



On approval of criteria for assessing the degree of risk and checklists in the field of support and protection of private business entities

Invalidated Unofficial translation

Order of the Minister of National Economy of the Republic of Kazakhstan dated October 31, 2018 No. 49. Registered with the Ministry of Justice of the Republic of Kazakhstan on November 6, 2018 No. 17699. Abolished by the order of the Acting Minister of National Economy of the Republic of Kazakhstan dated November 28, 2022 No. 91

Unofficial translation

Footnote. Abolished by the order of the Acting Minister of National Economy of the Republic of Kazakhstan dated November 28, 2022 No. 91 (introduced from 01.01.2023).

In accordance with Article 141, paragraph 3 and Article 143, paragraph 1 of the Business Code of the Republic of Kazakhstan, **I hereby ORDER:**

Footnote. The Preamble - in the wording of the order of the Minister of National Economy of the Republic of Kazakhstan dated 30.06.2021 № 67 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

1. To approve:

- 1) criteria for assessing the degree of risk in the field of support and protection of private business entities in accordance with Appendix 1 to this order;
- 2) checklist in the field of support and protection of business entities on observance by entities subject to control of the procedure of the state control and supervision in the fields of activity of private business entities according to Appendix 2 to this order;
- 3) checklist in the field of support and protection of business entities on observance by entities subject to control of the procedure for issue of permissions of the first and second categories, acceptance of the notification on implementation of entrepreneurial activity in accordance with Appendix 3 to this order;
- 4) checklist in the field of support and protection of business entities on observance by entities subject to control of the procedure of the state support in accordance with Appendix 4 to this order.

2. Order No. 191 of the Minister of National Economy of the Republic of Kazakhstan dated April 28, 2016 "On Approval of Criteria for Assessing the Degree of Risk and Checklists in the Field of Support and Protection of Private Business Entities" (registered in the Register of State Registration of Regulatory Legal Acts under No

13742, published on 2016 in Adilet legal information system) shall be deemed to have lost force.

3. The Department of Entrepreneurship Development of the Ministry of National Economy of the Republic of Kazakhstan shall:

1) ensure 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, send its copies in Kazakh and Russian languages to the Republican State Enterprise on the Right of Economic Management Republican Center of Legal Information for official publication and inclusion into the Reference Control Bank of regulatory legal acts of the Republic of Kazakhstan;

3) place a copy of this order on the official Internet resource of the Ministry of National Economy of the Republic of Kazakhstan;

4) within ten working days after the state registration of this order with the Ministry of Justice of the Republic of Kazakhstan, submit the data on execution of the actions provided for in subparagraphs 1), 2) and 3) of this paragraph to the Legal Department of the Ministry of National Economy of the Republic of Kazakhstan.

4. Control over the execution of this joint order shall be entrusted to the Supervising Vice-Minister of National Economy of the Republic of Kazakhstan.

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

*Minister of National Economy
of the Republic of Kazakhstan*

T. Suleimenov

"AGREED"

Committee on Legal Statistics
and Special Accounts of
the General Prosecutor's Office
of the Republic of Kazakhstan

Appendix 1
to order No. 49 of the Minister of
National Economy of the
Republic of Kazakhstan
dated October 31, 2018

Criteria for assessing the degree of risk in the field of support and protection of private business entities

Chapter 1. General Provisions

Footnote. Heading of Chapter 1 is in the wording of order of the Minister of National Economy of the Republic of Kazakhstan dated 22.05.2020 No. 41 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

1. These criteria for assessing the degree of risk in the field of support and protection of private enterprises (hereinafter referred to as the Criteria) shall have been developed in accordance with Article 141, paragraph 3 and Article 143, paragraph 1 of the Business Code of the Republic of Kazakhstan (hereinafter referred to as the Code), as well as the Rules for the formation by state bodies of a risk assessment system and the form of check lists approved by order of the Deputy Minister of National Economy of the Republic of Kazakhstan dated July 31, 2018 No. 3 (registered in the Register of State Registration of Regulatory Legal Certificates No. 17371), in order to conduct verifications and preventive control with a visit to the subjects of control.

Preventive control with a visit to the subjects of control in the field of support and protection of private business entities shall be aimed at eliminating the causes and conditions for committing offenses in the implementation of state control and supervision in the fields of activity of private business entities, issuing permits of the first and second categories, as well as in the provision of state support to private business entities.

Footnote. Paragraph 1 - in the wording of the order of the Minister of National Economy of the Republic of Kazakhstan dated 30.06.2021 № 67 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

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

1) risk - the probability of causing harm as a result of the activity of the entity subject to control and supervision to human life or health, environment, legitimate interests of individuals and legal entities, property interests of the state, taking into account the severity of its consequences;

2) risk assessment system - a set of measures taken to assign preventive control with a visit to the entities subject to control;

3) objective criteria for assessing the degree of risk (hereinafter referred to as objective criteria) are the criteria for assessing the degree of risk used to select entities subject to control depending on the degree of risk in a particular field of activity and not directly dependent on a separate entity subject to control;

4) subjective criteria for assessing the degree of risk (hereinafter referred to as the - subjective criteria) –the criteria for assessing the degree of risk used to select entities subject to control depending on the performance results of a particular entity subject to control;

5) entities subject to control - state bodies and their territorial subdivisions (in their existence), carrying out state control and supervision in the fields of activity of private business entities , licensing or issuance of other authorization documents, accepting notifications on implementation of entrepreneurial activity or other actions, as well as

state bodies and their territorial divisions (in their existence) and legal entities, including their branches and representative offices providing state support to private business entities;

6) gross violations - violations of the requirements established by regulatory legal acts in the field of support and protection of private business entities, entailing administrative responsibility and associated with the largest number of inspections and preventive control and supervision with a visit to the subject (object) of control and supervision in the areas of activity of private business entities, the largest number of refusals to issue permits of the first and second categories, as well as those associated with the largest number of refusals to provide state support in relation to the number of approved applications for state support;

7) significant violations - violations of the requirements established by regulatory legal acts in the field of support and protection of private business entities, which do not entail administrative responsibility and are not related to gross and minor violations ;

8) minor violations - violations of the requirements established by regulatory legal acts in the field of support and protection of private business entities, which do not entail administrative responsibility and occurrence of significant adverse consequences for private business entities;

9) checklist - a list of requirements, including the requirements for the activities of entities subject to control, non-observance of which entails a threat to human life and health, environment, legitimate interests of individuals and legal entities, the state.

Footnote. Paragraph 2 as amended by order of the Minister of National Economy of the Republic of Kazakhstan dated 22.05.2020 No. 41 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

3. The determination of the degree of risk in the field of support and protection of private business entities shall depend on the probability of violation of the rights and legitimate interests of private business entities.

4. In the assessment of all possible risks, the entities subject to control shall be distributed according to two degrees of risk (high and not classified as high).

