 Koktem-3 microdistrict, Almaty.

9. These Regulations are the Agency's founding document.

10. The Agency's activities shall be financed from the budget (cost estimate) of the National Bank of the Republic of Kazakhstan.

Footnote. Paragraph 10 – in the wording of the Decree of the President of the Republic of Kazakhstan dated 29.07.2024 № 606 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

11. The Agency is prohibited from entering into contractual relations with business entities for the performance of duties that are the authority of the Agency.

If the Agency is granted the right to carry out income-generating activities by legislative acts, the received income is sent to the state budget, unless otherwise established by the legislation of the Republic of Kazakhstan.

Chapter 2. Tasks and powers of the Agency

12. Tasks:

1) regulation and development of the financial market, including setting standards for the activities of financial organizations, branches of non-resident banks of the Republic of Kazakhstan, branches of non-resident insurance (reinsurance) organizations of the Republic of Kazakhstan, branches of non-resident insurance brokers of the Republic of Kazakhstan, creating incentives to improve corporate governance of financial organizations;

2) monitoring of the financial market and financial organizations, branches of non-resident banks of the Republic of Kazakhstan, branches of non-resident insurance (reinsurance) organizations of the Republic of Kazakhstan, branches of non-resident insurance brokers of the Republic of Kazakhstan in order to preserve the stability of the financial system;

3) focus supervisory resources on areas of the financial market that are most exposed to risks, in order to maintain financial stability;

4) ensuring an appropriate level of protection of the interests of consumers of financial services, completeness and accessibility of information for consumers on the activities of financial organizations, branches of non-resident banks of the Republic of Kazakhstan, branches of insurance (reinsurance) organizations-non-residents of the Republic of Kazakhstan, branches of insurance brokers-non-residents of the Republic of Kazakhstan and financial services provided by them, as well as improving the level of financial literacy and financial accessibility for the population;

5) other tasks in accordance with the Law of the Republic of Kazakhstan "On State Regulation, control and Supervision of the financial Market and financial Organizations" (hereinafter – the Law), other laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan.

13. Authority:

1) rights:

develop and adopt, within its competence, regulatory legal acts that are binding on financial organizations, branches of non-resident banks of the Republic of Kazakhstan, branches of non-resident insurance (reinsurance) organizations of the Republic of Kazakhstan, branches of non-resident insurance brokers of the Republic of Kazakhstan, consumers of financial services, and other individuals and legal entities in the territory of the Republic of Kazakhstan;

request and receive free of charge from any individuals and legal entities, their associations (unions), branches of non-resident banks of the Republic of Kazakhstan, branches of non-resident insurance (reinsurance) organizations of the Republic of Kazakhstan, branches of non-resident insurance brokers of the Republic of Kazakhstan, as well as state bodies the necessary information, including information constituting official, commercial, banking and other legally protected secrets;

conduct inspections and other forms of control and supervision within the limits of powers established by the legislation of the Republic of Kazakhstan, including with the involvement of the National Bank of the Republic of Kazakhstan, audit organizations, appraisers and specialists in the field of financial technologies;

for the purpose of exercising control and supervisory functions, send your representative, who is appointed by the Agency from among its employees, to banks, bank holdings, organizations engaged in investment portfolio management, insurance (reinsurance) organizations, insurance holdings, an organization that guarantees the implementation of insurance payments to policyholders (insured, beneficiaries) in the event of liquidation of insurance organizations;

in case of detection of violations of the legislation of the Republic of Kazakhstan in the financial sphere and activities related to the concentration of financial resources, take measures in accordance with the procedure established by the legislation of the Republic of Kazakhstan;

use reasoned judgment in relation to banks, branches of non-resident banks of the Republic of Kazakhstan, organizations engaged in certain types of banking operations, bank holdings, large participants of the bank, insurance (reinsurance) organizations, insurance groups and (or) organizations that are part of insurance groups, branches of insurance (reinsurance) organizations that are non-residents of the Republic of Kazakhstan, insurance holdings, major participants in an insurance (reinsurance) organization, insurance brokers, branches of non-resident insurance brokers of the Republic of Kazakhstan, an organization that guarantees the implementation of insurance payments, actuaries licensed to carry out actuarial activities in the insurance market, professional participants in the securities market (except for organizations engaged in transfer agency activities), major participants in the insurance market. investment portfolio managers, senior employees, candidates for the positions of senior employees of a bank, a branch of a non-resident bank of the Republic of

Kazakhstan, a bank holding company, an insurance (reinsurance) organization, a branch of an insurance (reinsurance) organization-a non-resident of the Republic of Kazakhstan, an insurance holding company, an insurance broker, an insurance broker-a non-resident of the Republic of Kazakhstan, an organization that guarantees insurance payments, a professional participant in the securities market (with the exception of organizations engaged in transfer agency activities);

adopt non-normative legal acts regulating the Agency's internal activities;

exercise other rights stipulated by the Law, other laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan;

2) responsibilities:

promote the stability of the financial system;

carry out state regulation, control and supervision of the financial market and financial organizations, as well as other persons within their competence;

ensure an adequate level of protection of the rights and legitimate interests of consumers of financial services;

publish in mass media information about financial organizations, branches of non-resident banks of the Republic of Kazakhstan, branches of non-resident insurance (reinsurance) organizations of the Republic of Kazakhstan, branches of non-resident insurance brokers of the Republic of Kazakhstan, collection agencies and credit bureaus (with the exception of information constituting official, commercial, banking or other legally protected secrets), in the following cases: including information on measures taken to address them;

to consider the appeals of individuals and legal entities within their competence in the manner and within the time limits established by the legislation of the Republic of Kazakhstan;

perform other duties stipulated by the Law, other laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan.

A footnote. Item 13 as amended by the Decree of the President of the Republic of Kazakhstan dated 09.08.2022 № 972 (shall be enforced from 12.09.2022); dated 12.11.2022 № 1070 (shall be enforced ten calendar days after the date of its first official publication).

14. Functions:

1) implementation, in accordance with the Law and other laws of the Republic of Kazakhstan, within its competence, of state regulation, control and supervision of the financial market and financial organizations (with the exception of legal entities operating exclusively through exchange offices on the basis of a license from the National Bank of the Republic of Kazakhstan for exchange transactions with cash foreign currency, and legal entities whose exclusive activity is the collection of banknotes, coins and valuables), their branches and affiliates, branches of non-resident banks of the Republic of Kazakhstan, branches of non-resident insurance (reinsurance) organizations of the Republic of Kazakhstan, branches of non-resident insurance brokers of the Republic of Kazakhstan, Development Bank

of Kazakhstan, Export Credit Agency of Kazakhstan, legal entities operating in the securities market, other securities market entities, issuers of securities, credit bureaus, bank holding companies, banking conglomerates, large bank participants, insurance holding companies, insurance groups, major participants in insurance (reinsurance) organizations, actuaries licensed to carry out actuarial activities in the insurance market, special financial companies, Islamic special financial companies, investment funds, large participants in investment portfolio management, persons possessing the characteristics of a major participant in a bank, insurance (reinsurance) organization, investment portfolio manager, bank holding company, insurance holding company, professional organizations, collection agencies, temporary administrations (temporary administrators), liquidation commissions of banks, insurance (reinsurance) organizations and liquidation commissions of branches of non-resident banks of the Republic of Kazakhstan;

2) in cases stipulated by the laws of the Republic of Kazakhstan, issue and refusal to issue a permit to open (establish) financial organizations, branches of non-resident banks of the Republic of Kazakhstan, branches of insurance (reinsurance) organizations-non-residents of the Republic of Kazakhstan, branches of insurance brokers-non-residents of the Republic of Kazakhstan, their voluntary reorganization and liquidation, including voluntary reorganization of banking and insurance holdings, voluntary termination of the activities of branches of non-resident banks of the Republic of Kazakhstan, branches of insurance (reinsurance) organizations-non-residents of the Republic of Kazakhstan, as well as determining the procedure for issuing these permits;

3) in cases stipulated by legislative acts of the Republic of Kazakhstan, issuing consent or refusal to issue, revocation of consent for the appointment (election) of senior employees of financial organizations, branches of non-resident banks of the Republic of Kazakhstan, branches of insurance (reinsurance) organizations-non-residents of the Republic of Kazakhstan, branches of insurance brokers-non-residents of the Republic of Kazakhstan, bank holdings, insurance companies companies, determining the procedure for issuing such consent, including criteria for the absence of an impeccable business reputation, documents required for obtaining consent, as well as specifics on the availability of work experience for candidates for management positions with professional qualifications confirmed by international certificates, and a list of such certificates;

3-1) maintaining a register of valid consents for the appointment (election) of senior employees of banks, insurance (reinsurance) organizations, insurance brokers, branches of non-resident banks of the Republic of Kazakhstan, branches of non-resident insurance (reinsurance) organizations of the Republic of Kazakhstan, branches of non-resident insurance brokers of the Republic of Kazakhstan, unified accumulative pension fund, voluntary accumulative pension funds, legal entities applying for a license or holding licenses to operate on the securities market, the central securities depository and the unified operator, banking and insurance holdings, and the Insurance Payment Guarantee Fund joint-stock Company;

4) licensing activities in the financial sector and activities related to the concentration of financial resources within the scope of competence, determining the procedure for licensing activities in the financial sector and activities related to the concentration of financial resources within the scope of competence;

5) exercising control and supervision over compliance by financial organizations, branches of non-resident banks of the Republic of Kazakhstan, branches of non-resident insurance (reinsurance) organizations of the Republic of Kazakhstan, branches of non-resident insurance brokers of the Republic of Kazakhstan and the Development Bank of Kazakhstan with the procedure for automating accounting;

6) audit of the activities of financial organizations and other persons specified in paragraph 1 of Article 15-1 of the Law, in cases and within the limits provided for by the laws of the Republic of Kazakhstan, including with the involvement of the National Bank of the Republic of Kazakhstan and an audit organization;

7) verification of legal entities that have applied to the Agency for issuing a license to operate in the financial market, in cases and within the limits provided for by the laws of the Republic of Kazakhstan;

8) remote supervision, including on a consolidated basis, of the activities of financial organizations, their major participants, banking and insurance holdings, organizations belonging to a banking conglomerate and insurance group, branches of non-resident banks of the Republic of Kazakhstan, branches of non-resident insurance (reinsurance) organizations of the Republic of Kazakhstan, branches of non-resident insurance brokers Of the Republic of Kazakhstan in accordance with the procedure established by the laws of the Republic of Kazakhstan;

9) application of methods for assessing risks arising in the activities of banks, bank holdings, banking conglomerates, insurance (reinsurance) organizations, insurance groups, insurance holdings, branches of non – resident banks of the Republic of Kazakhstan, branches of non-resident insurance (reinsurance) organizations of the Republic of Kazakhstan, organizations engaged in brokerage and (or) dealer activities in the market securities and /or investment portfolio management activities;

10) in coordination with the Government of the Republic of Kazakhstan, making a decision on compulsory repurchase of the bank's shares in cases stipulated by the laws of the Republic of Kazakhstan;

11) publication in mass media of information about financial organizations, branches of non-resident banks of the Republic of Kazakhstan, branches of non-resident insurance (reinsurance) organizations of the Republic of Kazakhstan, branches of non-resident insurance brokers of the Republic of Kazakhstan, collection agencies, credit bureaus (except for information constituting official, commercial, banking or other legally protected secret), including information on measures taken to address them;

12) establishing requirements for creating, operating and ensuring information security of the Agency's information systems integrated with the information systems of the National Bank of the Republic of Kazakhstan, which are not integrated with the objects of the information and communication infrastructure of the "electronic government";

12-1) carrying out digital transformation of the Agency;

13) implementation, within its competence, control and supervision over compliance with the requirements of the legislation of the Republic of Kazakhstan on combating the legalization (laundering) of proceeds from crime and the financing of terrorism by financial organizations, the Export Credit Agency of Kazakhstan, branches of non-resident banks of the Republic of Kazakhstan, branches of non-resident insurance (reinsurance) organizations of the Republic of Kazakhstan, branches of non-resident insurance brokers of the Republic of Kazakhstan, the National Postal Operator;

14) implementation of the state policy on ensuring the functioning of the insurance system in the Republic of Kazakhstan and forming the infrastructure of the national insurance market, protecting the rights and legitimate interests of policyholders and other participants in the insurance market;

15) determination of the principles and methods of regulation of the insurance market, the procedure for organizing control and supervision of insurance activities;

