On approval of the Rules for maintaining the register of significant providers of payment services

Unofficial translation

Resolution of the Board of the National Bank of the Republic of Kazakhstan dated August 31, 2016 No. 220. Registered in the Ministry of Justice of the Republic of Kazakhstan on October 5, 2016 No. 14295.

Unofficial translation

In accordance with the laws of the Republic of Kazakhstan dated March 30, 1995 " On the National Bank of the Republic of Kazakhstan ", dated July 26, 2016 " On Payments and Payment Systems ", in order to establish the procedure for maintaining the register of significant providers of payment services, the Board of the National Bank of the Republic of Kazakhstan **DECIDES** :

1. To approve the attached Rules for maintaining the register of significant payment service providers.

2. The Department of Payment Systems (Ashykbekov E.T.) in the manner prescribed by the legislation of the Republic of Kazakhstan, shall ensure:

1) in conjunction with the Legal Department (Sarsenova N.V.) the state registration of this stop at the Ministry of Justice of the Republic of Kazakhstan;

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

to publication in the legal information system " Ədilet " within ten calendar days after its state registration in the Ministry of Justice of the Republic of Kazakhstan;

for inclusion in the State Register of regulatory legal acts of the Republic of Kazakhstan, the Reference Control Bank of regulatory legal acts of the Republic of Kazakhstan within ten calendar days from the date of its state registration with the Ministry of Justice of the Republic of Kazakhstan;

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

3. The Office for the Protection of the Rights of Consumers of Financial Services and External Communications (Terentyev A.L.) to ensure the direction of this resolution for official publication in periodicals within ten calendar days after its state registration with the Ministry of Justice of the Republic of Kazakhstan.

4. Control over the execution of this resolution to assign to the sweep of Tell Governor of the National Bank of Kazakhstan Pirmatov GO

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

The chairman National Bank   D. Akishev

Rules
for maintaining the register of significant payment service providers
Chapter 1. General provisions

1. These Rules of maintaining the register of significant payment service providers (hereinafter referred to as the Rules) are developed in accordance with the laws of the Republic of Kazakhstan dated March 30, 1995 " On the National Bank of the Republic of Kazakhstan ", dated July 26, 2016 " On payments and payment systems " (hereinafter - Law on Payments and Payment Systems) and determine the procedure for maintaining a register of significant payment service providers.

2. Register of significant payment service providers (hereinafter - the Register) contains a reference to significant suppliers of payment services.

The register is maintained by the National Bank of the Republic of Kazakhstan (hereinafter - the National Bank) in order to control the payment services market.

3 . The Rules use the concepts provided for by the Law on Payments and Payment Systems. The criteria and methods for determining significant payment service providers are determined in accordance with Section 11 of the Law on Payments and Payment Systems.

Chapter 2. Maintaining the registry

4. The register is maintained by the National Bank in Kazakh and Russian in hard copy and in electronic form in the form in accordance with Appendix 1 to the Rules and is published on the National Bank 's official Internet resource .

5. The National Bank classifies payment service providers as significant payment service providers:

1) independently according to the results of the analysis of the market of payment for servants;

2) on the basis of a written request from a payment service provider, in a form in accordance with Appendix 2 to the Rules (hereinafter referred to as a written request).

6. In order to classify a payment service provider as a significant payment service provider in accordance with subparagraph 2) of paragraph 5 of the Rules, a payment service provider may be sent to the National Bank.

Information on the volumes of payments and (or) money transfers made by the payment service provider over the past twelve months, confirming the compliance of the payment service provider with the criteria established by paragraph 1 of Article 11 of the Law on Payments and Payment Systems, is attached to the written request .

7. The National Bank shall consider the written request and make a decision on it within a period not exceeding thirty calendar days from the date of its receipt by the National Bank.

8. The National Bank shall decide on the classification of the payment service provider as a significant payment service provider if it meets one of the criteria established by paragraph 1 of Article 11 of the Law on Payments and Payment Systems.

9. When a decision is made by the National Bank to refuse to include a payment service provider in the register following a written review of the application, the National Bank shall notify in writing of this payment service provider in writing within five business days from the date of the decision, indicating the reasons for the refusal to be included in the register .

10. The National Bank, within five working days from the date of the decision to classify the payment service provider as significant payment service providers:

1) include the payment service provider in the register;

2) in writing notifies the payment service provider of inclusion in the register;

3) publishes this information on its official Internet resource .

11. Payment service provider refers to significant payment service providers from the date the National Bank entered data on a significant payment service provider in the register.

12. The National Bank excludes the payment service provider from the register:

1) upon entering information on the termination of the payment service provider - legal entity in the National Register of Business Identification Numbers;

2) upon removal of the payment service provider - individual entrepreneur from the registration account as an individual entrepreneur in the state revenue body;

3) upon termination by the payment service provider of activities related to the provision of payment services;

4) if, as a result of the analysis of the payment services market, the inconsistency of the payment services provider is identified with the criteria established by paragraph 1 of Article 11 of the Law on Payments and Payment Systems.

13. A payment service provider shall, within three business days from the date of the decision to terminate the provision of payment services, send a written notification to the National Bank.

14. The National Bank shall notify the payment service provider in writing, indicating the reasons for exclusion from the register, within three business days from the date of exclusion of the payment service provider from the register on the basis provided for in subparagraph 4) of paragraph 12 of the Rules.

Appendix 1
to the Registry Rules

The form

Register of Significant Payment Service Providers

No. p / p	the date	Name of legal entity, last name, first name, patronymic (if any) of an individual entrepreneur	Business Identification Number (ID) of a Significant Payment Service Provider	Yew aw and actual addresses significant payment service provider, fax, phone, e-mail, an Internet resource (if any), the data of the first head (for legal entities)	Justification for classifying a payment service provider as a significant payment service provider	Note
1	2	3	4	5	6	7

Appendix 2
to the Registry Rules
significant suppliers
payment services

Written request of the payment service provider

Footnote. Appendix 2 as amended by the resolution of the Board of the National Bank of the Republic of Kazakhstan dated 28.11.2019 No. 221 (shall be enforced ten calendar days after the date of its first official publication).

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(for legal entities - the name of the payment service provider, business identification number, for individual entrepreneurs - surname, first name, patronymic (if any), individual identification number)
requests to be included in the register of significant payment service providers
Location of the payment service provider:

_____

(index, city (region), district, street, house (office) number)

_____

(phone, fax, e-mail address, internet resource (if any)
Information on the state registration (re-registration) of the payment service provider:

_____

(document name, issue number, issued by)

3.The list of payment services provided:

(payment services are indicated in accordance with paragraph 1 of Article 123 of the Law of the Republic of Kazakhstan dated July 26, 2016 "On payments and payment systems"):

1)_____;

2)_____.

4.Information about the first head of the provider of payment services (individual entrepreneur):

_____

(surname, first name, patronymic (if any), individual identification number)

Date of birth_____

_

Citizenship_____

__

The data of the identity document _____

_

_____

(the document, number, series (if any), date of issue, issued by)

Places of residence_____

__

(index, city (region), district, street, number of house (office)

_____

__

(phone, fax, e-mail address (if any)

5.Rationale of the need to include a provider of payment services in the register of significant payment service providers

_____

___

I confirm that the data provided is true and complete. I agree on the use of the data constituting

a legally protected secret, contained in the information systems.

The first head of the provider of the payment services or an individual entrepreneur

or a person, authorized to put a signature _____ _____

_____

surname, first name, patronymic (if any) signature