5. Distribution of the entities subject to control by degrees of risk shall be based on objective and subjective criteria.

Chapter 2. Methods of conducting preventive control and supervision with a visit to the entity subject to control

6. Criteria for assessing the degree of risk for preventive control and supervision with a visit to the entity subject to control shall be formed by means of objective and subjective criteria.

Paragraph 1. Objective criteria

7. Taking into account the specifics of preventive control with a visit to the subjects of control in the field of support and protection of private business entities, the selection of subjects of control shall be made in two regions (oblast, city of republican significance, the capital), with the lowest growth rate in the number of operating small and medium-sized businesses in comparison with the same period of the previous year as a percentage according to the data of the Committee on Statistics of the Ministry of National Economy of the Republic of Kazakhstan.

At the same time, the subjects of control in regions (oblast, city of republican significance, the capital), in which preventive control was carried out with a visit to the subject of control over the past three years, shall not be subject to selection.

Footnote. Paragraph 7 is in the wording of order of the Minister of National Economy of the Republic of Kazakhstan dated 22.05.2020 No. 41 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

8. By objective criteria, all subjects of control in the selected regions (regions, city of republican significance, capital) performing the following activity shall be considered to be of high risk:

1) state control and supervision in the spheres of activity of private business entities in accordance with Articles 138, 139 of the Code, in order to regulate relations in the field of state control and supervision aimed at establishing uniform principles for the implementation of control and supervisory activity, as well as protecting the rights and legitimate interests of private business entities in respect of which state control and supervision is carried out;

2) issuance of permits of the first and second category in accordance with the Law of the Republic of Kazakhstan "On Permits and Notifications" (hereinafter referred to as the Law);

3) state support to private enterprises.

Footnote. Paragraph 8 - in the wording of the order of the Minister of National Economy of the Republic of Kazakhstan dated 30.06.2021 № 67 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

9. According to objective criteria, the subjects of control in the selected regions (oblast, city of republican significance, the capital) that receive notifications for business activities in accordance with the Law do not belong to a high degree of risk.

Footnote. Paragraph 9 is in the wording of order of the Minister of National Economy of the Republic of Kazakhstan dated 22.05.2020 No. 41 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

10. After determining the risk, the entities subject to control shall be distributed into two degrees of risk (high and not classified as high).

In respect of the entities subject to control, related by objective criteria to a high degree of risk, subjective criteria shall be applied in order to carry out preventive control with a visit to the entity subject to control.

Paragraph 2. Subjective criteria

11. The specification of subjective criteria shall be carried out using the following steps:

- 1) formation of a database and collection of information;
- 2) information analysis and risk assessment.

12. Analysis and evaluation of subjective criteria will allow concentrating on preventive control with a visit to the entity subject to control in relation to the entity subject to control with the greatest potential risk.

13. For assessment of the degree of risk on subjective criteria, the following information sources shall be used:

1) results of monitoring reports and information submitted by the entity subject to control, including via automated information systems conducted by state bodies, institutions and industry organizations;

2) results of the analysis of information submitted by authorized bodies and organizations upon request;

3) results of previous inspections and preventive control with a visit to the entity subject to control, in which case the severity of violations shall be determined by non-observance of the requirements reflected in the checklists.

14. According to subjective criteria, within the selected regions (oblast, city of republican significance, the capital), subjects of control with the largest number, for the six months preceding the analysis, shall be classified as high risk:

1) carried out inspections and preventive control and supervision with a visit to the subject (object) of control and supervision in the spheres of activity of private business entities;

2) refusals to issue permits of the first and second categories;

3) refusals of state support, in relation to the number of approved applications for state support.

Footnote. Paragraph 14 is in the wording of order of the Minister of National Economy of the Republic of Kazakhstan dated 22.05.2020 No. 41 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

15. With respect to the entities subject to control who are classified as high-risk, preventive control shall be carried out with a visit to the entity subject to control.

16. When selecting subjects of control in the analyzed period, the areas of control and supervision, permits of the first and second categories, previously taken into account and used in the previous analyzed period, shall not be taken into account.

Footnote. Paragraph 16 is in the wording of order of the Minister of National Economy of the Republic of Kazakhstan dated 22.05.2020 No. 41 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

17. In the existence of territorial divisions of a state body or branches and representative offices of a legal entity, measures on subjective criteria of the risk degree assessment system shall be applied to territorial divisions, branches and representative offices of legal entities of each entity subject to control.

18. Violations in the field of support and protection of private business entities shall be subdivided into three degrees: gross, major and minor ones. A list of gross, major and minor violations is given in the Appendix to the Criteria.

19. Based on the priority of the sources of information used in accordance with paragraph 24 of the Criteria, an overall risk indicator shall be calculated according to subjective criteria on a scale from 0 to 100.

On the risk indicator, the entity subject to control shall be related to:

1) a high degree of risk - with an indicator of the degree of risk from 61 to 100 inclusive, and preventive control shall be carried out in relation to it with a visit to the entity subject to control;

2) not related to a high degree of risk - with an indicator of the degree of risk from 0 to 60 inclusive, and preventive control shall not be carried out in relation to it with a visit to the entity subject to control.

20. The frequency of conducting preventive control with a visit to the entity subject to control shall be determined by the results of analysis and evaluation of the information received on the subjective criteria and it shall not be conducted more than once a year.

21. Preventive control with a visit to the entity subject to control shall be conducted on the basis of semi-annual lists of preventive control with a visit to the entity subject to control, formed in accordance with paragraph 3 of Article 141 of the Code.

22. Preventive control lists with a visit to an entity subject to control shall be compiled taking into account the priority of entities subject to control with the highest risk degree indicator by subjective criteria.

Chapter 3. Calculation of the general degree of risk by subjective criteria

23. Upon the analysis of all possible risks, the entities subject to control shall be classified into two degrees of risk (high and not classified as high).

To assign the entity subject to control to the degree of risk, the following procedure for calculating the risk degree indicator shall be applied.

In the event that one gross violation is identified, the degree of risk 100 shall be assigned to the entity subject to control and preventive control shall be carried out in relation to it with a visit to the entity subject to control.

In the event that no gross violations have been identified, then to determine the risk degree indicator, the total indicator for violations of a major and minor degree shall be calculated.

When determining the indicator of major violations, a coefficient of 0.7 shall be applied and this indicator shall be calculated using the following formula:

$$\Sigma P_{\text{B}} = (\Sigma P_2 \times 100 / \Sigma P_1) \times 0,7,$$

Where:

ΣP_{B}

- an indicator of major violations;

ΣP_1

- the required number of major violations;

ΣP_2

- the number of identified major violations;

When determining the indicator of minor violations, a coefficient of 0.3 shall be applied and this indicator shall be calculated using the following formula:

$$\Sigma P_{\text{H}} = (\Sigma P_2 \times 100 / \Sigma P_1) \times 0,3,$$

Where:

ΣP_{H}

- an indicator of minor violations;

ΣP_1

- the required number of minor violations;

ΣP_2

- the number of identified minor violations;

The general risk degree indicator

(ΣP)

shall be calculated on a scale from 0 to 100 and shall be determined by summing up the indicators of major and minor violations using the following formula:

$$\Sigma P = \Sigma P_{\text{B}} + \Sigma P_{\text{H}},$$

Where:

ΣΡ.