16) determination of the procedure for issuing and refusing to issue consent for individuals and legal entities to acquire the status of a major participant in an insurance (reinsurance) organization and insurance holding, permission to create and acquire a subsidiary organization by an insurance (reinsurance) organization and insurance holding, as well as permission for insurance (reinsurance) organizations and insurance holdings to acquire a significant participation in an insurance (reinsurance) organization capital of legal entities, the issue of the specified consents and permits or refusal to issue them, the procedure for revoking the permission to create or acquire a subsidiary, or significant participation in the capital of organizations;

17) establishing requirements for the formation of insurance reserves by insurance (reinsurance) organizations, branches of insurance (reinsurance) organizations that are non-residents of the Republic of Kazakhstan, the methodology for calculating insurance reserves and their structure;

18) determination of the procedure for placement and investment of assets by insurance (reinsurance) organizations;

19) establishing requirements for the content and procedure of registration of insurance policies;

20) determining the procedure and conditions for increasing the amount of regular insurance payments during the period of validity of annuity contracts based on the actuarial report and requirements for its content;

21) determining the procedure for issuing loans to its policyholders by an insurance organization engaged in accumulative insurance and calculating the redemption amount, as well as the procedure and conditions for providing services by a branch of a non-resident insurance (reinsurance) organization of the Republic of Kazakhstan engaged in accumulative insurance, for issuing loans to its policyholders by a non-resident insurance organization of the Republic of Kazakhstan;

22) determination of the procedure for accounting by an insurance (reinsurance) organization, a branch of an insurance (reinsurance) organization-a non-resident of the Republic of Kazakhstan of insurance and reinsurance contracts, including those executed by an insurance (reinsurance) organization, a branch of an insurance (reinsurance) organization-a non-resident of the Republic of Kazakhstan in violation of the terms established (by contracts or legislation of the Republic of Kazakhstan);

23) maintaining the register of insurance (reinsurance) organizations, insurance brokers, branches of non-resident insurance (reinsurance) organizations of the Republic of Kazakhstan , branches of non-resident insurance brokers of the Republic of Kazakhstan, actuaries;

24) adoption, in cases established by the laws of the Republic of Kazakhstan, of a decision to revoke the license for the right to carry out insurance (reinsurance) activities and appoint a temporary administration (temporary administrator) of an insurance (reinsurance) organization, a branch of an insurance (reinsurance) organization that is a non-resident of the Republic of Kazakhstan;

25) adoption, in cases established by the laws of the Republic of Kazakhstan, of a decision to complete the procedure for voluntary or compulsory termination of the activities of a branch of a non-resident insurance (reinsurance) organization of the Republic of Kazakhstan;

26) determination of the procedure for compulsory collective guarantee of insurance payments by types of compulsory insurance;

27) determining the procedure for forming a risk management and internal control system for insurance (reinsurance) organizations and insurance groups;

28) determining the procedure and specifics of transferring the insurance portfolio;

29) establishing requirements for the minimum size of the authorized and equity capital of an insurance broker, ensuring control over their compliance;

30) determining the conditions and procedure for carrying out the activities of an insurance broker;

31) analysis, assessment and control of the financial stability and solvency of an insurance (reinsurance) organization;

32) submission of requirements to methods of assessment and principles of calculation of insurance rates by classes (types) of insurance of insurance (reinsurance) organizations;

33) determination of the procedure for calculating coefficients that characterize loss-making (loss-making coefficient, cost coefficient, combined coefficient) an insurance (reinsurance) organization;

33-1) approval of the size of the targeted loss ratio, reliability factor and correction factors used to calculate the insurance premium on mandatory civil liability insurance of vehicle owners in accordance with the Law of the Republic of Kazakhstan “On compulsory civil liability insurance of vehicle owners”;

33-2) determination of the procedure for calculating and applying the coefficient under the bonus-malus system for calculating the insurance premium for mandatory civil liability insurance of vehicle owners;

33-3) determination of the procedure for calculating correction coefficients to the coefficients on the vehicle registration territory to calculate the insurance premium on compulsory civil liability insurance of vehicle owners;

34) establishing requirements for the organization's activities related to the formation and maintenance of a unified insurance database (hereinafter referred to as the database), including requirements for:

information process.

formation of a security system and establishment of minimum requirements for electronic equipment;

database security;

premises.

35) establishing requirements for software and hardware and Internet resources of an insurance (reinsurance) organization that ensure the conclusion of insurance contracts and the exchange of electronic information resources between the policyholder and the insurer;

36) establishing requirements for the organization of safe work that ensures the safety and protection of information from unauthorized access to data stored in an insurance (reinsurance) organization, as well as the cybersecurity of an insurance (reinsurance) organization;

37) determination of the procedure and specifics of reinsurance activities, as well as the insurance (reinsurance) pool;

38) approval of the decision of the provisional administration to transfer the insurance portfolio in case of revocation of the license of an insurance (reinsurance) organization;

39) determining the procedure for the exchange of electronic information resources between the organization for the formation and maintenance of the database and the insurer, insurer and policyholder (insured, beneficiary), as well as establishing requirements for the Internet resources of partners of the insurance organization used for the exchange of electronic information resources;

40) representing the interests of the Republic of Kazakhstan in relations with insurance supervisory authorities of other states, as well as international organizations on issues of insurance market regulation and supervision of insurance activities;

41) establishing the procedure for posting information on the Internet resource of an insurance organization, an insurance broker, an organization for creating and maintaining a database and an organization that guarantees insurance payments to policyholders (insured persons, beneficiaries) in the event of liquidation of insurance organizations, the insurance ombudsman;

42) establishing the terms of appointment and procedure for conducting actuarial calculations by independent actuaries;

42-1) determining the procedure for electing and carrying out the activities of the insurance ombudsman;

42-2) establishing minimum requirements for standard imputed insurance contracts;

42-3) determination of the conditions, methodology and procedure for determining the value of assets formed at the expense of a part of insurance premiums (insurance premiums) received from policyholders for investment purposes, and income (expenses) received (incurred) from their investment, under insurance contracts providing for the condition of the policyholder's participation in investments;

42-4) determination of the specifics of the distribution of assets formed at the expense of a part of insurance premiums (insurance premiums) received from policyholders for investment purposes, and income (expenses) received (incurred) from their investment, under insurance contracts providing for the condition of the policyholder's participation in investments, between policyholders, including cases of voluntary, compulsory liquidation or liquidation of the insured; voluntary reorganization of an insurance organization into a legal entity that does not carry out insurance activities;

42-5) approval of the rules for voluntary return of a license for the right to carry out insurance (reinsurance) activities;

42-6) approval of the action plan for changing the insurance industry;

42-7) determination of the procedure, conditions and terms of the simplified procedure for the settlement of insured events, the maximum size of the insurance amount for each individual insured event, as well as the form of the declaration on simplified procedure for the settlement of an insured event and the requirements for the preparation of documents and information attached to it;

42-8) approval of the methodology for calculating the amount of mandatory contributions, the procedure and terms for payment of mandatory contributions by insurance organizations to the office of the Insurance Ombudsman;

42-9) election to the position of insurance Ombudsman from among at least three candidates recommended for election by the Council of representatives of the insurance Ombudsman who meet the requirements established by Article 88 of the Law of the Republic of Kazakhstan "On Insurance Activities", early termination of the powers of the insurance

Ombudsman in case of systematic (three or more times during the last twelve months) violations in their activities requirements of the legislation of the Republic of Kazakhstan on insurance and insurance activities and (or) internal rules of the insurance ombudsman;

42-10) determination of the factor (s) affecting (affecting) the deterioration of the financial position of the insurance (reinsurance) organization, insurance group, which may (may) appear in the event of payment of dividends on ordinary and (or) preferred shares (shares of participation in the authorized capital) of the insurance (reinsurance) organization, insurance company, etc. holding company;

43) adoption of regulatory legal acts regulating the activities of the Insurance Payment Guarantee Fund and insurance organizations-participants, including those regulating the procedure for making guarantee payments;

44) approval of the contract of participation in the system of guaranteeing insurance payments, the terms of which are standard for all insurance organizations-participants;

45) establishing the procedure for investing assets and the list of financial instruments allowed to be acquired at the expense of the Insurance Payment Guarantee Fund's own assets, insurance payment guarantee reserves and damage compensation reserve funds;

46) Excluded by Decree of the President of the Republic of Kazakhstan № 972 dated 09.08.2022 (shall be enforced from 12.09.2022).

47) approval of the methodology for calculating the rate of mandatory and additional contributions and contingent liabilities, the procedure and terms for payment of mandatory, initial one-time, additional and extraordinary contributions, the procedure for forming and accounting for contingent liabilities by insurance organizations participating in the Insurance Payment Guarantee Fund;

48) approval of the rate of mandatory and additional contributions, as well as conditional obligations of insurance organizations-participants for each calendar year, payable by insurance organizations-participants to the Insurance Payment Guarantee Fund, established by the Board of Directors of the Insurance Payment Guarantee Fund;

49) approval of the charter of the Insurance Benefit Guarantee Fund, as well as amendments and / or additions made to it;

50) approval of the strategy of the Insurance Benefit Guarantee Fund, its risk management and internal audit policies, as well as changes and / or additions made to them, and the accounting policy of the Insurance Benefit Guarantee Fund;

51) development and approval of rules for collecting commission fees by the Insurance Payment Guarantee Fund;

51-1) establishing the procedure for evaluating the financial assets of the Insurance Benefit Guarantee Fund formed at the expense of the Insurance Benefit Guarantee Fund's own assets, the funds of the insurance benefit guarantee reserves in the general insurance and life insurance sectors, and the funds of the damage compensation reserve;

51-2) approval of internal documents of the Insurance Payment Guarantee Fund approved by the Board of Directors of the Insurance Payment Guarantee Fund, as well as amendments and (or) additions made to them on the issues defined in subparagraph 10-4) of paragraph 1 of Article 4 of the Law of the Republic of Kazakhstan "On the Insurance Payment Guarantee Fund";

51-3) determination of the procedure for calculating the settlement amount under the educational cumulative insurance contract, calculation and procedure for making insurance payments;

51-4) determination of the procedure and features of the insurant's participation in the investments or profits of the insurer, conclusion by a branch of a non-resident insurance organization of the Republic of Kazakhstan of an insurance contract providing for the condition of the insurant's participation in investments or profits of the insurer, requirements for the content of the insurance contract providing for the condition of the insurant's participation in investments or profit of the insurer;

51-5) determination of the conditions and procedure for the transfer by an insurance organization of assets formed from a part of insurance premiums (insurance contributions) received from policyholders for investment purposes, and income (expenses) received (incurred) from their investment, under insurance contracts providing for the condition of the policyholder's participation in investments, to investment management of an investment portfolio manager that is not an insurance organization;

51-6) determination of the conditions and procedure for the transfer by a branch of a non-resident insurance organization of the Republic of Kazakhstan of the assets formed from part of the insurance premiums (insurance contributions) received from policyholders for investment purposes, and income (expenses) received (incurred) from their investment, to the investment management of a non-resident insurance organization of the Republic of Kazakhstan, licensed to carry out investment portfolio management activities on the securities market of the state whose resident is a non-resident insurance company of the Republic of Kazakhstan;

52) determination of priorities in the field of formation and development of the securities market in coordination with the Government of the Republic of Kazakhstan;

53) implementation of the state policy on ensuring the functioning of the securities market in the Republic of Kazakhstan and forming the infrastructure of the national securities market, protecting the rights and interests of investors in the securities market;

54) recognition of financial market assets as securities;

55) establishing conditions and procedures for state registration of issues of securities, including derivative securities, consideration of reports on the results of their placement, reports on the results of placement or redemption of Islamic securities and derivative securities, as well as their cancellation;

