



On approval of the Regulations on the Commission for the Formation of a Plan for the Supply of Liquefied Petroleum Gas to the Domestic Market of the Republic of Kazakhstan

Unofficial translation

Order of the Minister of Energy of the Republic of Kazakhstan dated September 20, 2018 № 384. It is registered in the Ministry of Justice of the Republic of Kazakhstan on October 5, 2018 № 17494.

Unofficial translation

In accordance with subparagraph 18-3) of Article 6 of the Law of the Republic of Kazakhstan dated January 9, 2012 “On Gas and Gas Supply” **I DO HEREBY ORDER:**

1. That the attached Regulations on the Commission for the formation of a plan for the supply of liquefied petroleum gas to the domestic market of the Republic of Kazakhstan shall be approved.

2. The Department of Gas Industry Development of the Ministry of Energy of the Republic of Kazakhstan, in accordance with the procedure established by the legislation of the Republic of Kazakhstan shall ensure:

1) the state registration of this Order with the Ministry of Justice of the Republic of Kazakhstan;

2) within ten calendar days from the date of state registration of this order, sending it 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 and inclusion in the Reference Control Bank of Regulatory Legal Acts of the Republic of Kazakhstan;

3) the placement of this Order on the Internet resource of the Ministry of Energy of the Republic of Kazakhstan;

4) within ten working days after the state registration of this Order, the submission to the Legal Department of the Ministry of Energy of the Republic of Kazakhstan of the information on the implementation of measures provided for in subparagraphs 1), 2) and 3) of this paragraph.

3. Control over the implementation of this Order shall be entrusted to the Supervising Vice minister of Energy of the Republic of Kazakhstan.

4. This Order shall enter into force upon the expiry of ten calendar days after the day of its first official publication.

*Minister of Energy
of the Republic of Kazakhstan*

K. Bozumbayev

Approved
by Order 384

Regulations on the Commission for the Formation of a Plan for the Supply of Liquefied Petroleum Gas to the Domestic Market of the Republic of Kazakhstan

Footnote. The Regulation - in the wording of the order of the Minister of Energy of the Republic of Kazakhstan dated 30.06.2021 № 219 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

Chapter 1. General provisions

1. This Regulation on the Commission for the formation of a plan for the supply of liquefied petroleum gas to the domestic market of the Republic of Kazakhstan (hereinafter referred to as the Regulation) has been developed in accordance with paragraph 18-3) of Article 6 of the Law of the Republic of Kazakhstan "On Gas and Gas Supply."

2. The Commission for the formation of a plan for the supply of liquefied petroleum gas to the domestic market of the Republic of Kazakhstan (hereinafter referred to as the Commission) shall carry out its activities in accordance with the Constitution of the Republic of Kazakhstan, laws, acts of the President and the Government of the Republic of Kazakhstan, other regulatory legal acts and these Regulations.

Chapter 2. Task and functions of the Commission

3. The Commission's task shall be to develop a plan for the supply of liquefied petroleum gas to the domestic market of the Republic of Kazakhstan (hereinafter referred to as the supply plan).

4. The Commission shall perform the following functions:

1) determine the validity and completeness of the data provided by the local executive bodies of the regions, cities of republican significance, the capital (hereinafter referred to as the local executive body) in the consolidated applications for the supply of liquefied petroleum gas;

2) make a decision on approval of the consolidated application of the relevant local executive body and its inclusion in the delivery plan;

3) make a reasoned decision to change the consolidated application based on the data of monitoring the production, transportation (transportation), storage, shipment and sale of liquefied petroleum gas and notify the relevant local executive body of this;

4) make a decision on the proportional change in the volume of supply of liquefied petroleum gas for all recipients specified in the relevant consolidated application;

5) decide on the approval of the delivery plan.

Chapter 3. Procedure for organization of the Commission's activities

5. The Commission shall consist of a chairman, a vice-chairman, members of the Commission and a secretary. The Secretary of the Commission shall not be a member.