- a general indicator of the degree of risk;

ΣΡз.

- an indicator of major violations;

ΣΡн.

- an indicator of minor violations.

Chapter 4. The procedure for conducting and processing the results of inspections and preventive control with a visit to the entity subject to control

24. When carrying out preventive control with a visit to the subject of control, the requirements of checklists in the field of compliance by the subjects of control of the order shall be subject to inspection:

1) implementation of state control and supervision in the areas of activity of private business entities in accordance with Articles 138, 139 of the Code;

2) issuance of permits of the first and second categories in accordance with the Law;

3) carrying out of state support for private business entities.

Footnote. Paragraph 24 is in the wording of order of the Minister of National Economy of the Republic of Kazakhstan dated 22.05.2020 No. 41 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

25. Checklists shall be compiled for homogeneous groups of entities subject to control and shall include requirements in accordance with paragraph 2 of Article 132 of the Code.

26. Based on the results of preventive control with a visit to the subject of control, a comprehensive analysis shall be carried out to identify the reasons for the smallest increase in the number of operating small and medium-sized businesses in the selected regions (oblast, city of republican significance, the capital), including:

1) unnecessary requirements for business entities;

2) facts of systemic violations;

3) contradictions and collisions in the current regulatory legal acts regulating business activity;

4) unfavorable conditions for development of business activity, stimulation of business activity initiative.

Taking into account the above analysis, recommendations shall be developed for improving legislation in the implementation of state control in the areas of activity of

business entities, issuing permits of the first and second categories, as well as when providing state support to private business entities to ensure the effectiveness of state regulation of business activity.

Footnote. Paragraph 26 as amended by order of the Minister of National Economy of the Republic of Kazakhstan dated 22.05.2020 No. 41 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Annex
to evaluation Criteria
degree of risk in the field of
protection and supporting subjects
private enterprise

Subjective criteria in the field of support and protection of private enterprises

Footnote. Subjective criteria - in the wording of the order of the Minister of National Economy of the Republic of Kazakhstan dated 30.06.2021 № 67 (shall enter into force upon expiry of ten calendar days after the day of its first official publication)

| № r/n | Criteria | Degree of violation |
|--|--|---------------------|
| 1 | 2 | 3 |
| 1. Results of monitoring of reporting and information submitted by the subjects of control and supervision, data of automated information systems conducted by state bodies, institutions and industry organizations | | |
| 1 | The largest number of verifications and preventive control and supervision with a visit to the subject (object) of control and supervision in relation to private business entities | Gross |
| 2 | Highest number of first and second category permit failures | Gross |
| 2 Results of analysis of information submitted by authorized bodies and organizations upon request | | |
| 1 | The largest number of refusals of state support in relation to the number of approved applications for state support | Gross |
| 3. The results of previous verifications and preventive control with a visit to the subject of control (severity shall be established if the following requirements are not met) | | |
| Criteria for compliance by subjects with the procedure for exercising state control and supervision in the areas of activity of private enterprises | | |
| 1 | Availability of risk assessment criteria used for the special procedure for conducting verifications approved by a joint certificate of regulatory state bodies and the authorized enterprise body and posted on the Internet resources of regulatory state bodies | Minor |
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| 2 | Conduct by the control and supervision body of an analysis of the reporting submitted by private business entities, the results of unscheduled verifications and preventive control and supervision with a visit to the subjects (facilities) of control and supervision, other information for conducting preventive control and supervision with a visit to the subject (object) of control and supervision | Significant |
| 3 | Availability of certificates concerning criteria for assessing the degree of risk for selection of subjects (object) of control and supervision during preventive control and supervision with a visit to the subject (object) of control and supervision and verifications approved by the regulatory state body together with the authorized enterprise body and posted on the Internet resources of regulatory state bodies | Minor |
| 4 | Availability of checklists in the field of private enterprise approved by a joint certificate of the regulatory state body and the authorized enterprise body and posted on the Internet resources of regulatory state bodies | Significant |
| 5 | Conducting a verification according to a special procedure for conducting verifications and preventive control and supervision with a visit to a subject (object) of control and supervision in relation to a specific subject (object) of control and supervision on the basis of a semi-annual schedule and a semi-annual list approved by a regulatory state body or a local executive body | Gross |
| | Conducting unscheduled verifications in relation to a specific subject (object) of control and supervision on the following grounds : 1) monitoring the implementation of prescriptions (resolutions, submissions, notifications) on the elimination of detected gross | |

violations determined in the criteria for assessing the degree of risk as a result of verification and preventive control and supervision with a visit to the subject (object) of control and supervision;

2) monitoring the implementation of prescriptions (resolutions, submissions, notifications) on the elimination of detected significant and minor violations determined in the criteria for assessing the degree of risk, as a result of verification and preventive control and supervision with a visit to the subject (object) of control and supervision in cases where the subject has not provided information more than once on the elimination of detected violations and (or) has not eliminated violations;

3) appeals of individuals and legal entities on specific facts of violations, the non-elimination of which entails harm to human life and health;

4) appeals of individuals and legal entities on specific facts of harm to life, human health, the environment and the legitimate interests of individuals and legal entities, the state, with the exception of appeals of individuals and legal entities (consumers) whose rights have been violated, and appeals from state bodies;

5) appeals of individuals and legal entities (consumers) whose rights shall be violated;

6) instructions of the prosecutor's office on specific facts of infliction or on the threat of harm to life, human health, the environment and the legitimate interests of individuals and legal entities, the state;

7) appeals of state bodies on specific facts of harm to life, human health, the environment and the legitimate interests of individuals and legal entities, the state, as well as on specific facts of violations, the elimination of which entails harm to human life and health;

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| | <p>8) counter-verification against third parties with whom the subject of control and supervision had civil relations in order to obtain the information necessary for verification;</p> <p>9) repeated verification related to the appeal of the subject of control and supervision about disagreement with the initial verification;</p> <p>10) order of the criminal prosecution body on the grounds provided for by the Criminal Procedure Code of the Republic of Kazakhstan;</p> <p>11) the results of the selection and sanitary and epidemiological examination of products in cases of detection of violations of the requirements of the legislation of the Republic of Kazakhstan in the field of sanitary and epidemiological well-being of the population, hygienic standards and technical regulations that pose a danger to life, human health and habitat</p> | |
| 7 | <p>Conducting an verification on the basis of a special procedure for conducting verifications based on an assessment of the degree of risk, preventive control and supervision with a visit to the subject (object) control and supervision and unscheduled verification during working hours of a private enterprise entity established by the internal labor regulations, with the exception of unscheduled verifications, which shall be carried out after hours (night , weekend or holidays) in cases where it is necessary to suppress violations immediately at the time of their commission</p> | Significant |
| 8 | <p>Not conducting verifications according to a special procedure for conducting verifications, preventive control and supervision with a visit to a subject (object) of control and supervision in relation to small businesses, including micro-enterprises, within three years from the date of state registration (except for created legal entities in the procedure of reorganization and</p> | Significant |