- 56) implementation of state registration of issues of non-state equity securities, Islamic securities, and derivative securities;
- 57) review and approve reports on the results of placement of shares, reports on the exchange of outstanding shares of a joint-stock company of one type for shares of this joint-stock company of another type, reports on the results of placement or redemption of Islamic securities and derivative securities;
- 58) the product of cancellation of issues of shares and bonds;
- 59) determination of the terms and procedure for the issue, placement, circulation and redemption of securities, including derivative securities;
- 60) determining the conditions and procedure for suspending and resuming the placement and circulation of securities and derivative securities, suspending and resuming the placement and circulation of non-state equity securities and derivative securities, canceling issues of non-state equity securities and derivative securities;
- 61) maintaining the State Register of Securities, the electronic register of the licensor and the register of permits to carry out activities on the securities market;
- 62) establishing the minimum size of the authorized capital of professional participants in the securities market, the procedure for its formation and composition;
- 63) establishing conditions and procedures for professional activity in the securities market, including requirements for the conditions and procedures for performing operations with securities and (or) derivative financial instruments, and accounting for these transactions ;
- 64) establishing the procedure for investment by the investment portfolio manager and institutional investors;
- 65) establishing the procedure for the investment portfolio manager to keep records of pension savings from voluntary pension contributions on individual pension accounts of depositors (recipients);
- 66) establishing the procedure for carrying out the activities of securities trading organizers and professional organizations;
- 67) exercising control over manipulation of prices (exchange rates) of securities and other financial instruments, including derivatives of securities and foreign currencies, entering into transactions on the securities market using insider information or information constituting official, commercial, banking or other legally protected secret;
- 68) implementation of regulation and control of the functioning of investment funds in accordance with the legislation of the Republic of Kazakhstan;
- 69) establishing requirements for the existence of a risk management system for professional participants in the securities market;
- 70) determination of the types and requirements for mass media that can be used to publish information on the activities of securities market entities that are subject to mandatory

publication in accordance with the Law of the Republic of Kazakhstan "On the Securities Market" and other laws of the Republic of Kazakhstan;

71) recognition of activities in the securities market as professional;

72) publication of information on the securities market using the information available to the Agency on the subjects of the securities market (with the exception of information constituting commercial and other secrets protected by law), as well as information on measures taken by the Agency against the subjects of the securities market;

73) determining the conditions and procedure for suspending and resuming trading on the stock exchange;

74) determination of the procedure and conditions for the provision of electronic services by nominee holders;

74-1) approval of the list of foreign professional organizations;

74-2) disclosure of information contained in the terms of issue of equity securities and in private bond memoranda, on approval of the report on the results of placement of shares, on annulment of shares issue, as well as determination of the procedure and conditions for its disclosure;

74-3) establishing the procedure and conditions for recognizing individuals as qualified investors by organizations engaged in brokerage and (or) dealer activities on the securities market, as well as the specifics of providing services to individuals who are not qualified investors by organizations engaged in brokerage and (or) dealer activities on the securities market;

74-4) identification of organizations to conduct an assessment and analysis regarding the use and distribution of incoming revenues and funds from the placement of "green", social bonds, sustainable development bonds and bonds related to sustainable development, and their compliance with the goals stated in the framework program for issuing bonds and (or) the terms of issuing bonds (verification);

74-5) establishing the procedure and time limits for notifying the Agency by the central securities depository of the issuer's repayment of non-government bonds;

74-6) establishing the procedure for providing an investment recommendation to an individual investor;

74-7) establishing requirements for the composition of the listing commission;

74-8) establishing requirements for issuers and their securities allowed for circulation on the stock exchange, as well as for certain categories of the official list of the stock exchange;

74-9) determination of the procedure for distribution of investment income from the management of assets transferred to trust management and accounted for in an account opened with the central securities depository for accounting for unclaimed money;

74-10) establishing the procedure and conditions for recognizing actions of a securities market entity and other persons as committed for the purpose of manipulating the securities market;

75) establishing the procedure for keeping records of pension savings at the expense of mandatory pension contributions, mandatory professional pension contributions on individual pension accounts of depositors (recipients);

76) development and approval of rules for the transfer of pension savings from the unified accumulative pension fund to a voluntary accumulative pension fund, from a voluntary accumulative pension fund to the unified accumulative pension fund, as well as from one voluntary accumulative pension fund to another voluntary accumulative pension fund, determining the procedure for transferring redemption amounts from one insurance organization to another insurance organization in connection with the conclusion of a pension annuity agreement, to the unified pension accumulation fund under a pension annuity agreement;

76-1) establishing the procedure for transferring pension assets and liabilities of the merging voluntary accumulative pension fund under pension agreements at the expense of voluntary pension contributions to the reorganized voluntary accumulative pension fund;

77) determining the procedure for forming the risk management and internal control system;

78) development and approval of rules for the implementation of the activities of the unified accumulative pension fund and (or) voluntary accumulative pension funds;

78-1) Establishing the procedure and timing for publishing information on the structure of the investment portfolio of the unified accumulative pension fund at the expense of pension assets on the internet resource of the unified accumulative pension fund, as well as the procedure and scope of disclosure of information on investment portfolio managers, including the list of investment portfolio managers with whom the unified accumulative pension fund has concluded agreements on trust management of pension assets;

78-2) exercising control over the procedure of keeping records of target claims, target savings and target assets by the unified accumulative pension fund;

79) development and approval of requirements for investment portfolio managers to whom pension assets can be transferred to trust management in accordance with Article 37 of the Social Code of the Republic of Kazakhstan, as well as the list of financial instruments allowed for acquisition at the expense of these pension assets;

80) maintaining and posting on the Agency's Internet resource a register of investment portfolio managers who meet the requirements for managing pension assets;

81) development and approval of rules for collecting commission fees by the unified accumulative pension fund;

82) approval of a standard pension annuity agreement, establishment of methodology for calculating the insurance premium and insurance payment from an insurance organization under a pension annuity agreement, permissible level of expenses of an insurance organization for conducting business under concluded pension annuity agreements, as well as indexation rate of the insurance payment;

82-1) approval of a standard contract for compulsory insurance of an employee against accidents during the performance of his labor (official) duties;

82-2) determination of the procedure for calculating the insurance premium under the pre-retirement annuity insurance contract;

82-3) establishing requirements for a pre-retirement annuity insurance contract and the permissible level of expenses of the insurer for conducting business under concluded pre-retirement annuity insurance contracts;

82-4) determining the procedure for making, suspending, renewing, and terminating insurance payments under a pre-retirement annuity insurance contract in agreement with the authorized state labor body;

82-5) approval of a model contract for co-insurance of professional liability of medical workers, developed and approved by the authorized body in the field of health care;

82-6) approval of the Rules for professional liability insurance of medical workers, developed and approved by the authorized body in the field of health;

83) development and approval of rules and terms of transfer of pension assets in trust management to the investment portfolio manager and transfer of pension assets from one investment portfolio manager to another investment portfolio manager or to the National Bank of the Republic of Kazakhstan;

84) development and approval of rules for calculating the negative difference between the nominal return on pension assets received by the investment portfolio manager and the minimum value of the return on pension assets, as well as rules and terms for compensating the negative difference by the investment portfolio manager at the expense of equity;

84-1) development and approval of rules for concluding a pension annuity agreement with an insurance company and transferring pension savings (redemption amount) to an insurance company, a single accumulative pension fund under a pension annuity agreement;

84-2) determining the procedure of information exchange at conclusion and termination of the pension annuity agreement, making changes and (or) additions to existing pension annuity agreements between the unified accumulative pension fund and an insurance organization, between one insurance organization and another insurance organization;

84-3) determining the procedure and timing for the insurance organization to exchange data on concluded pension annuity agreements with the organization for the formation and maintenance of an insurance database;

85) a requirement to conduct an audit of other information of a bank, an insurance (reinsurance) organization, a branch of a non-resident bank of the Republic of Kazakhstan, a branch of an insurance (reinsurance) organization-a non-resident of the Republic of Kazakhstan, a professional participant in the securities market;

86) establishing, in coordination with the authorized state body that carries out state regulation in the field of auditing and controls the activities of audit and professional audit organizations, a list of issues to be checked as part of the audit of other information,

requirements for the content, terms of submission by the audit organization of an audit report on the audit of other information, requirements for auditors in the audit organization other information used for the audit;

87) determination of the procedure for assessing the level of protection from information security threats of financial organizations;

88) determination of the methodology for assessing information security risks, including the procedure for ranking financial institutions according to the degree of exposure to information security risks;

89) establishing requirements for the competencies of managers and employees of information security departments of financial organizations, including requirements for advanced training of persons responsible for ensuring information security;

90) establishing requirements for information security incident response services of financial organizations, conducting internal investigations of information security incidents;

90-1) determination of the procedure for ensuring information security of the electronic trading platform for the sale of banking and microfinance assets;

90-2) determining the procedure for conducting biometric identification in the financial market;

91) implementation of measures to improve the quality of financial services;

92) implementation of measures aimed at preventing illegal activities in the financial market;

93) in cases stipulated by the laws of the Republic of Kazakhstan, issuing and refusing to issue consent for individuals and legal entities to acquire the status of a major participant in a bank and bank holding company, permission to establish and acquire a subsidiary organization by banks and bank holdings, as well as permission for banks and bank holdings to acquire a significant participation in the capital of legal entities, issues or refuses to issue the specified consents and permits;

94) establishing requirements for the formation of reserve capital of banks;

95) establishing the procedure for classifying assets and contingent liabilities and creating provisions against them for banks (with the exception of a bank that is a national development institute, the controlling stake of which belongs to the national management holding), branches of non-resident banks of the Republic of Kazakhstan and organizations performing certain types of banking operations on the basis of a license to conduct bank loan operations, also, in coordination with the state body that provides tax control over the fulfillment of tax obligations to the state, determining the procedure for assigning assets and contingent liabilities to the category of doubtful and hopeless, as well as forming provisions (reserves) against assets provided by parent banks to subsidiaries;

95-1) determination of the conditions and procedure for issuing a permit for the right to carry out the activities of the operator of an electronic trading platform for the sale of banking and microfinance assets;

95-2) the adoption, in cases established by the Laws of the Republic of Kazakhstan, of a decision on the suspension, renewal, deprivation of permission to carry out the activities of the operator of an electronic trading platform for the sale of banking and microfinance assets;

96) determine the procedure for applying and decide on applying compulsory measures to the bank's affiliates provided for by the laws of the Republic of Kazakhstan;

96-1) determination of the procedure for trading on the electronic trading platform for the sale of banking and microfinance assets;

97) maintaining the register of banks, branches of non-resident banks of the Republic of Kazakhstan;

98) control and supervision of compliance by second-tier banks, branches of non-resident banks of the Republic of Kazakhstan and the National Postal Operator with the requirements for the arrangement of premises;

99) establishing internal procedures for determining whether banks, bank holdings and banking conglomerates meet the Agency's requirements, taking into account the risks they take;

100) application to financial organizations and other persons, branches of non-resident banks of the Republic of Kazakhstan, branches of non-resident insurance (reinsurance) organizations of the Republic of Kazakhstan, branches of non-resident insurance brokers of the Republic of Kazakhstan of limited measures of influence, supervisory response measures, including using reasoned judgment, sanctions and other measures provided for by the laws of the Republic of Kazakhstan on issues falling within the Agency's competence, as well as establishing the procedure for applying these measures, the procedure for forming and using a reasoned judgment;

100-1) determination of the procedure and conditions for applying limited enforcement measures to the unified accumulative pension fund, voluntary accumulative pension funds;

100-2) determination of the procedure for extending the deadlines for the execution of a written order applied to the operator of an electronic trading platform for the sale of banking and microfinance assets, or an action plan to eliminate the violations and (or) causes identified, as well as the conditions that contributed to their commission;

101) drawing up protocols and reviewing cases of administrative offenses, imposing administrative penalties within its competence;

102) control over the activities of liquidation commissions of financial organizations, branches of non-resident banks of the Republic of Kazakhstan in cases stipulated by legislative acts of the Republic of Kazakhstan, as well as establishing the procedure for liquidating financial organizations, forcibly terminating the activities of branches of non-resident banks, branches of insurance (reinsurance) organizations, requirements for the work of liquidation commissions of these entities;

102-1) determination of the rules for a voluntary or forced liquidation of a voluntary accumulative pension fund, voluntary return of the license for investment portfolio

management with the right to attract voluntary pension contributions, as well as transfer of pension assets and liabilities under pension agreements at the expense of voluntary pension contributions;

103) is excluded by Decree of the President of the Republic of Kazakhstan dated 28.02.2024 № 488 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

104) application of a risk-based approach in the framework of control and supervision over the activities of banks, branches of non-resident banks of the Republic of Kazakhstan, banking conglomerates, organizations engaged in certain types of banking operations, insurance (reinsurance) organizations, branches of insurance (reinsurance) organizations-non-residents of the Republic of Kazakhstan, insurance groups, organizations engaged in brokerage and other activities; (or) dealer activity in the securities market, investment portfolio management activities, including the use of reasoned judgment in cases provided for in paragraph 2 of Article 13-5 of the Law;

105) independently and (or) jointly with other state bodies of the Republic of Kazakhstan within their competence, as well as with organizations, develop Islamic finance taking into account international standards of Islamic financial instruments and Islamic financial services ;

106) implementation of measures to rehabilitate second-tier banks, including those financed at the expense of the National Bank of the Republic of Kazakhstan and (or) its subsidiaries, as well as monitoring the fulfillment by banks of obligations assumed under these measures;