6. The Chairman of the Commission shall be the supervising Vice Minister of Energy of the Republic of Kazakhstan. During the absence of the Chairman of the Commission, his functions shall be performed by the Deputy Chairman.

7. The Commission, in addition to representatives of the authorized body in the field of gas and gas supply (hereinafter referred to as the authorized body), shall include (by agreement) the chairman of the Public Council of the Ministry of Energy of the Republic of Kazakhstan, representatives of public organizations, the National Chamber of Entrepreneurs of the Republic of Kazakhstan, political parties and republican public associations.

The Commission shall not include representatives of persons engaged in wholesale and (or) retail sales of liquefied petroleum gas, industrial consumers using liquefied petroleum gas as raw materials for the production of petrochemical products, as well as associations (unions) of individual entrepreneurs and (or) legal entities operating in the liquefied petroleum gas market.

The authorized body shall review and update the composition of the Commission annually (the date of approval of the composition of the Commission).

8. The working body of the Commission shall be the structural unit of the authorized body that oversees the relevant industry.

9. Meetings of the Commission shall be convened by its Chairman as required, but at least once a month.

10. Meetings of the Commission shall be deemed competent if more than half of the total number of members of the Commission is present.

11. Decisions of the Commission shall be adopted by an open vote by a majority of the total number of members of the Commission present at its meeting.

12. For the sake of transparency and publicity of the work of the Commission, audio and video recording shall be continuously conducted during each meeting of the Commission.

13. Members of the Commission shall have equal votes when making a decision. In case of equality of votes, a decision for which the Chairman of the Commission or his substitute voted shall be considered adopted.

14. Chairman of the Commission shall:

- 1) convene meetings of the Commission;
- 2) carry out general management of the Commission's activities;
- 3) plan the work of the Commission;
- 4) preside over meetings of the Commission;
- 5) exercise general control over the implementation of the decisions of the Commission.

15. Members of the Commission shall:

- 1) get acquainted themselves with the submitted consolidated applications of local executive bodies;
- 2) get acquainted with the draft delivery plan for the planned period;
- 3) get acquainted with the data of monitoring the production, transportation (transportation), storage, shipment and sale of liquefied petroleum gas;
- 4) make proposals for consolidated applications and draft supply plan;
- 5) consider issues to be resolved at the meeting of the Commission;
- 6) participate in voting on issues being the subject of the Commission's activities.

16. If a member of the commission has a conflict of interest, the member of the commission who has a conflict of interest shall notify the remaining members of the commission in writing of the conflict of interest.

The remaining members of the commission on the appeal of a member of the commission who has a conflict of interest shall take the following measures in a timely manner to prevent and resolve conflicts of interest:

- 1) remove a member of the commission who has a conflict of interest from participating in the work of the commission. The decision to remove a member of the commission who has a conflict of interest shall be made by the commission in writing by a majority vote of its members by an open vote and announced in the presence of a member of the commission who has a conflict of interest. With an equal number of votes, the vote of the chairman of the commission shall be decisive;

- 2) within 1 (one) calendar day, the composition of the commission shall be revised.

17. Secretary of the Commission shall:

- 1) form the agenda of the Commission meeting;

- 2) notify the members of the Commission of the date and place of the meeting of the Commission no later than five (5) calendar days before the date of the meeting;

- 3) ensure the preparation of the necessary documents, materials, draw up the minutes of the meeting of the Commission after its holding (hereinafter referred to as the minutes).

18. In disagreement with the decision taken, a member of the Commission shall state a dissenting opinion in writing, which is attached to the protocol.

19. The decision of the Commission shall be formalized in the form of a protocol, signed and requested by the chairman, deputy, secretary, present members of the Commission.

20. The Commission's decision shall be made no later than fifteen (15) calendar days before the beginning of the month preceding the planned one.

21. The delivery plan shall be formed on the basis of a decision of the Commission and shall be visited by the chairman, deputy, secretary, present members of the Commission.

22. The Commission's decision, delivery plan, audio, video recording of the Commission's meeting within 3 (three) working days from the date of the Commission's meeting shall be posted on the official Internet resource of the authorized body.

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