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| | successors of reorganized legal entities) | |
| 9 | Do not conduct unscheduled verifications on anonymous requests | Significant |
| 10 | Conducting unscheduled verifications on the facts and circumstances identified in relation to specific entities of private enterprise, which could not be the basis for the appointment of an unscheduled verification | Significant |
| 11 | Conducting unscheduled verifications for a previously audited period, with the exception of tax audits carried out at the request of the taxpayer himself (tax agent), on the request for the return of the excess value added tax amounts specified in the value added tax return, on the tax application of the taxpayer to confirm the reliability of the excess value added tax amounts, in connection with the complaint of the taxpayer (tax agent) to the notification of the results of the audit | Significant |
| 12 | Verification, preventive control and supervision with a visit to the subject (object) of control and supervision on the basis of certificates on the appointment of verification, preventive control and supervision | Gross |
| | Indication in the certificate on the purpose of verification of the following information: 1) certificate number and date; 2) the name of the state body; 3) surname, first name, patronymic (if it is specified in the identity document) and position of the person (s) authorized to conduct the verification; 4) information on specialists, consultants and experts involved in the audit; 5) the name of the subject of control and supervision or the surname, name, patronymic (if it is indicated in the identity document) of the individual in respect of whom the verification is scheduled, his location | |

, identification number, list of objects of control and supervision, a section of the territory.

In case of branch verification and (or) representation of a legal entity, its name and location shall be indicated in the verification appointment certificate;

6) subject of the assigned verification;

7) verification period;

8) legal grounds for the verification, including regulatory legal certificates , the mandatory requirements of which shall be subject to verification ;

9) the period to be verified;

10) rights and obligations of the subject of control and supervision;

11) signature of the person authorized to sign the certificates and seal of the state body;

12) signature of the head of a legal entity or its authorized person, an individual on receipt or refusal to receive a certificate on the appointment of a verification.

Indication in the certificate on the appointment of preventive control and supervision with a visit to the subject (object) of control and supervision of the following information:

1) certificate number and date;

2) the name of the state body;

3) surname, first name, patronymic (if it is specified in the identity document) and the position of the person (s) authorized to conduct preventive control and supervision with a visit to the subject (object) of control and supervision;

4) information on specialists, consultants and experts involved in preventive control and supervision with a visit to the subject (object) of control and supervision;

5) the name of the subject of control and supervision or the surname, name, patronymic (if it is specified in the identity document) of the individual in respect of whom preventive control and supervision is

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| | <p>appointed with a visit to the subject (object) of control and supervision, its location, identification number, list of objects of control and supervision, site of territory.</p> <p>In case of preventive control and supervision with a visit to the subject (object) of control and supervision of the branch and (or) representation of the legal entity, its name and location shall be indicated in the certificate on appointment of preventive control and supervision with a visit to the subject (object) of control and supervision;</p> <p>6) the subject of the appointed preventive control and supervision with a visit to the subject (object) of control and supervision;</p> <p>7) the period of preventive control and supervision with a visit to the subject (object) of control and supervision;</p> <p>8) legal grounds for conducting preventive control and supervision with a visit to the subject (object) of control and supervision, including the requirements of check sheets;</p> <p>9) rights and obligations of the subject of control and supervision;</p> <p>10) signature of the person authorized to sign the certificates and seal of the state body;</p> <p>11) signature of the head of a legal entity or its authorized person, an individual on receipt or refusal to receive a certificate on the appointment of preventive control and supervision with a visit to the subject (object) of control and supervision</p> | |
| 14 | Registration of the certificate of appointment, additional certificate of extension of the terms of verification and preventive control and supervision with a visit to the subject (object) of control and supervision | Gross |
| 15 | Written notification of the subject (object) of control and supervision on the beginning of the verification according to a special procedure for conducting verifications at least thirty calendar days before the start | Gross |

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| | of the verification itself, indicating the date of the verification and the subject of the verification | |
| 16 | Notification of the subject (object) of control and supervision on the start of an unscheduled verification and preventive control and supervision with a visit to the subject (object) control and supervision at least a day before the start of the verification itself and preventive control and supervision with a visit to the subject (object) of control and supervision with indication of the subject of verification and preventive control and supervision with a visit to the subject (object) of control and supervision | Gross |
| 17 | Drawing up a protocol in case of refusal by the subject (object) of control and supervision to adopt an certificate on the appointment of verification or preventive control and supervision with a visit to the subject (object) control and supervision or obstruction of access of an official of a control and supervision body carrying out verification or preventive control and supervision with a visit to the subject (object) of control and supervision, to the materials necessary for verification or preventive control and supervision with a visit to the subject (object) of control and supervision signed by an official of the control and supervision body carrying out verification or preventive control and supervision with a visit to the subject (object) of control and supervision, and an authorized person of the subject (object) of control and supervision | Significant |
| 18 | Availability of notification of the subject (object) of control and supervision and the authorized body in the field of legal statistics and special accounting in cases of replacement of the composition of officials conducting verification and preventive control and supervision with the visit of the subject (object) control and supervision, before | Significant |

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| | <p>participation in the verification of persons not specified in the certificate on the appointment of verification or preventive control and supervision with a visit to the subject (object) control and supervision, indicating the reason for the replacement</p> | |
| <p>19</p> | <p>Verification and preventive control and supervision with a visit to the subject (object) of control and supervision, taking into account the scope of upcoming work, as well as the tasks set:</p> <p>1) for micro-business entities - no more than five working days and with an extension of up to five working days;</p> <p>2) for small, medium and large business entities, as well as control and supervision entities that shall not be private business entities: during unscheduled verifications - no more than ten working days and with an extension of up to ten working days; during verifications carried out according to a special procedure and preventive control and supervision with a visit to the subject (object) of control and supervision - no more than fifteen working days and with an extension to fifteen working days;</p> <p>3) in the field of veterinary medicine , quarantine and plant protection, seed production, grain and cotton market - no more than five working days and with an extension to five working days;</p> <p>4) in the field of compliance with the labor legislation of the Republic of Kazakhstan in terms of safety and labor protection at construction sites, taking into account their technical complexity: related to technically complex facilities - no more than five working days and with an extension of up to five working days; not related to technically complex object - no more than four hours of</p> | <p>Gross</p> |