107) performing functions of the branch information security center of the financial market and financial organizations, branches of non - resident banks of the Republic of Kazakhstan, branches of non-resident insurance (reinsurance) organizations of the Republic of Kazakhstan, branches of non-resident insurance brokers of the Republic of Kazakhstan;

107-1) determining the procedure for connection and use by industry organizations of an informatization object for collecting, processing and exchanging information on information security events and incidents;

107-2) exercising control and supervision over financial organizations ' compliance with information security requirements within their competence;

108) analysis of information on information security incidents of banks, branches of non-resident banks of the Republic of Kazakhstan and organizations engaged in certain types of banking operations, including information on violations and failures in information systems;

109) determination of the procedure for introducing and abolishing a special regulatory regime, carrying out activities within the framework of a special regulatory regime;

110) establishing requirements for shares (shares of participation in the authorized capital) of legal entities acquired by banks, subsidiaries of a bank or a bank holding company, as well as the total value of the bank's shares in the authorized capital or shares of legal entities;

111) establishment of a minimum rating for legal entities and countries, the need for which is required in accordance with the legislation of the Republic of Kazakhstan regulating the activities of financial organizations, branches of non-resident banks of the Republic of Kazakhstan, branches of non-resident insurance (reinsurance) organizations of the Republic of Kazakhstan, the list of rating agencies assigning this rating;

112) setting a limit on the share of shares (stakes in the authorized capital) of the parent organization of a banking conglomerate, bank or bank holding company owned by subsidiaries of the bank or bank holding company, organizations in which the bank or bank holding company has a significant participation;

113) establishment of a list of international financial organizations whose bonds are acquired by banks and bank holding companies, and requirements for the bonds that banks and bank holding companies acquire ownership of;

114) determination of the procedure for making transactions by a bank or a bank holding company with its own bonds and bonds issued by subsidiaries of this bank or bank holding company, the obligations under which are guaranteed by the bank or bank holding company;

115) determining the procedure for disclosure of information by a legal entity for the purpose of obtaining a bank loan and /or a bank guarantee;

116) establishing requirements for issuing bank loans and bank guarantees by second-tier banks and branches of non-resident banks of the Republic of Kazakhstan to persons with special relations and legal entities (residents and non-residents of the Republic of Kazakhstan)

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117) determination of the procedure for calculating the total volume of all bank loans and bank guarantees issued by second-tier banks, branches of non-resident banks of the Republic of Kazakhstan to persons with special relations with them, and legal entities-residents and non-residents of the Republic of Kazakhstan;

118) determining the procedure for issuing a permit to a bank or a bank holding company to create or acquire a subsidiary, to create or acquire a subsidiary that acquires doubtful and hopeless assets of the parent bank, to significantly participate in the capital of organizations of the bank and (or) the bank holding company, as well as to revoke and (or) cancel the permit to create, acquire a bank or bank holding company of a subsidiary, a significant participation of the bank or bank holding company in the capital of the organizations;

119) determination of the procedure for the activities of the subsidiary acquiring doubtful and uncollectible assets of the parent bank, the period during which the subsidiary manages the acquired doubtful and uncollectible assets, as well as requirements for the doubtful and uncollectible assets acquired (acquired) by it;

120) determination of the procedure for attributing income to be received by a subsidiary of the bank acquiring doubtful and hopeless assets of the parent bank to income from carrying out activities provided for by the legislation of the Republic of Kazakhstan on banks and banking activities;

121) determining the procedure for compulsory repurchase of the bank's shares and their mandatory subsequent sale to investors;

122) establishing a list of offshore zones for the purposes of banking and insurance activities, activities of professional participants in the securities market and other licensed activities in the securities market, activities of joint-stock investment funds and organizations engaged in microfinance activities;

122-1) determination of the list of foreign professional organizations;

123) determination of factors affecting the deterioration of the financial position of the bank and a banking conglomerate, a branch of a non-resident bank of the Republic of Kazakhstan, as well as the procedure for approving an action plan providing for early response measures, and methods for determining factors affecting the deterioration of the financial position of the bank (banking conglomerate), a branch of a non-resident bank of the Republic of Kazakhstan;

124) establishing requirements for banks' own premises with centralized access to the automated banking information system;

125) establishing requirements for the internal policy on remuneration, accrual of monetary remuneration, as well as other types of material incentives for senior employees of a bank, insurance (reinsurance) organization, insurance broker, branch of a non-resident bank of the Republic of Kazakhstan, branch of an insurance (reinsurance) organization-non-resident of the Republic of Kazakhstan, branch of an insurance broker-non-resident of the Republic of Kazakhstan;

126) establishing requirements for the own premises of a branch of a non-resident bank of the Republic of Kazakhstan with a data processing center (server);

127) determination of the procedure for issuing a permit for voluntary reorganization of a bank (bank holding company) or refusal to issue a permit, issuing a permit for converting a bank into an Islamic bank and refusal to issue a permit, issuing a permit for voluntary liquidation of banks, issuing a permit for voluntary termination of the activities of a branch of a non-resident bank of the Republic of Kazakhstan, as well as returning deposits of individuals their transfer to another bank or branch of a non-resident bank of the Republic of Kazakhstan that is a participant in the mandatory deposit guarantee system;

127-1) determining the procedure for issuing a permit for voluntary reorganization of a microfinance organization in the form of conversion to a bank, as well as the list of documents required for issuing a permit of the authorized body for voluntary reorganization

of a microfinance organization in the form of conversion to a bank, application forms for obtaining a permit, permission of the authorized body for conversion of a microfinance organization to a bank, and information forms;

128) determination of the procedure for issuing bank guarantees and sureties;

129) determination of the procedure for licensing banking operations performed by organizations performing certain types of banking operations, qualification requirements for conducting banking operations by organizations performing certain types of banking operations, and a list of documents confirming compliance with them;

130) establishment of the minimum size of the authorized capital of organizations engaged in certain types of banking operations;

131) determination of the procedure for providing banking services and consideration by banks, organizations engaged in certain types of banking operations, of customer requests arising in the process of providing banking services;

132) determining the procedure for rendering services to a bank or branch of a non-resident bank of the Republic of Kazakhstan in attracting customers, performing verification of compliance with the requirements of the bank or branch of a non-resident bank of the Republic of Kazakhstan, transferring customer documents to the bank or branch of a non-resident bank of the Republic of Kazakhstan;

133) establishing a list of financial products that the financial institution notifies the Agency of approval of;

134) determining the procedure for notifying the Agency of approval of financial products by financial organizations, as well as the list of documents attached to the notification;

135) determination of the procedure for concluding a bank loan agreement, including requirements for the content, design, mandatory terms of the bank loan agreement, forms of the loan repayment schedule and a memo for the individual borrower;

136) establishment of criteria for unsecured loans (blank loans);

137) determination of the procedure for consideration of amendments to the terms of the bank loan agreement;

138) determination of methods for calculating regular payments on loans issued by banks, organizations engaged in certain types of banking operations, and micro-loans issued by organizations engaged in microfinance activities to individuals and providing for a repayment schedule, as well as time bases for calculating remuneration on such loans (micro-loans);

139) determination of the procedure for calculating and conditions of operation of the floating interest rate;

140) determination of the procedure for calculating and operating conditions of the floating interest rate under bank deposit agreements;

141) establishing a list of commissions and other payments related to the issuance and servicing of a bank loan issued to an individual;

- 142) determination of the procedure for calculating interest rates in a reliable, annual, effective, comparable calculation (real value) for loans and deposits;
- 143) determination, together with the National Bank of the Republic of Kazakhstan, of the maximum amount of the annual effective interest rate on bank loans and microcredits;
- 143-1) establishing requirements for the amount of consumer bank loans and consumer microcredit;
- 143-2) determination of the procedure for obtaining the consent of the spouse to provide a bank loan or microcredit to an individual, the minimum amount of a bank loan or microcredit, according to which the consent of the spouse to obtain a bank loan or microcredit to an individual is required;
- 143-3) determination of the procedure for election, early termination and implementation of the activities of the banking ombudsman;
- 143-4) coordination of internal Rules of the banking ombudsman, the procedure for accounting, consideration, adoption and execution of decisions of the banking ombudsman;
- 143-5) sending recommendations to the council of representatives of the banking ombudsman on the activities of the banking ombudsman in cases of violations of the rights of consumers of financial services in the actions (inaction) of the banking ombudsman;
- 143-6) determination of the procedure for electing, early termination and implementation of the activities of the microfinance ombudsman;
- 143-7) approval of the internal rules of the microfinance ombudsman, the procedure for accounting, consideration, adoption and execution of decisions of the microfinance ombudsman;
- 143-8) sending recommendations to the council of representatives of the microfinance ombudsman on the activities of the microfinance ombudsman in cases of violations of the rights of consumers of financial services in the actions (inaction) of the microfinance ombudsman;
- 143-9) determination of the procedure for exchanging information on military personnel called up for military service, as well as their dismissal, the presence or absence of a bank loan and (or) microcredit, the provision of deferred payment under a bank loan agreement, an agreement on the provision of microcredit in agreement with the Ministry of Defense of the Republic of Kazakhstan;
- 144) determination of certain issues of prohibiting the provision of preferential terms to persons associated with a bank, a branch of a non-resident bank of the Republic of Kazakhstan with special relations;
- 145) establishment of a list of persons connected with the banking conglomerate by special relations;
- 146) determining the procedure for forming a risk management and internal control system for second-tier banks, branches of non-resident banks of the Republic of Kazakhstan;

147) determination of regulatory values and methods for calculating prudential standards and other mandatory norms and limits, as well as the size of the banking conglomerate's capital;

148) determination of instructions on measures to maintain the bank holding company, as well as a major participant in the bank, the equity capital adequacy ratios of the bank and the banking conglomerate;

149) determination of the procedure and terms for submitting an action plan to improve the financial situation and its approval by the Agency, as well as requirements for its content;

150) establishment of regulatory values and methods for calculating prudential standards and other mandatory norms and limits, the size of the bank's capital and the Rules for calculating and limits of an open currency position;

150-1) determination of the conditions of profits distribution, accrual of dividends on common and (or) preferred shares and (or) perpetual financial instruments, as well as repurchase of own shares by the second-tier bank, for ensuring financial stability and (or) recovery of which the funds of the state budget, National Fund of the Republic of Kazakhstan, National Bank of the Republic of Kazakhstan and (or) its subsidiaries are used;

151) establishment of prudential standards and other mandatory norms and limits for Islamic banks, their regulatory values and methods for calculating prudential standards and other mandatory norms and limits for Islamic banks;

152) establishment of prudential standards and other norms and limits that are mandatory for mortgage organizations and subsidiaries of the national managing holding in the field of agro-industrial complex, as well as a list, forms and rules for reporting on their implementation;

153) establishment of prudential standards and other mandatory norms and limits for branches of non-resident banks of the Republic of Kazakhstan (including branches of non-resident Islamic banks of the Republic of Kazakhstan), their regulatory values and calculation methods, including the procedure for forming assets of branches of non-resident banks of the Republic of Kazakhstan (including branches of non-resident Islamic banks of the Republic of Kazakhstan). Kazakhstan), accepted as a reserve, and their minimum size;

154) establishment of standard values and methods for calculating prudential standards of an insurance (reinsurance) organization and insurance group and other mandatory norms and limits;

155) establishment of regulatory values and methods for calculating prudential standards of an Islamic insurance (reinsurance) organization and other mandatory norms and limits;

156) establishment of standard values and methods for calculating prudential standards of a branch of an insurance (reinsurance) organization that is a non-resident of the Republic of Kazakhstan and other mandatory norms and limits, including the procedure for forming assets of a branch of an insurance (reinsurance) organization that is a non-resident of the Republic of Kazakhstan, accepted as a reserve, and their minimum size;

157) establishment of regulatory values and methods for calculating prudential standards of a branch of an Islamic insurance (reinsurance) organization-a non-resident of the Republic of Kazakhstan and other mandatory norms and limits, including the procedure for forming assets of a branch of an Islamic insurance (reinsurance) organization-a non-resident of the Republic of Kazakhstan, accepted as a reserve, and their minimum size;

158) establishing the types of prudential standards, other norms and limits of financial stability that the licensee must comply with, the procedure and methods for calculating their values in relation to each type of activity on the securities market;

159) establishment of a list of prudential standards, their normative values and calculation methods for voluntary accumulative pension funds;

160) determination of the procedure for performing trust management of shares of a bank, insurance (reinsurance) organization, investment portfolio manager owned by a major participant of the bank, insurance (reinsurance) organization, investment portfolio manager, bank holding company, insurance holding company or a person who has the characteristics of a major participant of the bank, insurance (reinsurance) organization, investment portfolio manager, bank holding company, insurance holding company, as well as actions of the Agency or national managing holding company during the period of trust management;

161) determination of the procedure for appointment and powers of the provisional administration (temporary administrator) of a bank, insurance (reinsurance) organization;

162) establishing the forms and terms of submission of reports and other information by the temporary administration (temporary administrator) of the bank, insurance (reinsurance) organization, as well as the procedure for their submission;

163) establishing requirements for ensuring information security of banks, branches of non-resident banks of the Republic of Kazakhstan and organizations engaged in certain types of banking operations, the procedure and terms for providing information on information security incidents, including information on violations, failures in information systems;

164) determination, together with the National Bank of the Republic of Kazakhstan, of the procedure for withdrawing cash from bank accounts by business entities;

165) determination of the procedure for publication of financial statements by joint-stock companies and financial organizations, reporting according to accounting data by branches of non-resident banks of the Republic of Kazakhstan, branches of non-resident insurance (reinsurance) organizations of the Republic of Kazakhstan, branches of non-resident insurance brokers of the Republic of Kazakhstan;

166) determination of the procedure and terms for publication of financial statements by bank and insurance holdings;

167) establishment of the list of basic documents to be stored and the terms of their storage in second-tier banks, branches of non-resident banks of the Republic of Kazakhstan;

168) determination of the procedure for conducting an operation on simultaneous transfer of assets and liabilities of the bank in part or in full to another (other) bank (s), including an

operation on simultaneous transfer of assets and liabilities between the parent bank and a subsidiary bank, and approval by the Agency of these operations, as well as the types of assets and liabilities to be transferred when performing the specified operations.

