



On approval of the Rules for the issuance of payment cards, as well as requirements for activities related to servicing operations with their use on the territory of the Republic of Kazakhstan

Unofficial translation

Resolution of the Board of the National Bank of the Republic of Kazakhstan dated August 31, 2016 № 205. Registered with the Ministry of Justice of the Republic of Kazakhstan on October 6, 2016 № 14299.

Unofficial translation

In accordance with subparagraph 28) of part two of Article 15 of the Law of the Republic of Kazakhstan "On the National Bank of the Republic of Kazakhstan", subparagraph 11) of paragraph 1 of Article 4 of the Law of the Republic of Kazakhstan "On payments and payment systems", the Board of the National Bank of the Republic of Kazakhstan **RESOLVES:**

Footnote. Preamble - as amended by the resolution of the Board of the National Bank of the Republic of Kazakhstan dated 19.02.2024 № 10 (comes into force ten calendar days after the date of its first official publication).

1. To approve the attached Rules for the issuance of payment cards, as well as the requirements for activities for servicing operations with their use in the territory of the Republic of Kazakhstan (hereinafter - the Rules).

2. To recognize as invalid some decisions of the Board of the National Bank of the Republic of Kazakhstan, as well as the structural elements of some decisions of the Board of the National Bank of the Republic of Kazakhstan according to the list in accordance with the appendix to this resolution.

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

1) together with the Legal Department (N.V. Sarsenova) the state registration of this resolution in 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 "Әділет" 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) posting of this resolution on the official Internet resource of the National Bank of the Republic of Kazakhstan after its official publication.

4. 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.

5. Control over the execution of the present decision to assign to the Vice-Chairman of the National Bank of the Republic of Kazakhstan Pirmatov G.O.

6. This resolution becomes effective after ten calendar days after the day its first official publication, with the exception of subparagraph 2) of paragraph 69 of the Rules, which shall be enforced on July 1, 2017.

*The chairman
National Bank*

D. Akishev

Approved by the
Resolution of the Board of the
National Bank of the
Republic of Kazakhstan
on August 31, 2016 № 205

Rules for

issuing payment cards, as well as requirements for activities related to servicing operations with their use in the Republic of Kazakhstan

Chapter 1. General provisions

1. These Rules for the issuance of payment cards, as well as the requirements for activities related to servicing operations with their use on the territory of the Republic of Kazakhstan (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 ", on July 26, 2016 " about payments and payment systems " (hereinafter - the Law on payments and payment systems) and determine the procedure for issuance of payment cards, as well as to de demands care for yours elf operations with them on Terry Oria Republic of Kazakhstan.

The procedure for issuing payment cards, as well as requirements for activities for servicing operations with their use in the Republic of Kazakhstan, include issuance of payment cards, requirements for activities for servicing operations using payment cards.

2. The Rules do not apply to payment systems of a legal entity intended to provide services to employees of this legal entity.

3. The Rules use the concepts provided for by the Law of the Republic of Kazakhstan dated July 5, 2004 "On Communications", the Law on Payments and Payment Systems, as well as the following concepts:

- 1) authorization - the issuer's permission to make a payment using a payment card;
- 2) prepaid payment card - a payment card that enables its holder to make payments and (or) money transfers and (or) receive cash within the amount of money previously deposited by its original holder and recorded on the issuer's consolidated account. A microprocessor card or other special electronic means does not apply to prepaid payment cards, which stores information on the amount of money available to the holder of such a card or special electronic means, within which payments and (or) money transfers and other operations are made;
- 3) completion of prepaid payment card - is not associated with the release of the prepaid payment card additional introduction of issuer the amount of money within which stipulates the use of the previously released (current) prepaid payment cards for the impute payments and (or) money transfer and (or) cash withdrawal of money;
- 4) contactless payment card - a payment card that enables its holder to make payments in a contactless manner based on the use of wireless communication technology that does not require physical contact of the payment card and electronic terminals or other devices at the time of the transaction;
- 5) ATM - an electronic-mechanical device that allows a payment card holder to receive cash and use other services of the issuer using a payment card;
- 6) debit card - a payment card that gives its holder the opportunity to make payments and (or) money transfers within the amount of money on the client's bank account;
- 7) personal identification number - a secret code assigned to a payment card and intended to identify the holder of a payment card;
- 8) corporate payment card - a payment card issued to an authorized representative of a legal entity on the basis of a payment card issuance agreement concluded between the issuer and the legal entity that owns the bank account;
- 9) credit card - a payment card that allows its holder to make payments and (or) money transfers within the limits of the amount of a bank loan provided by the issuer under the terms of a bank loan agreement concluded between the issuer and the client;
- 10) processing - activities related to the collection, processing and transmission of information generated during the implementation of payments and (or) money transfers and other operations using payment cards;
- 11) a processing organization - a participant in a payment card system that carries out processing, as well as other services provided for by agreements with participants in a payment card system;
- 12) trade check - a document confirming the fact of making a payment using a payment card;

13) Slip - payment document of an individual entrepreneur or legal entity that accepts payment cards for cashless payments to pay for delivered them the goods (works, services) (hereinafter - the entrepreneur) or acquirer , make up the first on paper when making a payment using a payment card;

14) non-payment applications - additional applications (functions) that are not related to making payments and (or) money transfers, issuing cash and providing other types of banking services that are placed (sold) through a payment card;

15) participant of the payment card system - an individual or legal entity that, in accordance with the concluded agreements, transfers, processes and (or) executes a payment document drawn up when making payments and (or) money transfers using a payment card of a specific payment card system;

16) issuing payment cards - the process of transfer of the payment card and the person ceiling elements identification number to it to the holder of the payment card issuer and (or) the provision by the issuer to the holder of the payment card information on its details;

