

On approval of the Rules for transfer for affinage of scrap and wastes of precious metals converted to state property on separate grounds, into ingots of affined gold and receipt thereof after affinage

Unofficial translation

Resolution of the Board of the National Bank of the Republic of Kazakhstan dated February 29, 2016 № 81. Registered with the Ministry of Justice of the Republic of Kazakhstan on April 15, 2016 № 13598.

Unofficial translation

In accordance with the Laws of the Republic of Kazakhstan dated March 30, 1995 "On National Bank of the Republic of Kazakhstan", dated January 14, 2016 "On precious metals and precious stones" in order to improve the procedure for transfer for affinage of scrap and wastes of precious metals converted to state property on separate grounds, into ingots of affined gold and receipt thereof after affinage the Board of the National Bank of the Republic of Kazakhstan hereby **RESOLVED as follows**:

1. To approve the attached Rules for transfer for affinage of scrap and waste of precious metals converted to state property on separate grounds, into ingots of affined gold and receipt thereof after affinage.

2. The Cash Management Department (Abisheva T. T.) in accordance with the procedure established by the legislation of the Republic of Kazakhstan shall:

1) ensure jointly with the Legal Department (N.V. Sarsenova) the state registration of this resolution with the Ministry of Justice of the Republic of Kazakhstan;

2) send this resolution to the republican state enterprise on the right of economic management "Republican Center of Legal Information of the Ministry of Justice of the Republic of Kazakhstan":

for official publication in the information and legal system "Adilet" of the Republic of Kazakhstan within ten calendar days after its state registration with the Ministry of Justice;

for inclusion in the State Register of Regulatory Legal Acts of the Republic of Kazakhstan, Reference Control Bank of Regulatory Legal Acts of the Republic of Kazakhstan within five working days from the date of its receipt by the National Bank of the Republic of Kazakhstan after the state registration with the Ministry of Justice of the Republic of Kazakhstan;

3) place this resolution on the official Internet resource of the National Bank of the Republic of Kazakhstan after its official publication.

3. The Directorate for the Protection of the Rights of Consumers of Financial Services and External Communications (Terentyev A.L.) shall within ten calendar days after its state

registration with the Ministry of Justice of the Republic of Kazakhstan send this resolution for the official publication in periodicals.

4. Control over the execution of this resolution shall be entrusted to the Deputy Chairman of the National Bank of the Republic of Kazakhstan D.T. Galiev

5. This resolution shall be enforced upon expiry of ten calendar days after the date of its first official publication.

*Chairman
of the National bank
of the Republic of Kazakhstan*

D. Akishev

"AGREED"

Ministry of Finance

of the Republic of Kazakhstan

Minister _____ B. Sultanov

March 17, 2016

Approved
by the resolution of the Management
Board
of the National Bank
of the Republic of Kazakhstan
dated February 29, 2016 № 81

Rules for transfer of scrap and precious metal waste to refining, converted to state ownership on separate grounds, into bars of refined gold and their production after refining

Footnote. Rules - as amended by Resolution of the Board of the National Bank of the Republic of Kazakhstan dated 19.02.2024 No. 11 (shall be brought into force upon the expiration of ten calendar days after the day of its first official publication).

Chapter 1. General provisions

1. These Rules for transfer to refining of scrap and waste of precious metals turned into state ownership on separate grounds, into bars of refined gold and their receipt after refining (hereinafter referred to as the Rules) have been developed in accordance with Paragraph 2 of Article 10 of the Law of the Republic of Kazakhstan "On Precious Metals and Precious Stones" (hereinafter referred to as the Law) and shall determine the procedure for transferring scrap and precious metal waste turned into state ownership on separate grounds to bullion of refined gold and obtaining them after refining.

The procedure for transferring scrap and precious metal waste turned into state ownership on separate grounds to bullion of refined gold and obtaining them after refining shall include:

transfer to the refining of scrap and waste of precious metals turned into state ownership on separate grounds, into bullion of refined gold;

obtaining bars of refined gold after scrap refining and precious metal waste turned into state ownership on separate grounds.

2. The following concepts shall be used in the Rules:

1) measured bars of refined gold - refined gold in the form of bars obtained after refining scrap and waste of precious metals and complying with the national standard of the Republic of Kazakhstan ST RK 2049 "Measured gold bars Technical conditions," with a gold content of at least 99.99 (ninety-nine whole ninety-nine hundredths) percent;

2) standard bars of refined gold - refined gold in the form of bars obtained after refining scrap and waste of precious metals and complying with the international gold quality standard adopted by the London bullion market association and designated in the documents of this association as the standard "London good delivery";

3) aggregate volume of scrap and waste of precious metals shall be the volume of scrap and waste of precious metals turned into state ownership on separate grounds, received from the authorized body and its territorial divisions and subject to transfer to refining in order to obtain bullion of refined gold;

4) other refined precious metals - refined precious metals obtained after refining the total volume of scrap and waste of precious metals, with the exception of refined gold, presented in the form of standard and (or) measured ingots and (or) granules and accompanying samples that meet the national or international standard;

5) industrial waste - slag, sludge and other by-products formed after the refining of scrap and waste of precious metals;

6) tests - a set of works carried out in order to establish the quantitative and qualitative characteristics of the refined precious metal;

7) authorized body - department of the central executive body for state property management, whose functions include the organization of work on accounting, storage, assessment and further use of property converted (received) into republican property.

