



**On Approval of the Rules for Issue of a Petition for Investor Visa Receipt by nonresidents of the Republic of Kazakhstan carrying out the investment activities in the territory of the Republic of Kazakhstan**

*Unofficial translation*

Order No. 1265 of the Minister for the Investments and Development of the Republic of Kazakhstan dated December 29, 2015. Registered in the Ministry of Justice of the Republic of Kazakhstan on February 10, 2016 under No.13039.

Unofficial translation

Pursuant to paragraph 7 of Article 282 of the Entrepreneurial Code of the Republic of Kazakhstan and sub-paragraph 1) of Article 10 of the Law of the Republic of Kazakhstan “On State Services” **I HEREBY ORDER:**

**Footnote. Preamble - as reworded by order of the Acting Minister of Foreign Affairs of the Republic of Kazakhstan No. 11-1-4/243 dated 26.05.2022 (shall be promulgated ten calendar days after the date of its first official publication).**

1. The attached Rules for Issue of a Petition for Investor Visa Receipt by nonresidents of the Republic of Kazakhstan carrying out the investment activities in the territory of the Republic of Kazakhstan shall be approved

2. The Investment Committee of the Ministry for Investments and Development of the Republic of Kazakhstan (Ye.K. Khairov) shall ensure:

1) state registration of this order at the Ministry of Justice of the Republic of Kazakhstan;  
2) its electronic and hard copies sending periodic printed press and to Adilet information and legal system for official publication, and to the Republic Center for Legal Information for registration in the reference control bank of regulatory legal acts of the Republic of Kazakhstan upon the expiry of ten calendar days after the state registration of this order at the Ministry of Justice of the Republic of Kazakhstan;

3) this order posting at on the internet resource of the Ministry for Investments and Development of the Republic of Kazakhstan and the internet portal of the state authorities;

4) submission of the data on performance of the activities provided for in subparagraphs 1), 2) and 3) of paragraph 2 of this order to the Legal Department of the Ministry for Investments and Development of the Republic of Kazakhstan upon the expiry of ten business days after the state registration of this order at the Ministry of Justice of the Republic of Kazakhstan;

3. Supervision over this order fulfillment shall be entrusted to the Vice Minister of the Ministry for Investments and Development of the Republic of Kazakhstan.

4. This order shall be enforced upon the expiry of ten calendar days after its first official publication.

*Minister for  
Investments and Development of the  
Republic of Kazakhstan*

*A. Issekeshv*

"AGREED"

Minister of Foreign Affairs of the  
Republic of Kazakhstan

E.A. Idrissov \_\_\_\_\_

dated on December 29, 2015

"AGREED"

Chairman of the National  
Security Committee of the  
Republic of Kazakhstan

V.Z.Zhumakanov \_\_\_\_\_

dated January 5, 2016

"AGRRED"

Minister of Internal Affairs of the  
Republic of Kazakhstan

K.N.Kassymov \_\_\_\_\_

dated December 30, 2015

Approved  
by order of the Minister for  
Investments and Development  
of the Republic of Kazakhstan  
No. 1265 dated December 29, 2015

## **Rules for issuing a petition for an investor visa for non-residents of the Republic of Kazakhstan carrying out investment activities in the Republic of Kazakhstan**

**Footnote. Rules as reworded by order of the Minister of Foreign Affairs of the Republic of Kazakhstan No. 11-1-4/184 dated 03.06.2020 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).**

### **Chapter 1. General provisions**

1. These Rules for Issuing of Investor Visa Petition for Persons who are Non-Residents of the Republic of Kazakhstan and Implementing Investment Activities in the Territory of the Republic of Kazakhstan (hereinafter - the Rules) have been drafted as per paragraph 7, Article 282 of the Entrepreneurial Code of the Republic of Kazakhstan and sub-paragraph 1), Article 10 of the Law of the Republic of Kazakhstan “On State Services” (hereinafter - the Law “On State Services”) and determine the procedure for the provision of the state service “Issuance

of a Petition for an Investor Visa for Persons who are Non-Residents of the Republic of Kazakhstan and Engage in Investment Activities in the Republic of Kazakhstan” (hereinafter - public service).