17) payment card system - a set of software and hardware, documentation and organizational and technical measures to ensure payments and (or) money transfers using payment cards;

18) agreement on issuing a payment card - an agreement concluded between the issuer and an individual or legal entity m, on the basis of which a payment card is issued;

19) payment card blocking - a complete or partial ban on making payments and (or) money transfers using a payment card;

20) use of a payment card — the holder of a payment card, through it, or its details of operations related to making payments, money transfers, receiving cash, currency exchange and (or) other operations determined by the issuer of the payment card and on its terms;

21) payment card holder - an individual who uses a payment card in accordance with an agreement on the issuance of a payment card or, if a prepaid payment card, an individual who carries out operations using it. The corporate payment card holder is an authorized representative of the legal entity that owns the bank account;

22) payment card details - information contained on the payment card and (or) stored in the issuer's information system , including the number, expiration date, name of the payment card system, which allows to establish whether the payment card belongs to its holder and (or) issuer and payment card system;

23) acquirer - a bank, a branch of a non-resident bank of the Republic of Kazakhstan or organization that carries out certain types of banking operations (hereinafter referred to as the bank), which according to the terms of an agreement with an entrepreneur and (or) the terms of a payment document drawn up by an entrepreneur when making a payment and (or) transferring money using a payment card, it is necessary to accept the money received in favor of the entrepreneur and (or) to carry out other actions stipulated by the agreement with the entrepreneur. An acquirer is also a bank that issues cash and (or) provides payment card

holders, who are not clients of this bank with other services for making payments and (or) money transfers using payment cards;

24) issuer - a bank issuing payment cards, including a parent bank or a subsidiary bank, as well as an acquiring bank in case of transferring to it the assets and liabilities of the bank that issued the payment cards, in accordance with the Law of the Republic of Kazakhstan dated August 31, 1995 "On banks and banking activities in the Republic of Kazakhstan";

25) consolidated account of the issuer - an internal account opened by the issuer and designed to account for transactions carried out using prepaid payment cards.

Footnote. Paragraph 3 is as amended by the resolution of the Board of the National Bank of the Republic of Kazakhstan dated 30.11.2020 № 139 (shall be enforced from 16.12.2020).

Chapter 2. Procedure for issuing payment cards

Paragraph 1. General provisions

4. The issue of a payment card is carried out on the basis of an agreement on the issuance of a payment card.

4-1. In order to combat the legalization (laundering) of proceeds from crime and the financing of terrorism, the issuer, before issuing a payment card, carries out due diligence of a foreigner and stateless person, establishes requirements for the documents they provide, and determines the conditions for the issue and use of payment cards.

Footnote. The Rules are supplemented by paragraph 4-1 in accordance with the resolution of the Board of the National Bank of the Republic of Kazakhstan dated 19.02.2024 № 10 (comes into force ten calendar days after the date of its first official publication).

5. A payment card is divided into a debit card and a credit card.

6. Prior to issuing a payment card, the issuer shall familiarize the payment card holder with internal documents on the use of the payment card.

7. An individual is a holder of a payment card from the date of receipt of the payment card or information on its details. Confirmation of receipt of a payment card by its holder is the signature of the payment card holder on a free form document determined by the bank confirming the fact of receipt of the payment card by its holder, or the use of identification means provided for by the Law on Payments and Payment Systems with the application of security procedures established by the internal documents of the issuing bank and the agreement on the issue of a payment card.

Confirmation of receipt of a payment card is not required in the case of issuance of a payment card in electronic form through provision by the issuer the holder of the payment card with information about its details using a method prescribed by the agreement.

Footnote. Paragraph 7 is as amended by the resolution of the Board of the National Bank dated 28.11.2019 № 221 (shall be enforced upon expiration of ten calendar days after the day of its first official publication).

8. It is allowed to issue to individuals several additional payment cards on the basis of a payment card agreement concluded between the issuer and the client.

9. The payment card agreement contains the following conditions:

1) the conditions for issuing a payment card, including the issuance by the issuer of a payment card and a personal identification number to the payment card holder or his/her authorized person. The requirement to issue a personal identification number does not apply to a payment card, the issue of which is carried out in electronic form by providing the issuer with a payment card holder information about its details;

2) the conditions for making payments and (or) money transfers using a payment;

3) порядок установления курса обмена the procedure for establishing the exchange rate of foreign currencies used in making payments and (or) money transfers using a payment card in a currency different from the currency of the bank account, taking into account clause 44 of the Rules;

4) the procedure for submitting statements of payments and (or) money transfers and other transactions carried out using a payment card;

5) a list of persons or a link to a list of persons to whom additional payment cards are issued (if several payment cards are issued to different holders on the basis of an agreement on the issue of a payment card);

6) the procedure and conditions for the withdrawal, blocking and reissue of a payment card;

7) the validity period of the payment card and (or) the agreement on the issue of the payment card;

8) the procedure and deadlines for notifying the issuer of a payment card holder about the loss, theft or unauthorized use of a payment card;

9) the procedure for notifying the payment card holder of any amendments and (or) additions to the payment card agreement;

10) the procedure for notifying a payment card holder about transactions using a payment card, the size and procedure for charging fees for notifying a payment card holder about transactions using a payment card;

11) the procedure for terminating the payment card agreement.

Footnote. Paragraph 9 is as amended by the resolution of the Board of the National Bank dated 27.08.2018 № 182 (shall be enforced upon expiration of ten calendar days after the day of its first official publication).

10. The issuer also provides for the conclusion of a contract for the issuance of a payment card in a form that ensures the reading of its contents and the placement of its sample in the issuer's place accessible to the payment card holder and (or) on the issuer's Internet resource , and also, upon request, present it in paper and (or) electronic form in the manner prescribed by the payment card agreement.