Chapter 2. Procedure for transfer of scrap and precious metal waste to refining, converted to state ownership on separate grounds, into bars of refined gold

3. The National Bank annually until March 20 (inclusive) as of March 1 of the current year on the authorized body and in the context of its territorial divisions calculates:

the total mass of scrap of precious metals and the content of precious metal in scrap of precious metal to be transferred to refining to obtain bars of refined gold;

total weight of precious metal wastes to be transferred for refining to obtain bullion of refined gold.

4. In the presence of a total volume of scrap and waste of precious metals sufficient to obtain after their refining a batch of standard bars of refined gold weighing at least 11025 grams (taking into account possible technological losses), the National Bank no later than April 5 (inclusive) of the current year shall send to the authorized body as of March 1 of the

current year information on the total volume of scrap and waste of precious metals for transfer to refining into bars of refined gold in writing in accordance with Annex 1 to the Rules to agree on the total volume of scrap and waste of precious metals.

5. The authorized body within 10 (ten) working days from the date of receipt of information on the total volume of scrap and waste of precious metals for transfer to refining in bars of refined gold specified in Annex 1 to the Rules (hereinafter referred to as the "Information") shall submit to the National Bank a written response on the approval of the aggregate amount of scrap and precious metal waste for transfer to refining in bullion of refined gold with indication of bank account details for transfer of the value of bullion of refined gold and sample accompanying the batch of bullion of refined gold or refusal to approve in case of discrepancies in the Information.

In case of refusal of the authorized body to approve the total amount of scrap and waste of precious metals for transfer to refining, the National Bank shall, within five (5) working days, eliminate the reasons for the refusal and re-send the Information to the authorized body or provide justification for the impossibility of eliminating the reasons for the refusal in writing.

The authorized body shall, within ten (10) working days from the date of receipt of the information or justifications specified in part two of this clause on the impossibility of eliminating the reasons for the refusal, send a response on the approval of the total volume of scrap and precious metal waste for transfer to refining.

6. In the absence as of March 1 of this year of the total volume of scrap and waste of precious metals sufficient to obtain after their refining a batch of standard bars of refined gold weighing at least 11025 grams (taking into account possible technological losses), the National Bank no later than April 5 (inclusive) of the current year to the authorized body sends information on the absence as of March 1 of the current year of a sufficient total volume of scrap and waste of precious metals for their transfer to refining.

7. The agreed aggregate amount of scrap and waste of precious metals shall be transferred by the National Bank for refining into bullion of refined gold not later than November 1 of the calendar year on the basis of the contract for refining work concluded with the subject of precious metals production, which shall carry out refining of precious metals (hereinafter referred to as the precious metals production entity) selected in accordance with the Resolution of the Board of the National Bank of the Republic of Kazakhstan of August 27, 2018 № 192 "On approval of the Rules for the acquisition of goods, works and services by the National Bank of the Republic of Kazakhstan, its departments, organizations included in its structure, and legal entities, fifty percent or more of the voting shares (interests in the authorized capital) of which belong to the National Bank of the Republic of Kazakhstan or shall be held in trust, and legal entities affiliated with them, "registered in the Register of State Registration of Regulatory Legal Acts under № 17374.

The transfer of the aggregate volume of scrap and waste of precious metals is carried out in accordance with the contract for refining work on the territory of the subject of production

of precious metals, in the presence of representatives of the National Bank and the subject of production of precious metals.

Chapter 3. Procedure for obtaining refined gold after scrap and precious metal waste refining

8. After scrap and precious metal waste refining, the precious metal production subject shall agree with the Cash Operations and Valuables Storage Center (branch) of the National Bank on the terms of shipment and delivery of refined gold, other refined precious metals, production waste.

Reception of refined gold, other refined precious metals, production waste shall be carried out on the territory of the Center for cash operations and storage of valuables (branch) of the National Bank, in the presence of representatives of the National Bank and the subject of production of precious metals on the basis of the acceptance certificate according to the agreement, for the performance of refining work.

9. The accredited independent laboratory of the Center for Cash Operations and Value Storage (branch) of the National Bank shall check the bars of refined gold, as well as other refined precious metals by chemical composition on samples accompanying batches of bars of refined gold and other refined precious metals, by conducting tests in accordance with measurement methods approved in accordance with the Law of the Republic of Kazakhstan " On ensuring the uniformity of measurements."

If the results of tests on the chemical composition of bullion of refined gold, as well as other refined precious metals do not confirm compliance with the requirements of national and international standards specified in subparagraphs 1) and 2) of paragraph 2 of the Rules, the National Bank shall send a claim to the subject of production of precious metals.

In case of disagreement of the subject of precious metals production with the test results, the subject of precious metals production sends its authorized representative to participate in joint tests. The results of the joint tests shall be final and shall be reflected in the test report.