Footnote. Paragraph 1 - as reworded by order of the Acting Minister of Foreign Affairs of the Republic of Kazakhstan No. 11-1-4/243 of 26.05.2022 (shall enter into force ten calendar days after the date of its first official publication).

2. The following basic concepts are used in these Rules:

1) excluded by order of the Minister of Foreign Affairs of the Republic of Kazakhstan No. 11-1-4/190 of 17.05.2021 (shall come into force ten calendar days after the date of its first official publication);

2) e-government web portal [www.egov.kz](http://www.egov.kz) (hereinafter referred to as the Portal) is an information system offering a single window of access to all consolidated government data, including the regulatory framework, and to public services, services for issuing technical conditions for connection to networks of natural monopoly entities and services of quasi-public sector entities rendered in electronic form.

3) an applicant for the issuance of a petition for an investor visa for non-residents of the Republic of Kazakhstan carrying out investment activities in the territory of the Republic of Kazakhstan (hereinafter - the applicant) – a natural person or a legal entity;

4) a petition for obtaining an investor visa for non-residents of the Republic of Kazakhstan carrying out investment activities in the territory of the Republic of Kazakhstan (hereinafter - the petition) – a written application of the authorized body on investments to the bodies of the migration service of the Ministry of Internal Affairs of the Republic of Kazakhstan on granting an investor visa to a person / persons who are non-residents of the Republic of Kazakhstan carrying out investment activities in the territory of the Republic of Kazakhstan.

Footnote. Paragraph 2 as amended by order of the Minister of Foreign Affairs of the Republic of Kazakhstan No. 11-1-4/190 of 17.05.2021 (shall be enacted ten calendar days after the date of its first official publication); No. 11-1-4/243 of 26.05.2022 ( shall be promulgated ten calendar days after the date of its first official publication).

3. If the applicant is a legal entity, the petitions shall be issued to the heads and/or deputy heads of the applicant, as well as the heads of structural units.

If the applicant is a natural person, the application shall be issued to the applicant.

4. An investor visa for persons who are non-residents of the Republic of Kazakhstan engaged in investment activities in the territory of the Republic of Kazakhstan shall be issued under paragraph 1 of Article 6 of the Law of the Republic of Kazakhstan “On Migration”.

Footnote. Paragraph 4 - as reworded by order of the Acting Minister of Foreign Affairs of the Republic of Kazakhstan No. 11-1-4/243 of 26.05.2022 (shall take effect ten calendar days after the date of its first official publication).

## Chapter 2. Procedure for considering applications for the issuance of petitions

5. An application for the issuance of an investor visa petition for persons who are non-residents of the Republic of Kazakhstan engaged in investment activities in the territory of the Republic of Kazakhstan (hereinafter - the application) shall be filed by the applicant on the Portal using the form specified in Annex 1 hereto.

**Footnote. Paragraph 5 - as reworded by order of the Minister of Foreign Affairs of the Republic of Kazakhstan No. 11-1-4/190 of 17.05.2021 (shall be put into effect ten calendar days after the date of its first official publication).**

6. The applicant shall enclose the following documents with the application:

1) an electronic copy of the identity document of the person applying for an investor visa with a notarised translation in the state or Russian languages (with the validity of the passport or its substitute document at least three months prior to the expiry of the visa requested);

2) an electronic copy of the applicant's statutes with a notarised translation in the state or Russian language;

3) an electronic copy of the document confirming the position of the person pursuant to paragraph 3 hereof;

4) electronic copies of documents confirming the fact of the applicant's investment in the investment project (documents confirming the investor's actual costs shall include: primary accounting documents drawn up under the Law of the Republic of Kazakhstan “On Accounting and Financial Reporting”; invoices drawn up under the Code of the Republic of Kazakhstan “On Taxes and Other Obligatory Payments to the Budget (Tax Code)”; customs declarations drawn up under the Code of the Republic of Kazakhstan “On Customs Regulation in the Republic of Kazakhstan”).