11. The issuer notifies the client in the manner prescribed by the payment card agreement, including by posting information on the issuer's Internet resource and sending to the client an email address or mobile device via short text and (or) multimedia messages, about the changes and (or) additions to the agreement on the payment card issuing and size to the service mission, not later than fifteen calendar days before the date of their entry in accordance with the extradition treaty board Noah cards.

12. The issuer in the notification indicates the possibility of the client until the date on which changes and (or) additions to the payment card agreement are applied , to terminate the agreement without paying an additional fee for its termination in accordance with the payment card agreement.

13. When issuing a payment card holder is permitted to conclude mixed Nogo agreement, which contains elements of the issuance of the payment card agreement, the contract of bank account and (or) the contract of bank loan.

14. It is allowed to present a bank loan to a debit card holder within the amount provided by the issuer.

Footnote. Paragraph 14 is as amended by the resolution of the Board of the National Bank dated 27.08.2018 № 182 (shall be enforced upon expiration of ten calendar days after the day of its first official publication).

14-1. When issuing a payment card to a minor, the issuer receives from the minor's legal representative, in the form and manner determined by the issuer, information and permissions on the types of transactions available for the payment card, the maximum transaction amount, the possibility of replenishing the payment card by third parties, and other information and (or) permissions determined by the issuer.

The minor's payment card is available to him/her for use within the terms and restrictions established by the legal representative and (or) the issuer.

If the legal representative of the minor refuses to establish restrictions on the payment card issued to him/her, the issuer records this refusal in the manner determined by the issuer.

Footnote. The Rules are supplemented with paragraph 14-1 in accordance with the resolution of the Board of the National Bank of the Republic of Kazakhstan dated 19.02.2024 № 10 (comes into force ten calendar days after the date of its first official publication).

14-2. The requirements of paragraph 14-1 of the Rules do not apply to payment cards issued to a minor who has reached the age of fourteen to receive earnings, scholarships, deposits and other income, as well as when the minor acquires full legal capacity.

Footnote. The Rules are supplemented by paragraph 14-2 in accordance with the resolution of the Board of the National Bank of the Republic of Kazakhstan dated 19.02.2024 № 10 (comes into force ten calendar days after the date of its first official publication).

15. A bank loan is provided to a client in the manner prescribed by a bank loan agreement concluded between the issuer and the client.

16. When issuing additional payment cards to various individuals, the relationship between the holder of the additional payment card and the client is established by the client, unless otherwise provided by the agreement on the issue of the payment card.

17. The issuer informs the client about the expiration of his payment card at least ten calendar days before the date of expiration in accordance with the procedure provided for by the payment card agreement.

18. It is allowed to include in the payment card issued by the issuer non-payment applications used to provide or record certain types of services sold by other persons in accordance with the concluded agreements between them.

19. The maximum amount of a prepaid payment card issued by the issuer does not exceed the amount of 200,000 (two hundred thousand) tenge or its equivalent in foreign currency on the date of issue of the prepaid payment card. Operations using a prepaid payment card are carried out within the amount established by this paragraph.

20. In the prepaid payment card, the absence of details allowing the identification of its holder is allowed.

To account for the money of holders of prepaid payment cards, the issuer opens a consolidated account of the issuer.

21. The maximum amount of a fixed amount of a prepaid payment card issued by the issuer does not exceed the amount of 200,000 (two hundred thousand) tenge, the indication of which is allowed on the prepaid payment card.

A prepaid payment card with a fixed amount is not to be replenished.

22. The prepaid payment card issued in electronic form consists of the details of the payment card and is not subject to additional replenishment, use to receive cash. The use of such a prepaid payment card for making payments and (or) money transfers is allowed to the extent of the amount of money previously deposited by the client to the bank when issuing the prepaid payment card.

23. The issuer maintains a list of payment cards issued by him, containing the numbers and other details of payment cards issued to holders of payment cards.

24. Within ten business days from the start or end of the issuance of payment cards of a certain system of payment cards or payment cards of a new type, the issuer shall notify the National Bank of the Republic of Kazakhstan of this in arbitrary writing. The notification shall indicate:

- 1) the date of commencement or completion of the issue of payment cards;
- 2) the name of the payment card system;
- 3) type of payment card (with magnetic strip, with integrated circuit, combined or other).

Paragraph 2. Sale (distribution) of prepaid payment cards

25. Implementation of the (spread) prepaid payment card to an individual carried a paying agent on the basis of the contract concluded with the issuer.

26. The paying agent implements (distributes) the prepaid payment card to an individual after receiving the amount of money equal to the amount issued by the prepaid payment card in accordance with the agreement between the issuer and the paying agent.

It is allowed for a payment agent to sell (distribute) a prepaid payment card previously purchased (previously issued by the issuer) from the issuer.

27. A confirmation of the purchase by an individual of a prepaid payment card from a payment agent is an arbitrary document confirming the payment by an individual of the amount of money issued by the payment agent.

The issuer ensures that the payment agent issues a document to the holder of the prepaid payment card confirming the payment of the amount of money by the individual upon purchase from the payment agent in the manner prescribed by the agreement between the issuer and the payment agent.

28. The agreement concluded between the issuer and the payment agent contains:

1) the procedure and conditions for the sale (distribution) by the paying agent of prepaid payment cards;

2) the mode and procedure for the exchange of information in the implementation (distribution) of prepaid payment cards;

3) conditions for ensuring the confidentiality of information on realized (distributed) prepaid payment cards;

4) the procedure and conditions for crediting cash accepted by the payment agent from an individual to the bank accounts of the paying agent;

5) the procedure for resolving disputes between the issuer and the paying agent.

29. The paying agent notifies an individual about the conditions for making payments and (or) money transfers using a prepaid payment card, as determined by the issuer, before the individual acquires a pre- paid payment card.