169) establishing requirements for the security and uninterrupted operation of information systems of banks, branches of non-resident banks of the Republic of Kazakhstan and organizations engaged in certain types of banking operations;

170) determination of the procedure and terms for submission by banks, branches of non-resident banks of the Republic of Kazakhstan of information on the availability of information security management systems, as well as on compliance with information security requirements to the National Information Security Coordination Center;

171) determination of the list of transactions on non-market terms, the conclusion of which is the basis for making a decision on classifying a bank, a branch of a non-resident bank of the Republic of Kazakhstan, as insolvent banks, branches of non-resident banks of the Republic of Kazakhstan;

172) determination of the procedure for compulsory restructuring of the insolvent bank's liabilities;

173) determination of the procedure for the transfer of assets and liabilities of an insolvent bank to the acquiring bank by the temporary administration for managing the bank (temporary manager of the bank), as well as by the temporary administration (temporary administrator) of the bank before the court decision on the forced liquidation of the transfer of assets and liabilities of a bank deprived of a license to conduct all banking and other operations, to the acquiring bank.

174) determining the procedure for managing the stabilization bank, concluding transactions with respect to which special conditions are established, conducting an operation to transfer assets and liabilities of an insolvent bank to a stabilization bank, and transferring assets and liabilities by the stabilization bank to another bank determined by the Agency;

175) establishment of the minimum size of the authorized and own capital of the stabilization bank, the procedure for establishing a stabilization bank, forming its authorized and own capital, as well as obtaining a license for banking and other operations by the stabilization bank;

176) determination of the procedure for applying (establishing) the regime of conservation of second-tier banks;

177) determining the specifics of the activities of the liquidation commissions of banks that are voluntarily liquidated and branches of non-resident banks of the Republic of Kazakhstan that voluntarily terminate their activities;

178) determining the procedure for appointing and dismissing liquidation commissions of forcibly liquidated banks, insurance (reinsurance) organizations that forcibly terminate the activities of branches of non-resident banks of the Republic of Kazakhstan and the requirements imposed on the chairman and members of the liquidation commission of

forcibly liquidated banks, insurance (reinsurance) organizations that forcibly terminate the activities of a branch of a non-resident bank of the Republic of Kazakhstan;

179) is excluded by Decree of the President of the Republic of Kazakhstan dated 28.02.2024 № 488 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

180) maintaining the register of organizations engaged in microfinance activities;

181) establishment of minimum amounts of authorized and own capital of organizations engaged in microfinance activities;

182) establishment of prudential standards and other norms and limits that are mandatory for an organization engaged in microfinance activities, as well as methods of their calculation;

183) determination of the procedure for classifying assets and contingent liabilities for granted micro-loans and creating provisions (reserves) against them in coordination with the authorized body responsible for ensuring tax revenues and other mandatory payments to the budget;

184) determination of the procedure for granting microcredits electronically;

185) determination of the procedure for concluding a micro-loan agreement, including requirements for the content, execution of the agreement and its first page containing information on the full cost of the micro-loan (the amount of overpayment for the micro-loan, the subject of the micro-loan), mandatory conditions of the micro-loan agreement, as well as the form of the micro-loan repayment schedule;

186) as excluded in accordance with the Decree of the President of the Republic of Kazakhstan dated 29.07.2024 № 606 (shall enter into force from 20.08.2024).

187) determination of the procedure for calculating the annual effective interest rate on micro-loans provided;

188) determination of the procedure for calculating and limiting the debt load coefficient of the borrower of the organization engaged in microfinance activities;

189) determination of the procedure for consideration of amendments to the terms of the microcredit agreement;

190) establishing the list of documents required for obtaining a micro-loan, as well as the rules for maintaining a credit dossier under a micro-loan agreement;

191) determination of the procedure for organizing the activities of pawnshops, including issues of storing things in pawnshops, establishing requirements for ensuring the security and technical strength of pawnshops' premises, measures to counteract the turnover of illegally obtained things in pawnshops in coordination with the authorized body of internal affairs;

192) implementation of accounting registration of collection agencies;

193) maintaining the register of collection agencies;

194) determination of the procedure for submission by the collection agency of information on persons who independently or jointly with another (other) person (s) directly

- or indirectly own and / or use and / or dispose of ten or more percent of the shares of participation in the authorized capital of the collection agency, or who have control;
- 195) setting the minimum size of the authorized capital of a collection agency;
 - 196) determining the procedure for passing the registration procedure and maintaining the register of collection agencies;
 - 197) establishment of a list of the main documents of the collection agency to be stored and the terms of their storage;
 - 197-1) submission to the authorized body in the field of ensuring tax receipts and payments to the budget of information on agreements containing conditions for the transfer of rights (claims) in respect of a taxpayer engaged in collection activities, in the form established by the authorized body in the field of ensuring tax receipts and payments to the budget in coordination with the Agency, no later than the twenty-fifth day of the month following the quarter;
 - 197-2) determination of the procedure for settlement of debts of individuals by collection agencies;
 - 198) approval of conditions and minimum requirements for the procedure for providing information by information providers to credit bureaus;
 - 199) determining the procedure for obtaining consent of credit history subjects to provide information about them to credit bureaus (with the exception of a credit bureau with state participation), obtaining consent to issue a credit report from a credit bureau;
 - 200) determining the procedure and conditions for submitting a credit report;
 - 200-1) determination of other information provided by information providers to credit bureaus;
 - 200-2) determination of the list of information provided by information providers to credit bureaus;
 - 201) determination of the procedure and conditions for calculating credit scoring by the credit bureau;
 - 202) determination of the procedure for issuing a permit for the right to carry out activities of a credit bureau and a certificate of compliance of the credit bureau with the requirements for the credit bureau to protect and ensure the safety of the database of credit histories, used information systems and premises;
 - 203) establishing requirements for the use of information and communication technologies and ensuring information security in organizing the activities of credit bureaus, information providers and recipients of credit reports that are banks, organizations engaged in certain types of banking operations, microfinance organizations and collection agencies;
 - 204) establishment of requirements imposed by credit bureaus to information providers and recipients of credit reports in accordance with subparagraph 11) of paragraph 2 and

subparagraph 9) of paragraph 3 of Article 27 of the Law of the Republic of Kazakhstan dated July 6, 2004 "On Credit Bureaus and formation of Credit Histories in the Republic of Kazakhstan";

205) establishing the requirements for internal control rules in order to combat the legalization (laundering) of proceeds from crime, the financing of terrorism and financing the proliferation of weapons of mass destruction for banks, branches of non-resident banks of the Republic of Kazakhstan, organizations carrying out certain types of banking operations, the stock exchange, insurance (reinsurance) organizations, insurance brokers, mutual insurance companies, branches of non-resident insurance (reinsurance) organizations of the Republic of Kazakhstan, branches of non-resident insurance brokers of the Republic of Kazakhstan, Export Credit Agency of Kazakhstan, unified accumulative pension fund and voluntary accumulative pension funds, professional participants securities market, central depository, organizations engaged in microfinance activities;

206) establishing requirements for due diligence of clients in the case of remote establishment of business relations by banks, branches of non-resident banks of the Republic of Kazakhstan, organizations carrying out certain types of banking operations, stock exchange, insurance (reinsurance) organizations, insurance brokers, mutual insurance societies, branches of insurance (reinsurance) non-resident organizations of the Republic of Kazakhstan, branches of non-resident insurance brokers of the Republic of Kazakhstan, the Export Credit Agency of Kazakhstan, the unified accumulative pension fund and voluntary accumulative pension funds, professional participants in the securities market, the central depository, organizations engaged in microfinance activities;

207) together with the authorized body in the field of ensuring tax receipts and payments to the budget, determine the procedure for submitting an opinion on the compliance of the amount of insurance reserves for unearned premiums, non-incurred losses, declared but unresolved losses, occurred but undeclared losses with the requirements established by the legislation of the Republic of Kazakhstan on insurance and insurance activities;

207-1) coordination of the conditions for carrying out certain types of activities of the Export Credit Agency of Kazakhstan, developed and approved by the authorized body in the field of regulation of trade activities;

207-2) coordination of the rules for the formation of a risk management and internal control system, as well as the formation of reserves and carrying out actuarial calculations on them for the Export Credit Agency of Kazakhstan, developed and approved by the authorized body in the field of regulation of trade activities;

208) maintaining the register of mortgage organizations;

209) determination of the procedure for state registration of the issue of units of mutual investment funds;

210) determination of the list of financial instruments that may be part of the assets of joint-stock and mutual investment funds, as well as the procedure for investing financial instruments and other property that is part of the assets of the investment fund;

211) determination of the total amount of investments at the expense of the investment fund's assets in financial instruments (except for money) issued (provided) by one person and its affiliates;

211-1) approval of changes and additions to the rules of the mutual investment fund;

211-2) registration of changes and additions to the investment declaration of the joint-stock investment fund, as well as establishing the procedure for submitting them for registration;

212) establishing the procedure, conditions and methodology for determining the value of the investment fund's assets, the net assets of the investment fund, the estimated value of the unit of the mutual investment fund and the share repurchase price of the joint-stock investment fund;

213) establishment of a list of financial instruments allowed for acquisition at the expense of allocated assets during project financing and securitization;

214) approval of the form of a standard custody agreement;

215) determining the procedure for the custodian bank to exercise control over the targeted placement of assets of a special financial company;

216) establishing the procedure for notification on the conclusion of an insurance contract and settlement of insured events, preliminary notification of the expiration of the insurance contract;

216) establishing the procedure for notification of the conclusion of an insurance contract and requirements for the content of the notification;

217) approval of the procedure for calculating the bonus-malus class assigned to the policyholder (insured person) under mandatory civil liability insurance of vehicle owners;

218) approval of the procedure for determining the amount of damage caused to a vehicle;

219) approval of the procedure for applying the correction factor;

220) approval of the procedure for calculating annuity payments under the annuity agreement;

221) establishment of requirements to the annuity agreement and the permissible level of expenses of the insurer for conducting business under the annuity agreements concluded;

222) establishing requirements for the assistance company with which the insurer enters into a contract for providing assistance to the insured, as well as the procedure for interaction between the insurer and the assistance company;

223) establishment of the territory of insurance under mandatory tourist insurance programs;

224) establishing the procedure for payment of the cost of services rendered by a medical or other institution to the insured in agreement with the assistance company;

- 225) establishing the procedure for transferring the allocated assets of a special financial company to a new investment portfolio manager;
- 226) establishing the procedure for transferring the assets of a special financial company to a new custodian bank;
- 227) interaction, including exchange of information, with the authorized bodies of other states, international and other organizations on issues of regulation, control and supervision of the financial market and financial organizations within their competence;
- 228) implementation of programs for refinancing residential mortgage loans and mortgage loans of individuals carried out through subsidiaries of the National Bank of the Republic of Kazakhstan, as well as monitoring the fulfillment by banks of obligations assumed under these programs;
- 229) implementation of measures to prevent violations of the rights and legitimate interests of consumers of financial services;
- 230) implementation of measures aimed at improving the financial literacy of the population and financial accessibility for the population;
- 231) implementation of measures aimed at developing the system of protection of the rights of consumers of financial services;
- 231-1) analysis and identification of systemic problems raised by applicants;
- 232) implementation of measures aimed at protecting the rights and interests of debtors from illegal actions on the part of collection agencies, increasing the transparency of collection activities, efficiency and safety in debt collection;
- 232-1) maintaining and posting on the Agency's Internet resource a register of service companies that meet the requirements of the legislation of the Republic of Kazakhstan;
- 232-2) determination of claims to subsidiaries of the bank that acquire doubtful and uncollectible assets of the parent bank, and collection agencies that act as service companies, which may be transferred to the trust management of rights (claims) under bank loan agreements and (or) micro-loan agreements;
- 233) conduct explanatory work for consumers of financial services, audited entities on issues falling within the Agency's competence;
- 234) implementation of information and explanatory work on the main areas of the Agency's activities;
- 234-1) conducting functional analysis of activities in accordance with the methodology for conducting sectoral (departmental) functional reviews of the activities of state bodies, approved by the authorized body in the field of public administration system development;
- 235) interaction with the National Bank of the Republic of Kazakhstan:
on issues of stability of the financial system of the Republic of Kazakhstan, provision by the National Bank of the Republic of Kazakhstan to second-tier banks of loans, including

loans of last resort, as well as their restructuring and satisfaction of claims of the National Bank of the Republic of Kazakhstan in case of failure by the bank to fulfill its obligations under them;

Note!