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| | the working day and with an extension to eight hours of the working day. | |
| 20 | <p>Extension of the verification and preventive control and supervision with the visit of the subject (object) of control and supervision only once by the head of the control and supervision body (or by the person certifying as such) if necessary:</p> <ol style="list-style-type: none"> 1) receiving information from foreign state bodies within the framework of international treaties of the Republic of Kazakhstan; 2) establishing the location of the person in respect of whom verification and preventive control and supervision are carried out with a visit to the subject (object) of control and supervision; 3) obtaining the results of laboratory studies of sanitary and epidemiological expertise | Gross |
| 21 | Execution of an additional certificate on the extension of verification and preventive control and supervision with a visit to the subject (object) control and supervision with registration with the authorized body for legal statistics and special accounts and indicating the number and date of registration of the previous certificate on the appointment of verification or preventive control and supervision with a visit to the subject (object) control and supervision and reasons for extension in case of extension of verification and preventive control and supervision terms with visit of the subject (object) control and supervision | Significant |
| 22 | Delivery to the subject (object) of control and supervision of a notification on extension of the terms of verification and preventive control and supervision with a visit to the subject (object) of control and supervision one working day before the extension | Gross |
| | Product sampling by an official of the control and supervision body in the availability of the head or | |

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| 23 | representative of the subject under verification and an authorized person of the subject under verification, certified by the product sampling certificate | Gross |
| 24 | Indication in the product sampling certificate of the place and date of preparation, number and date of the decision of the head of the control and supervision body, on the basis of which sampling of products, position, surname, names and patronymics shall be carried out (if they are specified in the identity document) of the officials taking product samples, the name and location of the subject to be verified, from which the product samples are taken, position and surname, name, patronymic (if it is specified in the identity document) of the authorized person of the subject under verification, the list and number of selected product samples with indication of the manufacturer, production date, batch (lot number), total sample cost, packaging type and seal number (seals) | Significant |
| | <p>Compliance of restrictions during verification and preventive control and supervision with a visit to the subject (object) of control and supervision:</p> <ol style="list-style-type: none"> 1) verify compliance with the requirements not established in the check lists of this control and supervision body, as well as if such requirements do not fall within the competence of the state body on whose behalf these official's certificate; 2) require the provision of documents, information, product samples, samples of verification of environmental facilities and industrial environment facilities, if they are not object of verification or do not belong to the subject of verification; 3) take samples of products, samples of verification of environmental facilities and industrial environment facilities for their studies, tests, | |

measurements without drawing up protocols on the collection of these samples, samples according to the established form and (or) in an amount exceeding the standards established by national standards, rules for sampling, samples and methods of their studies, tests, measurements, technical regulations or other regulatory technical documents, rules and methods of studies, tests, measurements valid until the date of their entry into force ;

4) disclose and (or) distribute information obtained as a result of verification and preventive control and supervision with a visit to the subject (object) of control and supervision and constituting a commercial, tax or other secret protected by law;

5) exceed the established terms of verification and preventive control and supervision with a visit to the subject (object) of control and supervision;

6) conduct verification or preventive control and supervision with a visit to the subject (object) of control and supervision, in respect of which verification or preventive control and supervision was previously carried out with a visit to the subject (object) of control and supervision by its higher (lower) body or other state body on the same issue for the same period;

7) to carry out measures of a costly nature for the purpose of state control at the expense of subjects (object) of control and supervision

Gross

Drawing up a certificate on the results of the verification with the following information in it:

1) date, time and place of drawing up the certificate;

2) name of the control and supervision body;

3) date and number of the certificate of appointment of the verification on the basis of which the verification was carried out;

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- 4) surname, first name, patronymic (if it is specified in the identity document) and position of the person (s) who conducted the verification;
- 5) name or surname, first name, patronymic (if it is specified in the document certifying the identity) of the subject (object) of control and supervision, position of the representative of the individual or legal entity present during the verification;
- 6) date, place and period of verification;
- 7) information on the results of the verification, including the revealed violations, their nature;
- 8) the name of the checklist and the points of the requirements for which violations were identified;
- 9) information on familiarization or refusal to familiarize with the certificate of the representative of the subject (object) of control and supervision, as well as persons present during the verification, their signature or refusal to sign;
- 10) signature of the official (s) who carried out the verification

Significant

Preparation of the order on elimination of the identified violations based on the results of verification and preventive control and supervision with a visit to the subject (object) of control and supervision with indication of the following information in it:

- 1) date, time and place of preparation of the prescription;
- 2) name of the control and supervision body;
- 3) surname, first name, patronymic (if it is specified in the identity document) and position of the person (s) who conducted (conducted) the verification and preventive control and supervision with the visit of the subject (object) of control and supervision;
- 4) name or surname, first name, patronymic (if it is specified in the identity document) of the subject of control and supervision, the position

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| 27 | <p>of a representative of a natural or legal person who was present during the verification and preventive control and supervision with a visit to the subject (object) of control and supervision;</p> <p>5) date, place and period of verification and preventive control and supervision with a visit to the subject (object) of control and supervision;</p> <p>6) list of detected violations in accordance with the items of the checklist with mandatory indication of the severity of the violation in accordance with subjective criteria for assessing the degree of risk;</p> <p>7) recommendations and instructions on possible certificate to eliminate the identified violations with indication of the terms of their elimination;</p> <p>8) information on familiarization or refusal to familiarize with the order of the representative of the subject of control and supervision (head of a legal entity or its authorized person, individual), as well as persons who were present during the verification and preventive control and supervision with a visit to the subject (object) of control and supervision, their signature or refusal to sign;</p> <p>9) signature of the official (s) who carried out (conducted) verification and preventive control and supervision with a visit to the subject (object) of control and supervision</p> | Significant |
| 28 | Presentation of requirements and making requests not related to the subject of verification and preventive control and supervision with a visit to the subject (object) of control and supervision | Gross |
| 29 | Appointment by the state bodies of verification and preventive control and supervision with a visit to the subject (object) of control and supervision on issues not within their competence | Gross |
| 30 | Observance of the frequency of verifications and preventive control and supervision with a visit to the | Gross |

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| | subject (object) of control and supervision | |
| 31 | <p>Provision to the subject of control and supervision of a report on the results of the verification, an order to eliminate the identified violations based on the results of the verification and preventive control and supervision with a visit to the subject (object) of control and supervision on the day of their completion, but not later than the end date of the verification specified in the certificates on the appointment of verification and preventive control and supervision with a visit to the subject (object) of control and supervision</p> | Gross |
| 32 | <p>Compliance by officials of the control and supervision body with the following responsibilities during control and supervision:</p> <ol style="list-style-type: none"> 1) comply with the legislation of the Republic of Kazakhstan, the rights and legitimate interests of the subjects (object) of control and supervision; 2) carry out verifications or preventive control and supervision with a visit to the subject (object) of control and supervision on the basis and in strict accordance with the procedure established by the Business Code of the Republic of Kazakhstan; 3) not to interfere with the established mode of operation of the subjects (object) of control and supervision during the period of verification or preventive control and supervision with the visit of the subject (object) of control and supervision; 4) timely and fully fulfill the powers granted in accordance with the laws of the Republic of Kazakhstan to prevent, detect and suppress violations; 5) not to prevent the subject of control and supervision from being present during the verification or preventive control and supervision with a visit to the subject (object) of | Significant |