Chapter 3. Requirements for the activity of servicing transactions using payment cards

Paragraph 1. Requirements for the preparation of payment documents used to make payments and (or) money transfers using payment cards

30. A payment document used to make payments and (or) money transfers using payment cards (hereinafter referred to as the payment document) is prepared and transmitted between the participants of the payment card system on paper and / or in electronic form.

An electronic payment document drawn up on the basis of a payment document on paper contains the details specified in the payment document drawn up on paper, with the exception of details that are mandatory for documents made on paper provided for in clause 33 of the Rules.

31. The preparation and presentation of payment documents in electronic form is allowed subject to the order of protective actions against unauthorized payments established by

agreements concluded between participants in the payment card system in accordance with the requirements of the Law on Payments and Payment Systems.

32. The payment document is left in the Kazakh and (or) Russian languages. The possibility of using other languages in the preparation of the payment document is determined by the agreements concluded between the participants of the payment card system.

33. The payment document contains the following details:

- 1) number of the payment document, day, month and year of its statement;
- 2) the name (code) of the entrepreneur and acquirer ;
- 3) payment card details;
- 4) the amount of payment;
- 5) payment currency;
- 6) the signature of the payment card holder (for payment documents left on paper);
- 7) the signature of the authorized person of the entrepreneur or acquirer (for payment documents drawn up on paper);
- 8) payment destination code.

It is allowed to have additional details in the payment document established by the agreements concluded between the participants of the payment card system.

34. Payment document:

1) when making a payment using a payment card from an entrepreneur - an instruction from the entrepreneur to the acquirer about the payment of the amount of money for goods sold, work performed and (or) services rendered;

2) upon receipt of cash, the acquirer has instructed the issuer or intermediary bank to return the amount of cash issued using the payment card to its holder;

3) when making payments using a payment card through ATMs owned by the issuer - an indication of the payment card holder to the issuer about the transfer of money in favor of the beneficiary.

When making payments in favor of the entrepreneur's payment document transferred eq Ayer in the order established by the agreement between the acquirer and entrepreneur.

35. A payment document on paper shall be drawn up in at least three copies. One copy of the payment document remains with the entrepreneur, the second is issued to the holder of the payment card, the third is transferred to the acquirer . When issuing cash, the acquirer has two copies of the payment document.

36. When preparing the slip, in triplicate, of which two are made through the carbon paper is allowed affixed s signature slip at the first instance with their display on the remaining duplicate slip. Separate affixing of signatures on all three copies of the slip is not required. To transfer money to the acquirer , the first copy of the slip with the original signatures is transferred .

37. It is allowed for the entrepreneur to draw up a slip without the signature of the payment card holder if it is drawn up without the participation of the payment card holder. A

slip without the signature of the payment card holder is compiled on the basis of an electronic document that allows you to establish the identity of the payment card holder.

38. No corrections are allowed in the payment document drawn up on paper.

Paragraph 2. Requirements for making payments and (or) money transfers using monthly card fees

39. A payment card is used by its holder for the purpose of making payments and (or) money transfers when purchasing goods, works, services, as well as for receiving cash, currency exchange and other transactions on the conditions determined by its issuer, in accordance with the Rules.

Payment using a payment card is carried out by drawing up a payment document using a payment card or its details when purchasing goods, works and services.

Prior to the provision of payment services through remote access systems, the Bank shall provide the client with information on the amount of the fee charged in monetary terms for electronic banking services rendered.

The requirement of part three of this paragraph does not apply to services related to the receipt of payments with the physical use of a payment card, as well as to services for sending payments by short text and (or) multimedia messages through a cellular communication device. The requirement of part three of this paragraph does not apply to services related to the receipt of payments with the physical use of a payment card, as well as to services for sending payments by short text and (or) multimedia messages through a cellular communication device.

Footnote. Paragraph 39 is as amended by the resolution of the Board of the National Bank dated 22.12.2017 № 248 (shall be enforced upon expiration of ten calendar days after the day of its first official publication).

40. Payments and (or) money transfers made using payment cards, with the exception of prepaid payment cards, within the amount of the client's money in the bank account and (or) within the amount of the bank loan provided by the issuer, are reflected in the client's bank account.

Payments and (or) money transfers made using prepaid payment cards are reflected in the issuer's consolidated account.

It is allowed to reflect on one bank account payments and (or) money transfers made using several payment cards of one or different payment card systems issued on the basis of a payment card agreement concluded between the issuer and the client.

40-1. The issuer before rendering payment services in money transfer with the use of a payment card in favour of the third party as it must be and way, provided by the contract between him and the holder of a payment card, shall notify him about:

- 1) possible risks associated with fraudulent actions of third parties;

2) risks associated with the transfer of money under the influence (at the request of) of third parties, including those representing themselves as employees of state, law enforcement agencies or banks;

3) the possibility of cancelling the operation and returning the money on the initiative (by decision) of the recipient of the money or a court decision.

Footnote. The Rules as added by the paragraph 40-1 in accordance with the resolution of the Board of the National Bank of the Republic of Kazakhstan dated 23.10.2023 № 84 (shall enter into force from 01.01.2024).

41. When making payments and (or) money transfers using a payment card in a currency different from the currency of the bank account, the issuer reflects the client's bank account using the issuer's foreign currency exchange rate at the date and time the payment document was received by the issuer, drawn up when making a payment and (or) transferring money using a payment card.

42. It is allowed to carry out transactions using a contactless payment card without entering a personal identification number within the amount established by the internal documents of the payment card system.

Footnote. Paragraph 42 - is as amended by the resolution of the Board of the National Bank dated 21.04.2020 № 59 (shall be enforced from the date of its official publication).