The third paragraph of subparagraph 235) shall be valid until 01.01.2026 in accordance with the Decree of the President of the Republic of Kazakhstan dated 07.12.2023 № 407.

on the issues of automation of control and supervision of the financial market and financial organizations through creation, including at the expense of the budget (cost estimates) of the National Bank of the Republic of Kazakhstan, of information systems on the information and communication infrastructure of the National Bank of the Republic of Kazakhstan and (or) its subsidiary organization, their development and support;

through the exchange of information within the framework of the powers of the National Bank of the Republic of Kazakhstan and the Agency established by the laws of the Republic of Kazakhstan, including through mutual access to information systems;

235-1) development and approval of professional standards in the regulated sphere in agreement with the industry council for professional qualifications and the authorized body in the field of recognition of professional qualifications, taking into account the opinion of the National Chamber of Entrepreneurs of the Republic of Kazakhstan, which shall be of a recommendatory nature;

235-2) ensure powers in the field of recognition of professional qualifications provided for by Article 9 of the Law of the Republic of Kazakhstan "On Professional Qualifications";

236) performing other functions stipulated by the Law, other laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan.

Footnote. Item 14 as amended by the Decree of the President of the Republic of Kazakhstan dated 09.08.2022 № 972 (for the procedure of entry into force, see item 2); dated 12.11.2022 № 1070 (shall be enforced ten calendar days after the date of its first official publication); dated 12.08.2023 № 296 (enforcement -see p. 2); dated 07.12.2023 № 407 (enforcement -see p. 2); dated 02.03.2024 № 492 (the order of enforcement see clause 2).

Chapter 3. Status and powers of the first Head of the Agency, collegial bodies

15. The Agency is managed by the Chairman, who is personally responsible for performing the tasks assigned to the Agency and exercising his / her powers.

16. The Chairman of the Agency is appointed and dismissed in accordance with the legislation of the Republic of Kazakhstan.

17. The Chairman of the Agency has three deputies who are appointed and dismissed in accordance with the legislation of the Republic of Kazakhstan.

18. Powers of the Agency's Chairman:

- 1) make operational and executive decisions on all issues of the Agency's activities, with the exception of the powers stipulated by Law and this Regulation for the Agency's Management Board;
- 2) submit candidates for the position of Deputy Chairmen of the Agency for appointment by the President of the Republic of Kazakhstan;
- 3) appoints and dismisses members of the Agency's Management Board from the Agency;
- 4) appoint and dismiss the Head of the Agency's Staff in accordance with the procedure established by the legislation of the Republic of Kazakhstan;
- 5) on the basis of the Agency's structure approved by the President of the Republic of Kazakhstan, approves the list of divisions with their names and the structure of the Agency's divisions;
- 6) appoints and dismisses Agency officials, encourages distinguished employees, and imposes disciplinary penalties;
- 7) appoints and dismisses a member of the Management Board of the National Bank of the Republic of Kazakhstan from the Agency;
- 8) represent the Agency in the Republic and abroad within the limits of its competence;
- 9) on the basis of and (or) in compliance with legislative acts of the Republic of Kazakhstan, acts of the President of the Republic of Kazakhstan, regulatory legal acts of the Agency, resolutions of the Agency's Management Board, issues orders and orders on the Agency's activities, signs resolutions of the Agency's Management Board;
- 10) conduct meetings of the Agency's Management Board;
- 11) distributes responsibilities between the Agency's Deputy Chairmen and the Agency's Chief of Staff, establishes the degree of responsibility of its deputies, the Agency's Chief of Staff and heads of Agency divisions for the state of affairs in the assigned area of work;
- 11-1) approve the strategic plan of the Agency in agreement with the President of the Republic of Kazakhstan or on his authority by the Head of the Administration of the President of the Republic of Kazakhstan;
- 12) on the basis of the total number of staff of the Agency approved by the President of the Republic of Kazakhstan, approve the staffing table of the Agency;
- 13) approve the regulations on the Agency's divisions, except for the regulations on the internal audit division;
- 14) hear reports on the work done by the Agency's divisions, except for the reports of the internal audit division;
- 15) conclude agreements (agreements, contracts) on behalf of the Agency;
- 16) issues powers of attorney, establishes the procedure for signing obligations and issuing powers of attorney on behalf of the Agency;
- 17) review the results of internal audit of the Agency's divisions;

18) approve acts on issues of internal activities of the Agency, including those related to the use of property assigned to the Agency, labor relations and relations directly related to labor, and other issues that are not within the exclusive competence of the Agency's Board;

18-1) approve the accounting procedure, standard chart of accounts and financial reporting forms of the Agency in agreement with the National Bank of the Republic of Kazakhstan;

18-2) determine the procedure for reimbursement of expenses for business trips, including to foreign countries, in agreement with the National Bank of the Republic of Kazakhstan;

19) take measures to combat corruption and bear the responsibility established by law for non-performance or improper performance of this duty;

20) ensure that gender balance is observed in the recruitment and promotion of Agency employees.

Execution of the powers of the Agency's Chairman during his absence is carried out by the person replacing him, in accordance with the current legislation of the Republic of Kazakhstan.

Footnote. Paragraph 18 as amended by Decree of the President of the Republic of Kazakhstan dated 12.08.2023 № 296.

19. The Chairman of the Agency determines the powers of his deputies and the Head of the Agency's Staff in accordance with the current legislation of the Republic of Kazakhstan.

20. The Agency's staff is headed by the Head of the Agency's Staff, who is appointed and dismissed in accordance with the current legislation of the Republic of Kazakhstan.

21. The highest collegial body of the Agency is the Management Board.

Powers of the Agency's Management Board:

1) determine priorities in the field of formation and development of the financial market;

2) adopt regulatory legal acts regulating the activities of the financial market and financial organizations, as well as other persons, in accordance with the Law, other laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan, binding on financial organizations, branches of non-resident banks of the Republic of Kazakhstan, branches of insurance (reinsurance) organizations-non-residents of the Republic of Kazakhstan, insurance brokers-non-residents of the Republic of Kazakhstan, consumers of financial services, other individuals and legal entities in the territory of the Republic of Kazakhstan;

3) make a decision on the issue (refusal to issue) or revocation of a permit for:

opening of banks, branches of non-resident banks of the Republic of Kazakhstan, branches of non-resident insurance (reinsurance) organizations of the Republic of Kazakhstan, branches of non-resident insurance brokers of the Republic of Kazakhstan;

creation of insurance (reinsurance) organizations;

creation and acquisition by banks and / or bank holding companies of a subsidiary;

creation or acquisition by banks of a subsidiary that purchases doubtful and uncollectible assets of the parent bank;

significant participation of a bank and / or a bank holding company in the capital of organizations;

creation or acquisition by insurance (reinsurance) organizations and insurance holdings of a subsidiary;

significant participation of an insurance (reinsurance) organization and (or) an insurance holding company in the capital of organizations;

4) make a decision to issue (refuse to issue) a permit for:

voluntary reorganization (merger, acquisition, division, separation, transformation, conversion) of banks (bank holdings) or voluntary liquidation of banks, voluntary termination of the activities of branches of non-resident banks of the Republic of Kazakhstan;

voluntary reorganization (merger, merger, division, separation, transformation) of insurance (reinsurance) organizations (insurance holdings) or voluntary liquidation of insurance (reinsurance) organizations, voluntary termination of the activities of branches of non-resident insurance (reinsurance) organizations of the Republic of Kazakhstan;

voluntary reorganization or voluntary liquidation of a voluntary accumulative pension fund;

voluntary reorganization or liquidation of an Islamic special finance company;

voluntary reorganization of a microfinance organization in the form of conversion to a bank;

5) make a decision on the issue (refusal to issue) and revocation of consent to:

acquisition of the status of a major participant in a bank or bank holding company;

acquisition of the status of a major participant in an insurance (reinsurance) organization or insurance holding;

acquisition of the status of a major participant managing an investment portfolio;

6) make a decision to suspend, renew or revoke the license for:

conducting banking and other operations established by the Law of the Republic of Kazakhstan "On Banks and Banking Activities in the Republic of Kazakhstan" (with the exception of decisions on suspension, renewal or revocation of licenses issued to legal entities operating exclusively through exchange offices under the license of the National Bank of the Republic of Kazakhstan for exchange operations with foreign currency in cash, and legal entities whose exclusive activity is the collection of banknotes, coins and valuables, and (or) their appendices);

the right to carry out insurance (reinsurance) activities and activities of an insurance broker, actuarial activities in the insurance market;

implementation of activities of voluntary accumulative pension funds for investment portfolio management with the right to attract voluntary pension contributions;

carrying out activities on the securities market;

7) approve jointly with the National Bank of the Republic of Kazakhstan programs aimed at protecting the interests of consumers of financial services;

8) make decisions on the Agency's participation in international and other organizations;

9) make a decision on the establishment of consultative and advisory bodies of the authorized body;

10) make a decision to classify a bank, a branch of a non-resident bank of the Republic of Kazakhstan as insolvent banks, a branch of a non-resident bank of the Republic of Kazakhstan as insolvent branches of non-resident banks of the Republic of Kazakhstan;

11) make a decision to exclude a bank, a branch of a non-resident bank of the Republic of Kazakhstan from the category of insolvent banks, a branch of a non-resident bank of the Republic of Kazakhstan from the category of insolvent branches of non-resident banks of the Republic of Kazakhstan;

12) make a decision to classify a bank, a branch of a non-resident bank of the Republic of Kazakhstan as a bank, branches of non-resident banks of the Republic of Kazakhstan with an unstable financial situation that threatens the interests of its depositors and creditors and (or) threatens the stability of the financial system;

13) decides to exclude a bank, a branch of a non-resident bank of the Republic of Kazakhstan from the category of banks, branches of non-resident banks of the Republic of Kazakhstan with an unstable financial situation that threatens the interests of its depositors and creditors and (or) threatens the stability of the financial system;

14) make a decision on carrying out conservation of the bank holding company;

15) decides on the introduction of the bank's conservation regime, the introduction of a moratorium on meeting the requirements of depositors and creditors of the bank, the application of measures to resolve an insolvent bank, a branch of a non-resident bank of the Republic of Kazakhstan;

16) decides on the introduction of a special regulatory regime;

17) Excluded by the Decree of the President of the Republic of Kazakhstan dated 09.08.2022 № 972 (shall be enforced from 12.09.2022).