10. Based on the results of the tests, the National Bank within twenty (20) working days from the date of confirmation of the compliance of the bars of refined gold, as well as other refined precious metals with the requirements of national and international standards specified in subparagraphs 1) and 2) of paragraph 2 of the Rules, or from the date of elimination by the subject of production of precious metals of the inconsistencies specified in the claim:

1) calculate the amount of costs associated with the processing of scrap and waste of precious metals (including the costs of performing work on the refining of scrap and waste of precious metals, as well as for the collection of valuables), and sends the information to the authorized body:

on the calculated amount of costs specified in paragraph one of this subparagraph;

on the quantity and total mass of bullion of refined gold, samples accompanying the batch of bullion of refined gold, other refined precious metals and production waste (if any);

on the need to accept from the National Bank other refined precious metals, production waste (if any), as well as on actual losses associated with quality tests of bullion of refined gold, other refined precious metals, samples accompanying batches of bullion of refined gold and other refined precious metals;

2) credits bullion of refined gold and a sample accompanying a batch of bullion of refined gold to the assets of the National Bank in precious metals;

3) transfer to the bank account specified by the authorized body in accordance with paragraph 5 of the Rules or part two of this paragraph, the value of the bars of refined gold and the sample accompanying the batch of bars of refined gold, minus the costs associated with the processing of scrap and waste of precious metals specified in subparagraph 1) of this paragraph.

In case of change of bank account details for transfer of the value of bullion of refined gold and sample accompanying the batch of bullion of refined gold, the authorized body shall notify the National Bank in writing within 3 (three) working days from the date of such change.

Within twenty (20) working days from the date of receipt of the information specified in Paragraph 4 of Subparagraph 1) of the first part of this paragraph, the authorized body shall receive from the National Bank other refined precious metals and industrial waste under the Value Distribution Certificate in the form specified in Annex 2 to the Rules.

11. The value of the bullion of refined gold and the sample accompanying the batch of bullion of refined gold credited to the assets of the National Bank in precious metals is determined in KZT using the official rate of KZT to the dollar of the United States of America, established by the National Bank, on the date of crediting these bullion of refined gold to the assets of the National Bank in precious metals, and morning fixing London bullion market association for gold as of the date of crediting the specified bars of refined gold and samples accompanying the batch of bars of refined gold to the assets of the National Bank in precious metals.

Annex 1
to the transfer Rules
on scrap and waste refining
of precious metals,
of property
states
by individual bases, ingots of refined gold
and obtaining them after refining
Form

**Information on the total volume of scrap and waste of precious metals
for transfer to refining into bars of refined gold as of _____**

№ r/n	Name of the authorized body (Chemically pure mass in grams	Note
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	territorial subdivision)	Description of values	Total weight, grams	(if any)	
1	2	3	4	5	6
1.					
2.					
3.					
...					

Annex 2
to the transfer Rules
on scrap and waste refining
of precious metals,
of property
states
by individual bases, ingots of refined gold
and obtaining them after refining
Form

Center for cash operations and storage of valuables (branch) of the National Bank of the Republic of Kazakhstan

Copy № _____

Approved

position
surname, name, patronymic
(if any)
_____ " _____ "

Valuables Issue Certificate № _____

Value name: _____ account name

Owner: _____ name of the owner

Reason for issue: _____ № _____ dated _____

Name of the document, number, date

Actually issued:

Number of valuables, pieces: _____ digits (in words)

Number of seats, pieces: _____ digits (in words)

Ligature weight, grams: _____ digits (in words)

Chemically pure weight, grams: _____ digits (in words)

Weight chemically pure, ounces: _____ digits (in words)

Total weight, grams: _____ digits (in words)

Type of packaging	Number	Description of prints	Number
1	2	3	4
1.			
2.			

3.			
...			

Owner's representative: _____

surname, first name and patronymic (if any) signature

Upon receipt of valuables, power of attorney № _____ dated _____ (number) (date)

Issued valuables shall be debited from _____ owner's account:

account name

The residue is *:

According to the document: _____ № _____ dated _____:

document name document number date

Quantity: _____ digits (in words)

Total weight (ligature * *), grams: _____ digits (in words)

Chemically pure weight, grams: _____ digits (in words)

Issued:

position surname, name and patronymic (if any) signature

position surname, name and patronymic (if any) signature

Accepted by:

Owner's representative:

surname, first name and patronymic (if any) signature

We hereby confirm the issuance of valuables:

position surname, name and patronymic (if any) signature

position surname, name and patronymic (if any) signature

position surname, name and patronymic (if any) signature

The Certificate shall be made in 2 (two) copies:

1 (first) - to the Cash and Value Center (branch)

National Bank of the Republic of Kazakhstan,

2 (second) - to the owner, a copy of 1 (first) copy - to the accounting department

Center for cash operations and storage of valuables (branch) of the National Bank

Republic of Kazakhstan.

Registration № _____ dated _____ Registration №

Contractor: _____

full name (if any)

Note:

* shall be reflected if there is a balance of valuables for storage;
* * ligature mass is indicated for precious metals in ingots and granules,
as well as Dore alloy, cathode gold, scrap, technical products
in the form of alloys, and the total mass shall be indicated for products with inserts.