43. Payments using a corporate payment card are made within the amount of money in the bank account of the legal entity and (or) within the amount of the bank loan provided to this legal entity.

43-1. Organizations engaged in microfinance activities, when issuing microloans to customers for payment cards, ensure the use of a separate special corporate payment card (hereinafter referred to as the corporate credit card) issued and intended for making transfers of the microloan amount to the borrower.

When the microfinance organization transfers the amount of the microcredit using the corporate credit card to the borrower, the issuer shall ensure that the purpose of the money transfer shall include information about the microcredit provided to the borrower; the issuer shall notify the borrower holding the payment card issued by the issuer of the receipt of the amount of the microcredit provided to the borrower.

Footnote. The Rules as added by the paragraph 43-1 in accordance with the resolution of the Board of the National Bank of the Republic of Kazakhstan dated 23.10.2023 № 84 (shall enter into force from 01.01.2024).

44. Payments using payment cards on the territory of the Republic of Kazakhstan are carried out in the national currency of the Republic of Kazakhstan - tenge, with the exception of cases provided for by article 6 the Law of the Republic of Kazakhstan dated July 2, 2018 "On currency regulation and currency control".

Currency transactions using a payment card are carried out in compliance with the requirements established by the Rules for the implementation of currency transactions in the

Republic of Kazakhstan, "approved by the resolution of the Board of the National Bank of the Republic of Kazakhstan dated March 30, 2019 № 40, registered in the Register of State Registration of Regulatory Legal Acts under № 18512.

Footnote. Paragraph 44 is as amended by the resolution of the Board of the National Bank dated 28.11.2019 № 221 (shall be enforced upon expiration of ten calendar days after the day of its first official publication).

45. Processing of payments and (or) money transfers made on the territory of the Republic of Kazakhstan using payment cards of a resident bank of the Republic of Kazakhstan in its service network is carried out by this bank and (or) the processing organization.

The processing of payments and (or) money transfers made on the territory of the Republic of Kazakhstan using payment cards issued by a resident bank of the Republic of Kazakhstan in the service network of other resident banks of the Republic of Kazakhstan is carried out by a processing organization.

46. It is allowed for the processing organization to create its own payment card service networks in accordance with agreements concluded with the acquirer and entrepreneurs.

47. The execution of a payment document drawn up upon payment of taxes and (or) other obligatory payments to the budget using a payment card through ATMs is carried out no later than one business day following the day it was received by the issuer.

48. If the payment is made in one currency, and the bank account is maintained in another currency, the withdrawal of money from the bank account is carried out after converting the payment currency into the currency of the bank account in accordance with the agreement between the participants of payment cards.

49. The issuer blocks the amount of money in the bank account for the authorization amount, if this condition is provided for by the payment card agreement concluded between the issuer and the client. In this case, the agreement on the issuance of a payment card contains the terms and conditions for blocking money in a bank account.

The procedure for obtaining authorization is determined by the agreement between the participants of the payment card system.

50. Based on the results of authorization, the issuer returns to the acquirer the amount of money from the transaction using a payment card paid by the issuer in the manner prescribed by the agreement between the participants of the payment card system.

Authorization is not carried out in cases provided for by the internal documents of the payment card system.

51. When the issuer receives the client's instructions for making payments and (or) money transfers from his bank account without using a payment card, the client's instructions from the client's bank account are executed within the balance of money in the bank account minus the amounts of operations authorized and money was blocked in a bank account in accordance with the payment card agreement.

52. In case of seizure , foreclosure on the money in the client's bank account and (or) suspension of expenditure operations on the client's bank account, payment using a payment card, authorization of which was carried out before the date and time of receipt of the issuer and additional documents, payment documents, on the basis of which the collection of money on the client's bank account and (or) decisions (orders) of authorized state bodies or officials on suspension races Khodnev transactions on a bank account and payment using payment cards without authorization, carried out prior to the date and time of receipt of executive documents, payment documents, on the basis of which the collection of the money held in bank account of the client and (or) decisions (orders) authorized state bodies or officials on the suspension of expenditures on a bank account are reflected in the client's bank account.

53. After authorization, the issuer, on the basis of a payment document drawn up when making a payment using a payment card, pays the acquirer the amount of the payment document.

54. The client provides the amount of money in his bank account necessary for the execution of the payment document drawn up when making a payment using a payment card. The amount of money is also secured by a bank loan of the issuer provided to the client, if this is provided for by the agreement concluded between them.

55. The acquisition of foreign currency using a payment card is made by making a payment in tenge for the amount of acquired foreign currency at the exchange rate of the bank that sells foreign currency.

56. After making a payment using a payment card, the payment card holder is issued a sales receipt or a copy of the payment document (slip) drawn up when making a payment using a payment card.

The provision of the first part of this paragraph does not apply to making a payment using a contactless payment card, in which a check is issued to the payment card holder upon request of the payment card holder.

57. A sales check is issued to the holder of the payment card on paper or in electronic form by sending it to the e-mail address and (or) to the cellular communication device indicated by the holder of the payment card by means of short text and (or) multimedia messages in accordance with payment card agreement.

58. A sales receipt contains the following details:

- 1) document number, day, month, year of its discharge;
- 2) name (code) of the entrepreneur or acquirer ;
- 3) amount of payment;
- 4) currency of payment;
- 5) authorization code and whether there is another code that identifies the payment in the payment card system;
- 6) time of payment;

7) payment card details. Incomplete indication of the details of the payment card is allowed in accordance with the requirements of payment card systems and concluded agreements.

It is allowed to include in the trading receipt additional details stipulated by the agreement between the entrepreneur and the acquirer .