18) make a decision on the issue of:

establishment of trust management of the bank's shares owned by a major participant of the bank, a bank holding company or a person who has the characteristics of a major participant of the bank, a bank holding company;

establishment of trust management of shares of an insurance (reinsurance) organization owned by a major participant in an insurance (reinsurance) organization, an insurance holding company, or a person who has the characteristics of a major participant in an insurance (reinsurance) organization, an insurance holding company;

establishment of trust management of shares of the investment portfolio manager owned by a large participant or a person who has the characteristics of a large participant in the investment portfolio manager;

19) decides on the establishment and termination of the activity of the stabilization bank;

20) in order to protect the interests of bank creditors and ensure the stability of the banking system of the Republic of Kazakhstan, if the measures applied did not lead to an improvement in the financial condition of the bank:

Invites the Government of the Republic of Kazakhstan to consider the possibility of purchasing by the Government of the Republic of Kazakhstan or the national management holding of the declared shares of the bank in the amount necessary to improve its financial condition and the bank's compliance with prudential standards and (or) other mandatory norms and limits, in accordance with the procedure provided for by legislative acts of the Republic of Kazakhstan;

if the bank has a negative amount of capital, it makes a decision to make a forced repurchase of the bank's shares with the condition that they must be sold immediately at the purchase price to a new investor, which guarantees the necessary improvement in the bank's financial position;

21) decides on recognition of financial market assets as securities;

21-1) approve the regulations on the expert committee for consideration of issues of recognition of actions as committed for the purpose of manipulation in the securities market;

22) make decisions on issuing a permit for the right to carry out the activities of the credit bureau and an act on the compliance of the credit bureau with the requirements for the credit bureau to protect and ensure the safety of the database of credit histories, used information systems and premises;

23) make decisions on suspending or renewing the validity of the permit for the right to carry out the activities of the credit bureau and the act on compliance of the credit bureau with the requirements for the credit bureau to protect and ensure the safety of the database of credit histories, used information systems and premises;

24) in cases established by the laws of the Republic of Kazakhstan, make a decision to complete the procedure for voluntary or compulsory termination of the activities of a branch of a non-resident bank of the Republic of Kazakhstan;

25) develop and approve rules for the Agency's acquisition of services related to ensuring the stability of the financial system;

26) approves the Agency's regulations;

27) approve the rules of procedure of the Management Board;

27-1) approve the regulation on the internal audit unit;

28) approve the remuneration system of the Agency's employees in agreement with the President of the Republic of Kazakhstan, as well as the conditions of remuneration and social security of the Agency's employees;

29) approve the amount of official salaries of the Agency's Chairman and his deputies established in agreement with the President of the Republic of Kazakhstan;

30) approve the rules of appointment and termination of the employment contract with employees of the Agency;

31) consider, approve and submit for approval to the President of the Republic of Kazakhstan the structure, total staffing of the authorized body and the Regulations on the authorized body, as well as changes and additions to them;

32) consider, accept and submit for approval by the President of the Republic of Kazakhstan the annual report on the work of the authorized body;

32-1) approve the Agency's internal audit standards;

32-2) approve the mid-term audit plan and annual report of the internal audit unit;

33) performs other functions referred to the competence of the Agency's Management Board, provided for by the Law, other laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan.

The Agency's Management Board has the right to consider and make a decision on any issue falling within the Agency's competence, as defined by the Law, other laws of the Republic of Kazakhstan and this Regulation.

Footnote. Item 21 as amended by the Decree of the President of the Republic of Kazakhstan dated 09.08.2022 № 972 (shall be enforced from 12.09.2022).

Chapter 4. Agency Property

22. The Agency may have separate property on the right of operational management in cases stipulated by the legislation of the Republic of Kazakhstan.

The Agency's property is formed at the expense of property transferred to it by the owner, as well as property (including monetary income) acquired as a result of its own activities and other sources not prohibited by the legislation of the Republic of Kazakhstan.

23. The property assigned to the Agency belongs to the republican ownership.

24. The Agency independently shall ensure on behalf of the Republic of Kazakhstan the rights of possession, use and disposal of the property assigned to it on its balance sheet, in the manner determined by the legal acts of the Agency.

Footnote. Paragraph 24 - as amended by Decree of the President of the Republic of Kazakhstan dated 29.07.2024 № 606 (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).

Chapter 5. Reorganization and abolition of the Agency

25. The Agency is reorganized and abolished in accordance with the legislation of the Republic of Kazakhstan.

APPROVED
by Decree № 203 of the
President of the
Republic of Kazakhstan
as of 11 November 2019

STRUCTURE

of the Agency of the Republic of Kazakhstan for Regulation and Development of the Financial Market

Footnote. Structure – as amended by the Decree of the President of the Republic of Kazakhstan dated 12.08.2023 № 296.

1. Departments
2. Directorates

APPENDIX
to Decree № 203 of the
President of the
Republic of Kazakhstan
as of 11 November 2019

AMENDMENTS

to some decrees of the President of the Republic of Kazakhstan

1. Lost force by the Decree of the President of the Republic of Kazakhstan dated 31.07.2023 № 290.

2. To Decree № 1271 of the President of the Republic of Kazakhstan as of 31 December 2003 “On approval of the Regulation and structure of the National Bank of the Republic of Kazakhstan” (CAPG of the Republic of Kazakhstan, 2004, № 50, Art. 640):

paragraph 2 shall be amended to read as follows:

“2. To approve the total staff size of the National Bank of the Republic of Kazakhstan, including the central office, its branches and representative offices, as consisting of 2,078 full-time employees.”;

in the Regulation on the National Bank of the Republic of Kazakhstan approved by the above Decree:

paragraph 1 shall be amended to read as follows:

“1. The National Bank of the Republic of Kazakhstan (hereinafter referred to as the National Bank of Kazakhstan) is a state body directly subordinated and accountable to the President of the Republic of Kazakhstan, ensuring the development and implementation of the state’s monetary policy, the functioning of payment systems, contributing to ensuring the stability of the financial system, carrying out currency regulation and currency control, statistical activity, as well as, within its competence, state regulation, control over and supervision of the financial market, financial institutions and other persons, and in the field of financial legislation of the Republic of Kazakhstan.”;

part two of paragraph 13 shall be amended to read as follows:

“The National Bank of Kazakhstan does not charge fees for banking and other services provided to the Government of the Republic of Kazakhstan and the central authorized body

for budget execution, except for services for managing the National Fund of the Republic of Kazakhstan, assets of other funds and organizations.”;

paragraphs 15, 16 and 17 shall be amended to read as follows:

“15. The tasks are as follows:

- 1) development and implementation of the state’s monetary policy;
- 2) ensuring the functioning of payment systems;
- 3) implementation of currency regulation and currency control;
- 4) assistance in ensuring the stability of the financial system;
- 5) implementation of statistical activities in the field of money-and-credit statistics, financial market statistics and statistics of the external sector;
- 6) other tasks in accordance with the laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan.

16. The functions are as follows:

The National Bank of the Republic of Kazakhstan:

- 1) develops and implements the state monetary policy of the Republic of Kazakhstan;
- 2) issues government-issue securities;
- 3) is the only issuer of banknotes and coins of the national currency of the Republic of Kazakhstan and organizes cash circulation in the territory of the Republic of Kazakhstan;
- 4) participates in the arrangement of transportation, storage and collection of banknotes, coins and valuables, creates reserve state funds of banknotes, coins and valuables;
- 5) exercises control over and supervision of compliance with the requirements for space planning and furnishing by legal entities operating exclusively through exchange offices on the basis of a license of the National Bank of Kazakhstan for exchange operations with foreign currency in cash, and legal entities whose exclusive activity is the collection of banknotes, coins and valuables;
- 6) regulates and supervises (oversees) the interbank money transfer system, the interbank clearing system and other payment systems that ensure money transfers in KZT between their users;
- 7) in order to streamline payments and money transfers, establishes, in agreement with the Government of the Republic of Kazakhstan, the sequence of payments on bank accounts made by banks, organizations carrying out certain types of banking operations, and business entities unless otherwise provided for by the laws of the Republic of Kazakhstan;
- 8) carries out currency regulation and currency control in the Republic of Kazakhstan;
- 9) ensures the management of assets in foreign currency and precious metals;
- 10) exercises the priority right of the state to purchase refined gold to replenish assets in precious metals;
- 11) in the cases provided for by the legislation of the Republic of Kazakhstan, carries out control tests of samples (assays) of precious metals and raw materials containing precious metals;

12) stores and tests precious metals, except for products from them, and samples (assays) of raw materials containing precious metals, the owners of which are financial institutions, other persons entitled to carry out export-import operations with precious metals and raw materials containing precious metals;

13) in the cases provided for by the legislation of the Republic of Kazakhstan, carries out the transportation, reception, accounting, storage of precious metals, precious stones and products from them, transferred (received) into the ownership of the state on separate grounds ;

14) independently and (or) together with other state bodies of the Republic of Kazakhstan, within their competence, regulates systemic risks;

15) interacts with the authorized body for the regulation, control over and supervision of the financial market and financial institutions regarding the stability of the financial system of the Republic of Kazakhstan, the provision of loans by the National Bank of Kazakhstan to second-tier banks, including a last-resort loan, and also exchanges information with the authorized body for the regulation, control over and supervision of the financial market and financial institutions, also through mutual access to information systems;

16) performs the functions of a working body of the Financial Stability Council of the Republic of Kazakhstan, within its competence develops proposals on issues related to the functions of the Financial Stability Council of the Republic of Kazakhstan;

17) in order to assist in ensuring the stability of the financial system:
conducts regular monitoring of macroeconomic and macro-financial factors affecting the stability of the financial system;

develops macroprudential policy;

grants last-resort loans in the manner and on the conditions provided for by the Law of the Republic of Kazakhstan “On the National Bank of the Republic of Kazakhstan” (hereinafter referred to as the Law on the National Bank) and the joint regulatory legal act of the National Bank of Kazakhstan and the authorized body for the regulation, control over and supervision of the financial market and financial institutions;

conducts operations with derivative financial instruments with second-tier banks in the manner, on the conditions and within the timeframes established by the Board of the National Bank of Kazakhstan;

18) grants loans in the manner and on the conditions provided for by the Law on the National Bank and legal acts of the National Bank of Kazakhstan;

19) participates in the management of the external debt of financial institutions;

20) develops statistical methodology and determines the list, forms, timeframes and procedure for submitting primary statistical data on cash circulation, money-and-credit statistics and financial market statistics, balance of payments, external debt, international investment position, financial stability;

21) conducts departmental statistical observations in accordance with the plan of statistical work, as well as, within its competence, exercises control in the field of state statistics;

22) generates and disseminates statistical information on the financial market review, money-and-credit and financial market statistics, balance of payments, international investment position and external debt, participates in the development of forecast estimates of the balance of payments;

23) collects and processes administrative data on currency regulation, money-and-credit statistics and financial market statistics, cash circulation, payments and payment systems, financial stability, regulation, control over and supervision of financial institutions and their affiliates, an organization guaranteeing insurance payments, credit bureaus, microfinance organizations and collection agencies;

24) carries out, within its competence, the regulation of the financial market and financial institutions and other persons, and also exercises control over and supervision of the financial market and financial institutions, and in the field of financial legislation of the Republic of Kazakhstan in accordance with the Law on the National Bank, the Law of the Republic of Kazakhstan “On state regulation, control over and supervision of the financial market and financial institutions” and other laws of the Republic of Kazakhstan;

25) issues (refuses to issue), renews, suspends, revokes licenses for:

exchange operations with foreign currency in cash - to legal entities operating exclusively through exchange offices;

the collection of banknotes, coins and valuables - to legal entities whose exclusive activity is the collection of banknotes, coins and valuables;

26) determines the policy and methods of accounting for the National Bank of Kazakhstan with account of international financial reporting standards;

27) exercises control over and supervision of the compliance with the requirements of the legislation of the Republic of Kazakhstan on accounting and financial reporting, rules for automating accounting, as well as the requirements of the legislation of the Republic of Kazakhstan on currency regulation and currency control by legal entities operating exclusively through exchange offices on the basis of a license of the National Bank of Kazakhstan for exchange operations with foreign currency in cash;

28) monitors the compliance with the requirements of the legislation of the Republic of Kazakhstan on combating legalization (laundering) of proceeds from crime and financing of terrorism in terms of recording, storing and providing information on transactions with money and (or) other assets subject to financial monitoring, due diligence of clients (their representatives) and beneficial owners, suspension and refusal to carry out operations subject to financial monitoring, protection of documents obtained in the course of its activities, as well as the organization and implementation of internal control in accordance with the legislation of the Republic of Kazakhstan by legal entities operating exclusively through

exchange offices on the basis of a license of the National Bank of Kazakhstan for exchange operations with foreign currency in cash, by legal entities whose exclusive activity is the collection of banknotes, coins and valuables, and by payment institutions;

29) within its competence, participates in audits of the activities of the audited entities conducted by the authorized body for the regulation, control over and supervision of the financial market and financial institutions;