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| | <p>control and supervision, to provide explanations on issues related to the subject of verification and preventive control and supervision with a visit to the subject (object) of control and supervision;</p> <p>6) provide the subject of control and supervision with the necessary information related to the subject of verification and preventive control and supervision with a visit to the subject (object) of control and supervision during their conduct;</p> <p>7) ensure the safety of documents and information obtained as a result of verification and preventive control and supervision with a visit to the subject (object) of control and supervision</p> | |
| 33 | <p>Suspension of verification and preventive control and supervision with visits to small businesses, including micro entrepreneurship in cases where such suspension is provided for by certificates of the President of the Republic of Kazakhstan</p> | Gross |
| <p>Criteria for compliance by control entities with the procedure for issuing permits of the first and second categories, receiving a notification for entrepreneurial certificate</p> | | |
| 1 | <p>Not a requirement from individuals and legal entities to have permits or notifications not provided for by the Law of the Republic of Kazakhstan " On Permits and Notifications" (hereinafter referred to as the Law)</p> | Significant |
| 2 | <p>Making a decision within three working days on renewal of the permit and (or) annex to the permit suspended by voluntary application to the permitting authority of an individual and legal entity that is the licensee or owner of the permit of the second category</p> | Significant |
| 3 | <p>Posting information on the issued permits, sent notifications, conditions for issuing permits and sending notifications on the web portal of the "electronic government" and the Internet resources of the subject (object) of control and supervision in Kazakh and Russian,</p> | Significant |

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| | with the exception of information containing state secrets and other secrets protected by law | |
| 4 | <p>Compliance by the subject (object) of control and supervision with the following responsibilities:</p> <ol style="list-style-type: none"> 1) carry out licensing and permitting procedures in accordance with the Law; 2) create the necessary conditions for persons with disabilities when they obtain permits; 3) provide in an accessible form complete and reliable information on licensing, permitting procedures, the list of documents required for this and the procedure for obtaining and issuing such documents; 4) provide state bodies and the State Corporation with documents and/or information necessary for licensing and permitting procedures, including through information systems; 5) take measures aimed at restoring the violated rights, freedoms and legitimate interests of applicants, licensees and holders of permits of the second category; 6) within its competence to ensure uninterrupted operation and filling of information systems containing the necessary information for issuing permits; 7) obtain written consent of applicants, licensees and holders of permits of the second category, including in the form of an electronic document, to use personal data of limited access, constituting a secret protected by law, contained in information systems, when issuing permits; 8) provide, at the request of the authorized investment body, information necessary for licensing and permitting procedures in relation to investors implementing investment priority projects in accordance with the Entrepreneurial Code of the Republic of Kazakhstan | Significant |
| 5 | Compliance by subjects (object) of control and supervision with the | Significant |

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| | requirements for the validity period of the permit | |
| 6 | The issuance of permits is carried out on an equal basis and equal conditions for all persons who meet the qualification or permitting requirements | Significant |
| 7 | Refusal to consider the applicant's documents during licensing and implementation of the permitting procedure only if the certificate of incompleteness of the submitted documents is established within two working days | Gross |
| 8 | Refusal to renew the license and (or) the application to the license in case of failure to submit or improper execution of documents, non-compliance of the applicant with the qualification requirements and if earlier the license and (or) the application to the license were re-issued to another legal entity from among the newly arising as a result of the division of legal entities-licensees | Gross |
| 9 | Receipt by the permitting authority of approvals (concomitant permits) of state authorities for compliance of the applicant with the established requirements, with the request by the permitting authority to obtain approvals to the relevant state authorities at the place of implementation of the applicant's upcoming certificate within two working days from the date of registration of the applicant's documents for obtaining the permit and (or) the appendix thereto | Gross |
| 10 | Issuance by the permitting authority of a permit and/or an annex to the permit to the applicant in case of delay in issuing the permit no later than five working days from the date of expiration of its issuance | Gross |
| 11 | Issuing a license and (or) an annex to the license at the place of registration of an individual or legal entity or a branch or representative office of a foreign legal entity, with the exception of licenses issued under | Significant |

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| | the class of "permits issued for object" that are issued at the place of their certificate | |
| 12 | <p>Not requiring applicants to submit the following documents;</p> <p>1) for legal entities engaged in activity in the financial sphere and activity related to the concentration of financial resources, as well as activity related to the circulation of civil and service weapons and cartridges for them, activity related to the circulation of narcotic drugs, psychotropic substances, precursors, activity related to the implementation of security activity - a copy of the charter (notarized in case of non-submission of originals for reconciliation);</p> <p>2) certificate of state registration (re-registration) of the applicant's legal entity - for the legal entity;</p> <p>3) a copy of the identification document - for an individual, if the licensor can obtain information about such documents from the relevant state information systems</p> | Significant |
| 13 | Issuing a license with a validity period without limiting its validity period | Significant |
| 14 | Issuing a license and/or an annex to the license or a reasoned refusal to issue them no later than fifteen working days, with the exception of licenses and/or appendices to licenses in the field of nuclear energy use, financial sphere and activity related to the concentration of financial resources, education sphere, hydrocarbon sphere, which are issued no later than thirty working days from the date of submission of the application with relevant documents | Gross |
| 15 | Do not charge the license fee when issuing applications to the license (duplicates of applications to the license), as well as in case of detection of errors in the issued permission and/or application to the permission | Significant |
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| 16 | <p>Refusal to issue a license and/or an appendix to the license in the following cases:</p> <ol style="list-style-type: none"> 1) activity is prohibited for this category of individuals or legal entities; 2) the license fee has not been entered; 3) the applicant does not meet the qualification requirements; 4) the licensor received a response from the relevant coordinating state body on the applicant's non-compliance with the requirements for licensing; 5) in relation to the applicant, there is a court decision (verdict) that has entered into legal force to suspend or prohibit activity or certain types of activity subject to licensing; 6) the court, on the basis of the submission of the bailiff, is temporarily prohibited from issuing a license to the applicant-debtor; 7) it is established that the documents submitted by the applicant for obtaining a license and (or) the data (information) contained in them are unreliable | Gross |
| 17 | <p>Reissue the license and/or the application to the license in the following cases:</p> <ol style="list-style-type: none"> 1) changes in the surname, first name, patronymic (if any) of the individual licensee; 2) re-registration of an individual licensee entrepreneur, change of his name or legal address; 3) reorganization of the legal entity-licensee in accordance with the procedure determined in accordance with the Law; 4) changes in the name and/or location of the licensee legal entity; 5) alienation by the licensee of the license issued under the class of "permits issued for object" together with the object in favor of third parties if the alienation of a specific license is provided for by Annex 1 to the Law; | Significant |