59. When paying taxes and (or) other obligatory payments to the budget through ATMs or other electronic terminals, the sales receipt issued to the payment card holder contains the details provided for in clause 58 of the Rules, as well as the following details:

- 1) individual tax identification number ;
- 2) surname and name, middle name (if any) of the taxpayer;
- 3) the name of the tax and (or) other obligatory payment to the budget indicating the digital value of the budget classification code ;
- 4) the code of the state revenue authority;
- 5) payment destination code ;
- 6) the amount of the commission (in case of charging a commission);
- 7) upon payment of tax on the vehicle - the identification number of the vehicle.

60. The signing by the payment card holder of a sales receipt is not required if the payment is authorized by the payment card holder in accordance with the requirements of the Law on Payments and Payment Systems, including by means of a personal identification number or unless otherwise provided by the contract between the entrepreneur and the acquirer .

61. The agreement between the entrepreneur and the acquirer includes a condition under which the entrepreneur s in places of its activity provides accommodation information for the customer about the conditions of presentation businessman document certifying the identity of the client, when making payments with Utilized Niemi payment card.

62. When making a payment using a payment card, the client presents the entrepreneur with an identity document, if this condition is provided for in the contract between the entrepreneur and the acquirer .

63. The Equ Aire monitors the operation of its ATM network in real time and ensures that they are maintained in working and functioning condition.

64. Monitoring the operation of the ATM network in real time includes the following activities:

- 1) monitoring the operation of ATMs using special software;
- 2) prompt detection of failures (technical malfunctions) in the operation of ATMs and other problematic situations that arise during their operation;
- 3) analysis of the causes of failures (technical malfunctions) in the operation of ATMs and other problematic situations (malfunctions of hardware and software, communication channel malfunction, lack of cash, consumables (journal and check tape);

4) monitoring the timely elimination of failures (technical malfunctions) and problems of a different nature in the operation of ATMs;

5) monitoring the presence and balance of cash at ATMs and the timely loading of cash;

6) in case of detection of failures (technical malfunctions) in the operation of ATMs, the acquirer takes measures to restore the operability of ATMs and eliminate the causes of a technical malfunction or a problem of a different nature in the operation of ATMs.

65. The acquirer keeps a record of the facts of a failure (technical malfunction) that occurred in the operation of ATMs and the methods (methods) for their elimination, indicating the date and time of their detection and elimination.

66. The following requirements are imposed on the ATMs belonging to the acquirer:

1) equipment is installed in ATMs intended for the safe (hidden) dialing of a personal identification number;

2) at least one camera is installed in ATMs, which allows recording the face of the payment card holder. Images captured by the camera are stored by the acquirer for at least sixty calendar days.

In the event of a payment card holder's appeal in case of a dispute related to the use of an acquirer's ATM, the storage period of images recorded by the camera will be extended until the dispute is resolved;

3) the internal software of the ATM is protected by an anti-virus program.

Footnote. Paragraph 66 is as amended by the resolution of the Board of the National Bank of the Republic of Kazakhstan dated 27.08.2018 № 182 (shall be enforced upon expiration of ten calendar days after the day of its first official publication).

67. The terms and conditions for the acquisition by the acquirer of the money received in favor of the entrepreneur for payments made using payment cards are determined by the agreement between the entrepreneur and the acquirer.

68. It is not allowed for an entrepreneur to use the services of an acquirer, a non-resident of the Republic of Kazakhstan.

Section 3. Refusal to execute payment documents and refund

69. A payment document is not accepted by a participant in the payment card system for execution in the following cases:

1) the payment document was drawn up in violation of the requirements established by the Rules and (or) the terms of the contracts for the procedure for the preparation and presentation of payment documents;

2) the payment document contains signs of forgery;

3) the payment is unauthorized ;

4) the payment is authorized, but the payment document was submitted to the issuer in violation of the requirements established in the agreements concluded between the participants of the payment card system.

70. The refusal of the issuer or acquirer to execute a payment document is carried out no later than one business day from the day it is received .

71. In case of refusal of the payment card holder of the goods, works or services purchased with the use of payment cards, refund the holder of the payment card is made by an entrepreneur of non-cash payments in favor in the payment card holder in the manner prescribed by the contracts concluded between the participants in the system of payment cards .

72. If the agreements concluded between the participants of the payment card system do not provide for the possibility for the entrepreneur to return the money to the holder of the payment card by making a cashless payment, the money is returned by making a payment using cash.

73. If an erroneous withdrawal of money from his bank account is detected , money is credited to his bank account and (or) when an unauthorized payment is made , as well as a payment card is lost, the client notifies the issuer thereof in the manner provided for by the payment card agreement.

74. The issuer, upon the erroneous withdrawal from the client's bank account or the erroneous transfer of money to the client's bank account, on which the client did not perform transactions using the payment card and notified the issuer of this fact , after detecting the erroneous withdrawal or erroneous transfer, shall restore it within twenty-four hours, the remainder of the money in the client's bank account as of the moment of the erroneous withdrawal or crediting of money.

75. When making money transfers outside the Republic of Kazakhstan, the deadline for presenting a payment document for execution is established by agreements concluded between participants in the payment card system in which the payment was made.

Paragraph 4. Authorized and unauthorized payments using a payment card

76. A payment made using a payment card is authorized if the payment card is not blocked by the issuer during the payment, its validity has not expired and the payment card has been used to make the payment in accordance with the agreements concluded between the participants of the payment card system in which payment made.

77. When making a payment using a contactless payment card, the issuer ensures compliance with security procedures against unauthorized payments stipulated by the agreement between the issuer and the holder of the contactless payment card.

78. It is not allowed to reimburse the client for an unauthorized payment in excess of the amount of the unauthorized payment, taking into account the issuer's fees for making the payment.

79. The issuer for operations using payment cards monitors the detection of unauthorized transactions using payment cards using the appropriate software or in any other manner provided for by the issuer's internal documents.