The list of basic requirements for rendering a state service, including the characteristics of the process, form, content and result of rendering, as well as other data with due regard to the specifics of rendering a state service shall be specified in the standard of the state service “Issue of a Petition for an Investment Visa for Persons who are Non-Residents of the Republic of Kazakhstan and Implementing Investment Activities on the Territory of the Republic of Kazakhstan” (hereinafter - Standard) under Annex 2 hereto.

**Footnote. Paragraph 6 - as reworded by order of the Minister of Foreign Affairs of the Republic of Kazakhstan № 11-1-4/190 of 17.05.2021 (shall come into force ten calendar days after the date of its first official publication); as amended by order of the Acting Minister of Foreign Affairs No. 11-1-4/243 of 26.05.2022 (shall enter into force ten calendar days after the date of its first official publication).**

7. An application for the provision of a state service shall be registered at the time of its receipt by the service provider.

Within two business days of registering the application, the service provider shall verify the completeness of the documents submitted.

If the service recipient fails to submit a complete set of documents as per paragraph 6 hereof and (or) if the documents have expired, the provider of services shall refuse to accept the application.

If the documents presented are complete, the provider of the state service shall, within 3 (three) business days, verify the compliance of the documents with the requirements hereof and draw up the result of the provision of the state service.

**Footnote. Paragraph 7 - as reworded by order of the Acting Minister of Foreign Affairs of the Republic of Kazakhstan No. 11-1-4/243 of 26.05.2022 (shall be promulgated ten calendar days after the date of its first official publication).**

8. The service provider shall decide whether to issue an application if one of the following conditions exists:

1) implementation by the applicant of projects within the priority sectors of the manufacturing industry as per Decree of the Government of the Republic of Kazakhstan No. 1050 of December 31, 2019 “On Approval of the State Programme for Industrial and Innovation Development of the Republic of Kazakhstan for 2020 – 2025”;

2) membership of the applicant in the Foreign Investors Council under the President of the Republic of Kazakhstan;

3) the applicant has an investment contract concluded with the competent investment authority;

4) availability of the applicant's recommendations from public authorities or quasi-public sector entities confirming the applicant's implementation of the investment project in the territory of the Republic of Kazakhstan.

In the presence of one of the conditions listed in sub-paragraphs 1), 2), 3) of this paragraph the application shall be issued for a period of 5 (five) years. If the remaining validity period of the applicant's passport is less than 5 (five) years, the petition shall be issued for the remaining validity period of the applicant's passport (or its substitute document)

Under the condition specified in sub-paragraph 4) of this paragraph, the application shall be issued for a period of 3 (three) years. If the remaining validity period of the applicant's passport (or its substitute document) is less than 3 (three) years, the petition shall be issued for the remaining validity period of the applicant's passport (or its substitute document).

If there are grounds referred to in paragraph 9 of the Standard of the State Service “ Issuance of the petition for investment visa for persons who are non-residents of the Republic of Kazakhstan engaged in investment activities on the territory of the Republic of Kazakhstan ”, the service provider shall notify the service recipient on the preliminary decision, on refusal to render the state service as well as time, date and place (manner) of the hearing to enable the service recipient to express a position on the preliminary decision.

The notification of the hearing shall be sent at least three (3) business days prior to the end of the public service period. The hearing shall be held no later than two (2) business days from the date of notification.

Based on the results of the hearing, the service provider shall decide whether to issue an application or send a reasoned refusal to grant the state service.

Footnote. Paragraph 8 - as reworded by order of the Acting Minister of Foreign Affairs of the Republic of Kazakhstan No. 11-1-4/243 of 26.05.2022 (shall be promulgated ten calendar days after the date of its first official publication).