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| | <p>6) changing the address of the location of the object without its physical movement for the license, issued according to the class "permissions issued to object" or for applications to the license indicating object;</p> <p>7) availability of a requirement for re-registration in the Laws of the Republic of Kazakhstan</p> | |
| 18 | <p>When re-issuing a license and/or an annex, it is not required from applicants to provide other documents, except for:</p> <p>1) applications in the form approved by the authorized body in the field of permits and notifications, the National Bank of the Republic of Kazakhstan or the authorized body for the regulation, control and supervision of the financial market and financial organizations;</p> <p>2) for cases of renewal of the license - a document confirming the payment of the license fee, with the exception of payment through the payment gateway of "electronic government";</p> <p>3) copies of documents containing information on changes that served as the basis for reissuing the license and (or) an annex to the license, with the exception of documents, information from which is contained in state information systems</p> | Significant |
| 19 | <p>Failure of the licensor to verify the applicant's compliance with the qualification requirements during the renewal of the license and/or the application, except for re-registration during the reorganization of the licensee legal entity in the form of separation and separation</p> | Significant |
| | <p>Refusal to renew the license and/or the application to the license in cases of failure or improper execution by the applicant of the following documents:</p> <p>1) applications in the form approved by the authorized body in the field of permits and notifications, the National Bank of the Republic of Kazakhstan or the authorized body</p> | |

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| 20 | <p>for the regulation, control and supervision of the financial market and financial organizations;</p> <p>2) for cases of license renewal - a document confirming the payment of the license fee, with the exception of payment through the payment gateway of "electronic government";</p> <p>3) copies of documents containing information on changes that served as the basis for reissuing the license and (or) an appendix to the license, with the exception of documents, information from which is contained in state information systems, as well as in case of non-compliance of the applicant with qualification requirements</p> | Gross |
| 21 | <p>Execution of a license and/or application to licenses in electronic form in compliance with the following requirements:</p> <p>1) if the applicant applies for a permit and/or an annex to the permit on paper, the permit and/or annex to the permit shall be executed in electronic form, printed and certified by the seal of the permitting authority and the signature of the head of the permitting authority;</p> <p>2) the permit and/or the permit annex shall be issued in hard copy if it is not possible to issue the permit and/or the permit annex in electronic form</p> | Minor |
| 22 | <p>Reissue the license and (or) the application to the license by the licensor within three working days from the date of submission of documents, except for reissue of the license during reorganization of the legal entity in the form of separation or separation</p> | Gross |
| 23 | <p>Re-registration of a newly created legal entity as a result of the merger of several legal entities-licensees having licenses for the same licensed type of activity or subspecies of the licensed type of activity, only one license and/or an annex to the license at the applicant's choice</p> | Significant |
| | <p>Not the product of re-registration of the license of the attached legal</p> | |

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| 24 | entity to the legal entity to which the legal entity joins, if the joined legal entity and the legal entity to which the joined legal entity joins have licenses for the same licensed type of activity or subspecies of the licensed type of activity | Significant |
| 25 | <p>The permitting authority shall refuse to renew the license and/or the annex to the license initiated during the reorganization of the licensee legal entity in the form of division on the following grounds:</p> <ol style="list-style-type: none"> 1) failure to submit or improper execution of documents; 2) non-compliance of the applicant with the qualification requirements; 3) if earlier the license and/or the application to the license were re-issued to another legal entity from among the newly arising as a result of the division of legal entities-licensees | Significant |
| 26 | <p>Licensors shall issue a re-issued license (or) an appendix to the license in the event of reorganization of the licensee legal entity in the form of separation or separation no later than fifteen business days, except for licenses and (or) appendices to licenses in the field of atomic energy use, financial sphere and activity related to the concentration of financial resources, the field of import and export of products subject to export control, the field of education, the field of hydrocarbons, which are re-issued no later than thirty working days from the date of submission of an application with documents or the provision of a reasoned refusal within the specified period</p> | Gross |
| | <p>Termination of the license and/or application to the license in the following cases:</p> <ol style="list-style-type: none"> 1) expiration of the period for which they were issued; 2) performing activities (operations) in full, for the implementation of which they were issued; | |

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| 27 | <p>3) deprivation (revocation) of the license and/or application to the license;</p> <p>4) termination of the activity of an individual, liquidation of a legal entity;</p> <p>5) voluntary application of the licensee to the licensor on termination of the license and (or) annex to the license;</p> <p>6) exclusion of a license or a certain type of activity and/or type of activity or activity (operation) from Annex 1 to the Law;</p> <p>7) exclusion of the licensee from the number of persons subject to licensing</p> | Significant |
| 28 | Compliance by permitting authorities with special licensing conditions for certain types of activity in the fields of gambling business, architecture, urban planning and construction and use of nuclear energy | Significant |
| 29 | Compliance by permitting authorities with the general provisions on export and import licensing | Significant |
| 30 | Compliance by the permitting authority with the deadlines for issuing permits of the second category | Gross |
| 31 | Implementation by the permitting authority of a reasoned refusal to issue a permit of the second category to the applicant within the time frame established for issuing a permit of the second category | Gross |
| 32 | Execution by the permitting authority of the issuance of duplicates of the permit and/or the annex to the permit with the inscription "duplicate" in the upper right corner and indicating the date of the initial issuance of the permit and/or the annex to the permit and the date of their re-issuance within two working days from the date of submission of the relevant application | Significant |
| | Implementation by the permitting authority within two working days | |

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| 33 | from the date of submission by the applicant of the relevant application of the necessary changes to the state electronic register of permits and notifications and issuance of the permit and/or the annex to the permit with the corresponding corrections (in case of detection of errors in the issued permit and/or the annex to the permit) | Significant |
| 34 | Proper implementation by the permitting authority of the suspension of the permit and/or the annex to the permit | Significant |
| 35 | The permitting authority shall verify the elimination of violations within ten working days from the date of submission by the applicant of the application for elimination of violations | Significant |
| 36 | In case of failure by the licensee or the permit holder of the second category of application for elimination of violations that were the basis for suspension of the permit and (or) the annex to the permit before the expiration of the suspension period, initiation by the permitting authority of the procedure for deprivation (withdrawal) of the permit and (or) the annex to the permit within ten working days from the date of expiration of the suspension period | Significant |
| 37 | Proper implementation by the permitting authority of the deprivation (revocation) of the permit | Significant |
| 38 | Not requesting from applicants' documents and other information that can be obtained from state electronic information resources during the notification procedure for carrying out activity | Significant |
| 39 | Issuance by the government agencies that accept notifications to applicants within three working days from the date of application of the certificate from the state electronic register of permits and notifications on notifications sent by applicants | Gross |
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| 40 | Inclusion by permitting authorities in the state electronic register of permits and notifications of information on the performed permits in paper form simultaneously with the implementation of the permits, with the exception of permits that are not subject to automation | Significant |
| 41 | Maintenance by permitting authorities on a permanent basis of the state electronic register of permits and notifications with mandatory entry of relevant information, in case of suspension of activity or certain types of activity or actions (inactions) of an individual or legal entity | Significant |
| 42 | The subject (object) of control and supervision shall exclude the notification from the state electronic register of permits and notifications at the request of the applicant, by a court decision on the prohibition of activity or certain types of activity or actions of an individual or legal entity | Significant |
| Criteria for compliance by subjects with the procedure for implementing state support | | |
| 1 | Timely consideration of applications of private enterprises in the implementation of state support | Gross |
| 2 | Timely and appropriate implementation of state support to private enterprises | Gross |
| 3 | Timely and informed decision to provide or refuse to provide state support measures to private enterprises | Gross |