It is allowed to transfer monitoring to detect unauthorized transactions using payment cards by the issuer of the processing organization on the basis of an agreement between the issuer and the processing organization.

Section 5. Blocking and withdrawal of payment cards

80. The issuer blocks a payment card in the following cases:

- 1) receiving a notification from the payment card holder about the loss, theft or unauthorized use of the payment card;
- 2) failure by the holder of the payment card to issue a payment card;
- 3) non-compliance with the internal document for the use of a payment card provided for by a contract between the issuer and the holder of the payment card.

81. The procedure and terms for notifying the issuer of a payment card holder of a loss, theft or unauthorized use of a payment card are determined by the payment card agreement.

82 . If the payment card issuance agreement does not define the effective date for the notification of loss, theft or unauthorized use of the payment card, this notification shall enter into force on the day it is received by the issuer or another participant from the payment card system that accepts such notifications.

83. The issuer may withdraw a payment card from its holder in the following cases:

- 1) expiration of the payment card;
- 2) failure by the holder of the payment card to issue a payment card;
- 3) refusal of the payment card holder to use the payment card;
- 4) upon termination of the payment card issuance agreement.

Paragraph 6. Compilation and submission of customer bank account statements

84. The document confirming the implementation of payments using the payment card in the client's bank account is a sales receipt or statement on the client's bank account, the procedure for which is determined by the payment card agreement.

85. At the request of the client, the issuer submits to him a statement on the client's bank account for the period of time specified by the client containing information on payments and (or) transfers made using the payment card in accordance with the payment card agreement . The extract is submitted on paper or electronically in accordance with the payment card agreement and contains the following information:

- 1) payment card number. Incomplete indication of the number of the payment card is allowed in accordance with the requirements of payment card systems and concluded agreements;
- 2) the starting and last date of the reporting period;
- 3) the amount and date of each payment using a payment card;

4) the amount of commissions withheld by the client for making payments using a payment card.

It is allowed to include in the statement of the client's bank account additional information provided for by the contract between the issuer and the client.

86. The statement of the customer's bank account is delivered by the issuer without charging at least once a month in accordance with the payment card agreement.

87. The statement on the client's bank account provided by the issuer to the client contains details identifying the issuer in accordance with the payment card agreement.

Application
to the decision of the Board
National Bank
Republic of Kazakhstan
dated August 31, 2016 № 205

The list of some resolutions of the Board of the National Bank of the Republic of Kazakhstan, as well as from the structural elements of certain resolutions of the Board of the National Bank of the Republic of Kazakhstan, which are recognized as invalid

1. Resolution of the Board of the National Bank of the Republic of Kazakhstan dated August 24, 2000 № 331 "On approval of the Rules for the issuance of payment cards, as well as requirements for activities related to servicing operations using them on the territory of the Republic of Kazakhstan" (registered in the Register of State Registration of Normative Legal Acts under № 1260, published October 23 - November 5, 2000 in the Bulletin of the National Bank of Kazakhstan № 22 (193)).

2. Resolution of the Board of the National Bank of the Republic of Kazakhstan dated September 3, 2001 № 328 "On Amendments and Additions to the Rules for the Issue and Use of Payment Cards in the Republic of Kazakhstan, approved by Resolution of the Board of the National Bank of the Republic of Kazakhstan dated August 24, 2000 № 331" (registered in the Register of state registration of regulatory legal acts under № 1667, published in 2001 in the Bulletin of regulatory legal acts of central executive and other state bodies of the Republic of Kazakhstan № 36-37).

3. Resolution of the Board of the National Bank of the Republic of Kazakhstan dated September 2, 2002 № 361 "On Amending Resolution of the Board of the National Bank of the Republic of Kazakhstan dated August 24, 2000 № 331" On the Approval of the Rules for the Issue and Use of Payment Cards in the Republic of Kazakhstan "(registered in The register of state registration of regulatory legal acts under № 1984, published in 2002 in the Bulletin of regulatory legal acts of central executive and other state bodies of the Republic of Kazakhstan № 43-44, Art. 727).

4. Paragraph 1 of Resolution of the Board of the National Bank of the Republic of Kazakhstan dated October 27, 2003 № 370 "On amendments and additions to some decisions of the Board of the National Bank of Kazakhstan on the use of payment cards" (registered in

the Register of state registration of normative legal acts under the number 2582, published on December 9, 2003 in the newspaper *Kazakhstanskaya Pravda* № 353-354 (24293-24294)).

5. Clause 1 of Resolution of the Board of the National Bank of the Republic of Kazakhstan dated October 27, 2003 № 371 "On Amendments and Additions to the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated August 24, 2000 № 331" On Approval of the Rules for the Issue and Use of Payment Cards in the Republic of Kazakhstan "registered in the Ministry of Justice of the Republic of Kazakhstan under the number 1260, and the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated December 23, 2002 № 510" on approval of Rules of functioning of national interbank system of payment cards based on smart cards ", registered with the Ministry of Justice of the Republic of Kazakhstan under № 2158" (registered in the Register of state registration of normative legal acts under № 2581, published December 4, 2003 in the newspaper " *Kazakhstanskaya Pravda*").

6. Resolution of the Board of the National Bank of the Republic of Kazakhstan dated August 27, 2005 № 91 "On Amending the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated August 24, 2000 № 331" On the Approval of the Rules for the Issue and Use of Payment Cards in the Republic of Kazakhstan "(registered in the Register of state registration of regulatory legal acts under № 3852).

7. Resolution of the Board of the National Bank of the Republic of Kazakhstan dated October 29, 2005 № 138 "On Amending Resolution of the Board of the National Bank of the Republic of Kazakhstan dated August 24, 2000 № 331" On the Approval of the Rules for the Issue and Use of Payment Cards in the Republic of Kazakhstan "(registered in Register of state registration of regulatory legal acts under № 3950).