9. Excluded by order of the Minister of Foreign Affairs of the Republic of Kazakhstan No . 11-1-4/190 of 17.05.2021 (shall become effective ten calendar days after the date of its first official publication).

10. The result of a state service shall be issued on the Portal - the status of acceptance of the request for a state service with the date of receipt of the result of the state service shall be displayed in the service recipient's personal office.

Footnote. Paragraph 10 - as reworded by order of the Minister of Foreign Affairs of the Republic of Kazakhstan No. 11-1-4/190 of 17.05.2021 (shall be put into effect ten calendar days after the date of its first official publication).

11. Pursuant to subparagraph 11) of paragraph 2 of article 5 of the Law “On Public Services”, the service provider shall ensure that data on the stage of providing a public service are entered into the information system for monitoring the provision of public services.

12. In the event of a failure of the information system containing the necessary information for the provision of a public service, the service provider shall notify the operator of the e-government information and communication infrastructure (hereinafter the operator) within one working day.

In this case, within the period specified in part one of this paragraph of the Rules, the operator shall draw up a report on the technical error in any form and sign it jointly with the service provider.

13. The service provider shall refuse to provide a public service on the following grounds:

1) ascertaining the unreliability of documents and/or documents with expired validity period submitted by the service recipient to receive the public service and (or) the data (information) contained therein;

2) the service recipient and/or submitted materials, objects, data and information required for the provision of the public service does not meet the requirements set out in these Rules;

3) in relation to the service recipient, there is an enforceable court decision (sentence) prohibiting activities or certain types of activities that require this public service.

**Chapter 3: Procedure for appealing against decisions, actions (inaction) of service providers and/or their officials on the issues related to provision of public services**

Footnote. Chapter 3 - as reworded by Order of the Acting Minister of Foreign Affairs of the Republic of Kazakhstan No. 11-1-4/243 of 26.05.2022 (shall be enacted ten calendar days after the date of its first official publication).

14. The complaint regarding the provision of state services shall be reviewed by a higher administrative authority, an official responsible for assessing and controlling the quality of state services (hereinafter referred to as the authority reviewing the complaint).

The complaint shall be lodged with the administrative authority, official whose administrative act, administrative action (inaction) is complained against.

The service provider, an official whose decision, action (inaction) is appealed against shall, no later than three business days after receipt of the complaint, forward it and the administrative file to the authority examining the complaint.

However, the provider of services, an official whose decision, action (inaction) is appealed, shall not forward the complaint to the authority examining the complaint, if within 3 (three) business days it/he/she takes a favourable decision, performs an action that fully satisfies the requirements specified in the complaint.

15. A complaint by a service recipient addressed to the service provider, under paragraph 2 of Article 25 of the Law, shall be reviewed within five business days from the date of its registration.

A complaint of a service recipient received by the competent authority for the evaluation and quality control of state services shall be reviewed within 15 (fifteen) business days from the date of its registration.

16. Except as otherwise prescribed by the law of the Republic of Kazakhstan, an appeal to a court shall be allowed after an administrative (pre-trial) appeal under paragraph 5 of Article 91 of the Code of Administrative Procedure of the Republic of Kazakhstan.

Annex 1

to the Rules for issuing a petition  
for an investor visa for  
non-residents of the  
Republic of Kazakhstan  
carrying out investment activities  
in the Republic of Kazakhstan

**Application for issuance of a petition for an investor visa for non-residents of the Republic of Kazakhstan carrying out investment activities in the Republic of Kazakhstan**