30) with regard to issues within its competence, takes limited enforcement actions against residents and non-residents carrying out foreign exchange transactions that are not financial institutions, payment system operators, payment system operating centers, as well as payment service providers that are not banks and organizations carrying out certain types of banking operations, applies supervisory response measures to legal entities operating exclusively through exchange offices on the basis of a license of the National Bank of Kazakhstan for exchange operations with foreign currency in cash and to legal entities whose exclusive activity is the collection of banknotes, coins and valuables, as well as sanctions and other measures provided for by the laws of the Republic of Kazakhstan;

31) introduces a special regulatory regime in relation to payment institutions and (or) other legal entities that are not financial institutions, in order to carry out activities related to payment services, and regulates their activities, within its competence;

32) participates in the servicing of the state debt of the Government of the Republic of Kazakhstan with its agreement and serves the state debt of the National Bank of Kazakhstan;

33) sets and publishes the official exchange rate of the national currency of the Republic of Kazakhstan to foreign currencies in accordance with the list and procedure determined by the Board of the National Bank of Kazakhstan;

34) monitors contracts for non-state foreign loans;

35) monitors the sources of supply and demand, as well as the uses of foreign currency in the domestic foreign exchange market;

36) carries out banking activities, professional activities in the securities market and other activities defined by the laws of the Republic of Kazakhstan, without obtaining appropriate licenses;

37) provides banking services to clients of the National Bank of Kazakhstan;

38) carries out trust management of the National Fund of the Republic of Kazakhstan on the basis of a trust management agreement, which is concluded between the National Bank of Kazakhstan and the Government of the Republic of Kazakhstan and is published in official print media;

39) carries out trust management of assets on the basis of trust management agreements concluded by the National Bank of Kazakhstan with the Government of the Republic of Kazakhstan or legal entities. Trust management agreements concluded between the National Bank of Kazakhstan and the Government of the Republic of Kazakhstan are published in official print media;

40) carries out trust management of the pension assets of the unified accumulative pension fund on the basis of a trust management agreement concluded between the National Bank of Kazakhstan and the unified accumulative pension fund;

41) performs the functions of a custodian in relation to pension assets of the unified accumulative pension fund;

42) at the request of the authorized body for financial monitoring, submits information from its own information systems in accordance with the legislation of the Republic of Kazakhstan on combating the legalization (laundering) of proceeds from crime and financing of terrorism;

43) participates in the training and retraining of personnel for state bodies and financial institutions;

44) purchases goods, works, services in the manner prescribed by the regulatory legal acts of the National Bank of Kazakhstan;

45) assigns, cancels and determines the use of bank identification codes, assigns and cancels codes of banks and organizations carrying out certain types of banking operations, and codes of branches of banks and organizations carrying out certain types of banking operations, establishes their structure, and also forms and maintains a Directory of banks and organizations carrying out certain types of banking operations;

46) sets up consultative and advisory bodies of the National Bank of Kazakhstan;

47) in order to ensure the completeness of information in the database of credit histories, provides information on the subjects of credit history to a credit bureau partially owned by the state;

48) establishes the procedure for the alienation of property assigned to the National Bank of Kazakhstan and for its transfer for use;

49) establishes the procedure for the development, approval of development plans for state-controlled joint stock companies, limited liability partnerships, whose shareholder (participant, trust manager) is the National Bank of Kazakhstan, and state enterprises set up by it, monitoring and evaluating their progress, as well as reports on their implementation;

50) determines the size of and procedure for compensation payments for business trips, including for the purpose of training, advanced training or retraining of an employee in accordance with the legislation of the Republic of Kazakhstan, which are made by state institutions supported from the budget (cost estimate) of the National Bank of Kazakhstan;

51) raises public awareness of the main areas of activities of the National Bank of Kazakhstan;

52) with regard to issues within its competence, takes measures to improve the quality of financial services;

53) ensures the availability and relevance of the financial and operational risk management system of the National Bank of Kazakhstan;

54) within its competence, cooperates with central banks, control and supervisory bodies of other states, international and other organizations and has the right to confidentially exchange information constituting a trade secret in the securities market, bank secret, insurance secret or another secret protected by law necessary for exercising control and supervisory functions, on the basis of and in accordance with an international agreement of the Republic of Kazakhstan, an agreement providing for the exchange of confidential information.

Other organizations specified in part one of this subparagraph shall be understood to mean associations of central banks, control and supervisory bodies of other states, which are set up with the aim of developing uniform standards for regulating the banking sector, the securities market and the insurance market;

55) performs other functions provided for by the Law on the National Bank, other laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan.

17. Rights and obligations of the National Bank of Kazakhstan:

When implementing the tasks assigned thereto and performing its functions, the National Bank of Kazakhstan, in the manner prescribed by the legislation of the Republic of Kazakhstan, has the right to:

1) develop and adopt, within its competence, regulatory legal acts that are binding on financial institutions, other individuals and legal entities in the territory of the Republic of Kazakhstan;

2) request and receive, free of charge, necessary information, including that constituting official, commercial, banking and other secrets protected by law, from any individuals and legal entities, as well as state bodies;

3) carry out inspections and other forms of control and supervision within the powers established by the legislation of the Republic of Kazakhstan;

4) adopt regulatory and non-regulatory legal acts regulating the internal activities of the National Bank of Kazakhstan, as well as relations associated with the activities of legal entities in respect of which it is a founder (authorized body) or a shareholder;

5) exercise other rights provided for by the Law on the National Bank, other laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan.

Obligations of the National Bank of Kazakhstan are as follows:

1) ensuring the development and implementation of the state's monetary policy;

2) assistance in ensuring the stability of the financial system;

3) implementation of statistical activities in the field of money-and-credit statistics, financial market statistics and statistics of the external sector;

4) implementation of internal audit and verification of the activities of divisions of the central office, branches, representative offices and organizations of the National Bank of Kazakhstan, as well as joint stock companies, whose only shareholder is the National Bank of Kazakhstan;

5) other obligations provided for by the Law on the National Bank, other laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan.”;

subparagraph 17) of paragraph 21 shall be excluded;

paragraph 23 shall be amended to read as follows:

“23. The bodies of the National Bank of Kazakhstan are the Board and the Board of Directors (Directorate).

The supreme body of the National Bank of Kazakhstan is the Board.

In addition to the functions provided for in Article 15 of the Law on the National Bank, the Board of the National Bank of Kazakhstan:

1) gives consent to increase the authorized capital of joint stock companies and increase or reduce the authorized capital of limited liability partnerships of the National Bank of Kazakhstan, as well as to purchase or alienate shares of joint stock companies, participatory interests in the authorized capital of limited liability partnerships;

2) determines the conditions for restructuring the debt of banks and other organizations to the National Bank of Kazakhstan with regard to loans granted by the National Bank of Kazakhstan;

3) out of court, considers and makes decisions on the issues of satisfying claims of the National Bank of Kazakhstan with regard to last-resort loans;

4) on the basis of the structure of the National Bank of Kazakhstan approved by the President of the Republic of Kazakhstan, approves the list of divisions of the central office, branches and representative offices of the National Bank of Kazakhstan with their names, as well as the total staff size of organizations of the National Bank of Kazakhstan;

5) establishes the amount of retained net earnings allocated to form the charter and (or) reserve capital;

6) approves the size of the commission of the unified accumulative pension fund annually ;

7) makes decisions on issues, which are attributed to the competence of the general meeting of shareholders (sole shareholder) of the unified accumulative pension fund by the legislation of the Republic of Kazakhstan and the charter of the unified accumulative pension fund;

8) makes a decision to take assets into trust management on the basis of trust management agreements concluded by the National Bank of Kazakhstan with legal entities;

9) approves the rules for ensuring access to and intra-facility regimes in the buildings of the National Bank of Kazakhstan and its territorial branches;

10) performs other functions within the competence of the Board of the National Bank of Kazakhstan, provided for by the Law on the National Bank, other laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan.

The Board of the National Bank of Kazakhstan has the right to consider and make a decision on any issue falling within the competence of the National Bank of Kazakhstan,

determined by the Law on the National Bank, other laws of the Republic of Kazakhstan and the Regulation.

Meetings of the Board of the National Bank of Kazakhstan are held as required in accordance with the work plan approved by the Chairman of the National Bank of Kazakhstan. The meetings of the Board are chaired by the Chairman of the National Bank of Kazakhstan, and in his/her absence - by a person acting for him/her.

The operating procedure of the Board of the National Bank of Kazakhstan is determined by its rules.”;

in part five of paragraph 24:

subparagraph 7) shall be excluded;

in subparagraph 12):

item six shall be excluded;

item twelve was amended in the Kazakh text, the text in Russian does not change;

item thirteen is added, which reads as follows:

“the size of the discount to the value of assets pledged to secure the fulfillment of obligations under the last-resort loan;”;

subparagraph 13) shall be excluded;

3. To Decree № 552 of the President of the Republic of Kazakhstan as of 11 March 2008 “On approval of the Regulation on the Administration of the President of the Republic of Kazakhstan” (CAPG of the Republic of Kazakhstan, 2008, №. 12-13, Art. 116):

in the List of state bodies directly subordinated and accountable to the President of the Republic of Kazakhstan approved by the above Decree:

after the line “National Bank of the Republic of Kazakhstan”, the following line is added:

“The Agency of the Republic of Kazakhstan for Regulation and Development of the Financial Market”.

4. To Decree № 954 of the President of the Republic of Kazakhstan as of 9 March 2010 “On the system of annual evaluation of the performance of central state and local executive bodies of regions, a city of republican significance, the capital” (CAPG of the Republic of Kazakhstan, 2010, № 24, Art. 173):

in the appendix to the above Decree:

in the List of central state bodies, whose performance is assessed:

after the line “National Bank of the Republic of Kazakhstan, except for the block “Organizational development of state bodies ”, the following line is added:

“The Agency of the Republic of Kazakhstan for Regulation and Development of the Financial Market, except for the block “Organizational development of state bodies”.

5. To Decree № 151 of the President of the Republic of Kazakhstan as of 29 December 2015 “On some issues of admission of citizens to the “A” corps of administrative civil service ” (CAPG of the Republic of Kazakhstan, 2015, № 70-71, Art. 521):

in the Special qualification requirements for the “A” corps of administrative civil service positions approved by the above Decree:

subparagraph 3) of paragraph 15 shall be amended to read as follows:

“3) either at least five years of work experience, including at least four years of work experience in positions not lower than heads of departments in national management holdings, national holdings, national companies, national development institutions, the National Bank of the Republic of Kazakhstan, the Agency of the Republic of Kazakhstan for Regulation and Development of the Financial Market, or in positions not lower than heads of republican organizations with an average annual staff size of at least fifty people or legal entities that are large business entities **.”

6. To Decree № 532 of the President of the Republic of Kazakhstan as of 16 August 2017 “On approval of the Rules for taking the oath by civil servants and deputies of the Parliament of the Republic of Kazakhstan” (CAPG of the Republic of Kazakhstan, 2017, № 34-35, Art. 248):

in the Rules for taking the oath by civil servants and deputies of the Parliament of the Republic of Kazakhstan approved by the above Decree:

paragraph 3 shall be amended to read as follows:

“3. Unless otherwise established by the President of the Republic of Kazakhstan, a political civil servant is sworn in when presented to the staff of a relevant state body by an official introducing him/her, except for the cases specified in this paragraph.

The President of the Republic of Kazakhstan personally administers the oath of the Prime Minister of the Republic of Kazakhstan, State Secretary of the Republic of Kazakhstan, Head of the Administration of the President of the Republic of Kazakhstan, chairmen of the Constitutional Council of the Republic of Kazakhstan, National Bank of the Republic of Kazakhstan, Agency of the Republic of Kazakhstan for the Regulation and Development of the Financial Market, Central Election Commission of the Republic of Kazakhstan, the Prosecutor General of the Republic of Kazakhstan, chairmen of the National Security Committee of the Republic of Kazakhstan, the Accounts Committee for Control over the Execution of the Republican Budget of the Republic of Kazakhstan, Ministers of Foreign Affairs of the Republic of Kazakhstan, Defense of the Republic of Kazakhstan, Internal Affairs of the Republic of Kazakhstan.

Deputies of the Senate and Majilis of the Parliament of the Republic of Kazakhstan take the oath at meetings of the relevant Chambers of the Parliament of the Republic of Kazakhstan.

At the discretion of the President of the Republic of Kazakhstan, other members of the Government of the Republic of Kazakhstan and heads of other state bodies directly subordinated and accountable to the President of the Republic of Kazakhstan, as well as MPs, can be sworn in personally by the President of the Republic of Kazakhstan in the manner determined by him.

Officials appointed by a maslikhat or with its consent are sworn in at a meeting of a relevant maslikhat”.

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