8. Resolution of the Board of the National Bank of the Republic of Kazakhstan dated May 28, 2007 № 58 "On Amendments and Additions to the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated August 24, 2000 № 331" On Approval of the Rules for the Issue and Use of Payment Cards in the Republic of Kazakhstan "(registered in the register of state registration of normative legal acts under № 4788, published in April-June 2007, the Assembly acts of central executive and other central state bodies of the Republic of Kazakhstan).

9. Clause 6 of the List of resolutions of the Board of the National Bank of the Republic of Kazakhstan, which is amended and supplemented, which is an appendix to Resolution of the Board of the National Bank of the Republic of Kazakhstan dated August 24, 2009 № 85 "On amendments and additions to some resolutions of the Board of the National Bank of the Republic of Kazakhstan "(registered in the Register of State Registration of Normative Legal Acts under № 5806, published on October 30, 2009 in the newspaper *Yuridicheskaya Gazeta* № 166 (1763)).

10. Part 4 of the List of regulatory legal acts of the Republic of Kazakhstan, in which changes are made, which is Annex 1 to the decision of the Board of the National Bank

of the Republic of Kazakhstan from July 1, 2011 № 65 "On amendments to some normative legal acts of the National Bank of Kazakhstan on the issues identification numbers "(registered in the register of state registration of normative legal acts under № 7122, published September 15, 2011 in the newspaper" legal hectares zeta "number 133 (2123)).

11. Clause 1 of the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated December 26, 2011 № 205 "On Amendments and Additions to Certain Normative Legal Acts of the National Bank of the Republic of Kazakhstan on Issues of Payments and Money Transfers" (registered in the Register of State Registration of Normative Legal Acts under № 7408, published on April 28, 2012 in the newspaper *Kazakhstanskaya Pravda* № 121-122 (26940-26941)).

12. Clause 5 of the Amendments to certain regulatory legal acts of the National Bank of the Republic of Kazakhstan on identification numbers, which are Appendix 1 to the Resolution of the National Bank of the Republic of Kazakhstan dated March 26, 2012 № 108 "On amendments to some regulatory legal acts of the National Bank of the Republic of Kazakhstan on the issues of identification numbers "(registered in the register of state registration of normative legal acts under № 7625, published September 6, 2012 in *azete "Kazakhstanskaya pravda"* № 299-300 (27118-27119)).

13. Clause 4 of the List of regulatory legal acts on the issues of making payments and money transfers, which are amended and supplemented, which is an appendix to Resolution of the National Bank of the Republic of Kazakhstan dated April 26, 2013 № 117 "On amendments and additions to some regulatory etc. avovye acts on payments and money transfers "(registered in the register of state registration of normative legal acts under № 8513, published July 23, 2013 in the newspaper" legal gas that "№ 107 (2482)).

14. Resolution of the Board of the National Bank of the Republic of Kazakhstan dated August 27, 2013 № 232 "On Amendments and Additions to the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated August 24, 2000 № 331 " On Approving the Instructions for the Issue and Use of Payment Cards "(registered in the Register state registration of normative legal acts under № 8802, published on November 28, 2013 in the newspaper "*Kazakhstanskaya Pravda*" № 325 (27599)).

1 5. Paragraph 4 of the List of regulatory legal acts of the Republic of Kazakhstan that are subject to changes and additions, approved by the Board of the National Bank of Kazakhstan on August 27, 2014 № 168 "On amendments and additions to some legal acts of the Republic of Kazakhstan" (registered in the The Register of State Registration of Normative Legal Acts under № 9796, published on November 12, 2014 in the information-legal system " Æ dilet " of the republican state enterprise on the right economic management "Republican Center for Legal Information of the Ministry of Justice of the Republic of Kazakhstan").

16. Clause 4 of the List of regulatory legal acts of the Republic of Kazakhstan on the issues of radically improving the conditions for entrepreneurial activity in the Republic of Kazakhstan, as amended, which is an appendix to the resolution of the National Bank of the

Republic of Kazakhstan dated February 25, 2015 № 28 "On amendments to some normative legal acts of the Republic of Kazakhstan on the issues of cardinal improvement of conditions for entrepreneurial activity in the Republic of Kazakhstan "(registered in the Register gosudarsvennoy registration of normative legal acts under the number 10715, published May 6, 2015 in the legal information system " Ə dilet " republican state enterprise on the right of business "Republican Center of Legal Information under the Ministry of Justice of the Republic of Kazakhstan").

17. Clause 4 of the List of regulatory legal acts of the National Bank of the Republic of Kazakhstan on issues of payments and money transfers and maintaining bank accounts, as amended, which is an appendix to Resolution of the National Bank of the Republic of Kazakhstan dated May 8, 2015 № 72 "On Amending some normative legal acts of the National Bank of Kazakhstan on payments and money transfers, and maintain bank accounts "(registered in the register of state registration of normative legal acts under the number 11163, published June 2, 2015 in the legal information system " Ə dilet " Republican State Enterprise on the right of business "Republican Center of Legal Information of the Ministry of Justice of the Republic of Kazakhstan").

18. Resolution of the Board of the National Bank of the Republic of Kazakhstan dated January 28, 2016 № 33 "On Amendments and Additions to the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated August 24, 2000 № 331" On Approving the Instructions for the Issue and Use of Payment Cards "(registered in the Register gosudarsvennoy registration of normative legal acts under the number 13229, published April 4, 2016 in the legal information system " Ə dilet " republican state enterprise on the right of business "Republican Center of Legal Information of the Ministry of Justice of the Republic of Kazakhstan").