Document form No. 1  
(for a legal entity)

|   |  |
|---|--|
| Information about the applicant   |  |
| Name of the legal entity of the Republic of Kazakhstan  |  |
| Information on registration (re-registration) of a legal entity of the Republic of Kazakhstan (date, grounds) |  |
| Location: legal address, actual location  |  |
| Business ID number (BIN)  |  |

|  |   |
|--|---|
| Head of a legal entity of the Republic of Kazakhstan (surname, name, patronymic (if any), telephone, fax, e-mail)  |   |
| General classifier of economic activities  |   |
| Volume of investments (with confirmation of investment)  |   |
| Ground for receiving an application (specify the corresponding subparagraph/subparagraphs of paragraph 8 of the Rules for issuing of a petition for the investor visa for non-residents of the Republic of Kazakhstan carrying out investment activity in the Republic of Kazakhstan, confirmed by order of the Minister of Foreign Affairs of the Republic of Kazakhstan No. _____ dated _____ 2020 (entered in the Register of the State Registration of Regulatory Legal Acts under No. _____). |   |
| Contact details (telephone, fax, e-mail)   |   |
| Method of receiving a petition (by mail, by personal delivery)   |   |
| Information on the person/persons applying for an investor visa  |   |
| Name, surname, patronymic (if any)   |   |
| Date and place of birth  |   |
| Nationality  |   |
| Identity document details  |   |
| Identity document valid through:   |   |
| The address of the actual place of residence of the person applying for an investor visa in the country of residence   |   |
| Current position   |   |
| Contact details (telephone, fax, e-mail)   |   |
| _____ (Name, surname, patronymic (if any) of the head of the legal entity of the Republic of Kazakhstan)   | _____ (signature, seal (if available) and date) |

Document form No. 2  
(for a natural person)

|  |  |
|--|--|
| Information about the applicant  |  |
| Name, surname, patronymic (if any)   |  |
| Date and place of birth  |  |
| Nationality  |  |
| Identity document details  |  |
| Identity document valid through:   |  |
| The address of the actual place of residence of the person applying for an investor visa in the country of residence |  |
| General classifier of economic activities  |  |
| Volume of investments (with confirmation of investment)  |  |



|  |                            |
|--|----------------------------|
| Current position   |                            |
| Ground for receiving an application (specify the corresponding subparagraph/subparagraphs of paragraph 8 of the Rules for issuing of a petition for the investor visa for non-residents of the Republic of Kazakhstan carrying out investment activity in the Republic of Kazakhstan, confirmed by order of the Minister of Foreign Affairs of the Republic of Kazakhstan No. _____ dated _____ 2020 ( entered in the Register of the State Registration of Regulatory Legal Acts under No. _____ ). |                            |
| Contact details (telephone, fax, e-mail)   |                            |
| Method of receiving a petition (by mail, by personal delivery)   |                            |
| _____ (Applicant's name, surname, patronymic (if any))   | _____ (signature and date) |

Annex 2 to the Rules  
for issuing a petition for an investor  
visa for non-residents of the  
Republic of Kazakhstan carrying  
out investment activities  
in the Republic of Kazakhstan

## Standard of the State Service

### “Issuance of a Petition for an Investor Visa for Persons who are Non-Residents of the Republic of Kazakhstan and Implementing Investment Activities in the Territory of the Republic of Kazakhstan”

**Footnote. Annex 2 - as reworded by order of the Acting Minister of Foreign Affairs of the Republic of Kazakhstan No. 11-1-4/243 dated 26.05.2022 (shall come into force ten calendar days after the date of its first official publication).**

|    |  |   |
|----|--|---|
| 1. | Name of the service provider               | Investment Committee of the Ministry of Foreign Affairs of the Republic of Kazakhstan.  |
| 2. | Ways of providing a state service          | the e-government web portal www.egov.kz (hereinafter referred to as the Portal).  |
| 3. | Term of the provision of the state service | 3 (three) business days from the moment the document package is submitted on the Portal.  |
| 4. | Form of state service provision            | Electronic (fully automated).   |
| 5. | Result of a state service                  | Petition for an investor visa for persons who are non-residents of the Republic of Kazakhstan and who are engaged in investment activities in the territory of the Republic of Kazakhstan, or a reasoned refusal to render a state service. |
|    |  |   |

|    |  |   |
|----|--|---|
| 6. | The amount of the fee charged to the service recipient in the provision of a state service and the manner of charging it in cases stipulated by the laws of the Republic of Kazakhstan | Available free of charge to natural and legal persons.  |
| 7. | Working hours  | <p>1) 1) Portal - twenty-four hours a day, excluding technical breaks due to repair work (when a service recipient contacts the portal after business hours, on weekends and public holidays under the labour legislation of the Republic of Kazakhstan, acceptance of an application and delivery of the results of a state service shall be made on the following business day).</p> <p>2) 2) the service provider – from Monday to Friday from 9:00 am to 6:30 pm, with a lunch break from 1:00 pm to 2:30 pm, excluding weekends and public holidays, as provided by the Labour Code of the Republic of Kazakhstan and Article 5 of the Law of the Republic of Kazakhstan "On Holidays in the Republic of Kazakhstan".</p>  |
| 8. | List of documents required for the delivery of the state service   | <p>1) an electronic copy of the identity document of the person applying for an investor visa with a notarised translation in the state or Russian languages (with the validity of the passport or its substitute document at least three months prior to the expiry of the visa requested);</p> <p>2) an electronic copy of the applicant's statutes with a notarised translation in the state or Russian language;</p> <p>3) an electronic copy of the document confirming the position of the person as per paragraph 3 hereof;</p> <p>4) electronic copies of documents confirming the fact of the applicant's investment in the investment project (documents confirming the investor's actual costs are: primary accounting documents drawn up in accordance with the Law of the Republic of Kazakhstan "On Accounting and Financial Reporting"; invoices drawn up in accordance with the Code of the Republic of Kazakhstan "On Taxes and Other Obligatory</p> |

|     |  |   |
|-----|--|---|
|     |  | Payments to the Budget (Tax Code)”<br>; customs declarations prepared under the Code of the Republic of Kazakhstan “On Customs Regulation in the Republic of Kazakhstan”).  |
| 9.  | Grounds for refusal to provide a state service established by the laws of the Republic of Kazakhstan | 1) determination of the unreliability of documents and/or expired documents presented by the recipient of a state service and (or) the data (information) contained therein;<br>2) the recipient of a state service and /or the materials, objects, data and information required for the delivery of the state service do not meet the requirements laid down herein;<br>3) there is an enforceable court decision (sentence) prohibiting the activities or certain activities that require this public service against the service recipient.       |
| 10. | Other requirements, depending on the nature of the state service provided                            | The addresses of the service provider can be found on the website of the Ministry of Foreign Affairs of the Republic of Kazakhstan - <a href="http://www.mfa.gov.kz">www.mfa.gov.kz</a> , section “State Services”. The service recipient has the possibility of receiving information on the procedure and the status of the state service via remote access via the Integrated Contact Centre for the provision of state services. The telephone number of the Integrated Contact Centre for the provision of state services: 1414, 8 800 080 7777. |

Annex 3 to the Rules  
for issuing a petition for an investor  
visa for non-residents of the  
Republic of Kazakhstan carrying  
out investment activities  
in the Republic of Kazakhstan  
document form  
(Surname, first name, patronymic  
(if any)  
or name of the organization  
of the service recipient

---

(service recipient’s address)

**Written consent of the service recipient**

Footnote. Annex 3 is excluded by order of the Minister of Foreign Affairs of the Republic of Kazakhstan No. 11-1-4/190 dated 17.05.2021 (shall be enforced ten calendar days after the date of its first official publication).

Annex 4 to the Rules  
for issuing a petition for an investor  
visa for non-residents of the  
Republic of Kazakhstan carrying  
out investment activities  
in the Republic of Kazakhstan  
document form  
(Surname, first name, patronymic  
(if any) (hereinafter full name)  
or the name of the organization  
of the service recipient)

---

(service recipient's address)

### **Written acknowledgement of refusal to accept documents**

Footnote. Annex 4 is excluded by order of the Minister of Foreign Affairs of the Republic of Kazakhstan No. 11-1-4/190 dated 17.05.2021 (shall be enforced ten calendar days after the date of its first official publication).