Annex 2
to the order of the Minister
of the National Economy
of the Republic of Kazakhstan
dated October 31, 2018 № 49

Check list in the field of support and protection of business entities on compliance by subjects with the procedure for exercising state control and supervision in the fields of activity of private business entities

Footnote. The checklist is in the revision of the order of the Minister of National Economy of the Republic of Kazakhstan dated 30.06.2021 № 67 shall enter into force upon expiry of ten calendar days after the day of its first official publication).

with respect to: state bodies and their territorial subdivisions (if any) _____

(name of homogeneous group of control and supervision subjects)

The state body that appointed the verification: _____

Certificate on the appointment of verification/preventive control and supervision with a visit to the subject (object) of control and supervision

(date №)

Name of the subject of control _____

(Individual identification number), business identification number of the subject of control _____

Address of the location of the _____

| № r/n | List of requirements | Required | Not required | Conform to requirements | Not conform to requirements |
|-------|--|----------|--------------|-------------------------|-----------------------------|
| 1 | Availability of risk assessment criteria used for the special procedure for conducting verifications approved by a joint certificate of regulatory state bodies and the authorized enterprise body and posted on the Internet resources of regulatory state bodies | | | | |
| | Conduct by the control and supervision body of the analysis of the reporting submitted by private business entities, the results of | | | | |

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| 2 | <p>unscheduled verifications and preventive control and supervision with a visit to the subjects (facilities) of control and supervision, other information for preventive control and supervision with a visit to the subject (object) of control and supervision</p> | | | | |
| 3 | <p>Availability of certificates concerning criteria for assessing the degree of risk for selection of subjects (object) of control and supervision during preventive control and supervision with a visit to the subject (object) of control and supervision and verifications approved by the regulatory state body together with the authorized enterprise body and posted on the Internet resources of regulatory state bodies</p> | | | | |
| 4 | <p>Availability of checklists in the field of private enterprise approved by a joint certificate of the regulatory state body and the authorized</p> | | | | |

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| | enterprise body and posted on the Internet resources of regulatory state bodies | | | | |
| 5 | Conducting verification according to a special procedure for conducting verifications and preventive control and supervision with a visit to a subject (object) of control and supervision in relation to a specific subject (object) of control and supervision on the basis of a semi-annual schedule and a semi-annual list approved by a regulatory state body or a local executive body | | | | |
| | Conducting unscheduled verifications in relation to a specific subject (object) of control and supervision on the following grounds: 1) monitoring the implementation of prescriptions (resolutions, submissions, notifications) on the elimination of detected gross violations determined in the criteria for assessing the degree of risk as a result of verification and preventive | | | | |

control and supervision with a visit to the subject (object) of control and supervision;

2) monitoring the implementation of prescriptions (resolutions, submissions, notifications) on the elimination of detected significant and minor violations determined in the criteria for assessing the degree of risk, as a result of verification and preventive control and supervision with a visit to the subject (object) of control and supervision in cases where the subject has not provided information more than once on the elimination of detected violations and (or) has not eliminated violations;

3) appeals of individuals and legal entities on specific facts of violations, the non-elimination of which entails harm to human life and health;

4) appeals of individuals and legal entities on specific facts of harm to life,

human health, the environment and the legitimate interests of individuals and legal entities, the state, with the exception of appeals of individuals and legal entities (consumers) whose rights have been violated, and appeals from state bodies;

5) appeals of individuals and legal entities (consumers) whose rights shall be violated;

6) instructions of the prosecutor's office on specific facts of infliction or on the threat of harm to life, human health, the environment and the legitimate interests of individuals and legal entities, the state;

7) appeals of state bodies on specific facts of harm to life, human health, the environment and the legitimate interests of individuals and legal entities, the state, as well as on specific facts of violations, the elimination of which entails harm to human life and health;

8)
counter-verification against third

parties with whom the subject of control and supervision had civil relations in order to obtain the information necessary for verification;

9) repeated verification related to the appeal of the subject of control and supervision about disagreement with the initial verification;

10) order of the criminal prosecution body on the grounds provided for by the Criminal Procedure Code of the Republic of Kazakhstan;

11) the results of the selection and sanitary and epidemiological examination of products in cases of detection of violations of the requirements of the legislation of the Republic of Kazakhstan in the field of sanitary and epidemiological well-being of the population, hygienic standards and technical regulations that pose a danger to life, human health and habitat

Conducting verification on

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| 7 | <p>the basis of a special procedure for conducting verifications based on an assessment of the degree of risk, preventive control and supervision with a visit to the subject (object) control and supervision and unscheduled verification during working hours of a private enterprise entity established by the internal labor regulations, with the exception of unscheduled verifications, which are carried out after hours (night, weekend or holidays) in cases where it is necessary to suppress violations immediately at the time of their commission</p> | | | | |
| 8 | <p>Not conducting verifications according to a special procedure for conducting verifications, preventive control and supervision with a visit to a subject (object) of control and supervision in relation to small businesses, including micro-enterprises, within three years from the date of</p> | | | | |

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| | state registration (except for created legal entities in the procedure of reorganization and successors of reorganized legal entities) | | | | |
| 9 | Do not conduct unscheduled verifications on anonymous requests | | | | |
| 10 | Conducting unscheduled verifications on the facts and circumstances identified in relation to specific entities of private enterprise, which could not be the basis for the appointment of an unscheduled verification | | | | |
| 11 | Conducting unscheduled verifications for a previously audited period, with the exception of tax audits carried out at the request of the taxpayer himself (tax agent), on the request for the return of the excess value added tax amounts specified in the value added tax return, on the tax application of the taxpayer to confirm the reliability of the excess value added tax | | | | |

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| | <p>amounts, in connection with the complaint of the taxpayer (tax agent) to the notification of the results of the audit</p> | | | | |
| 12 | <p>Verification, preventive control and supervision with a visit to the subject (object) of control and supervision on the basis of certificates on the appointment of verification, preventive control and supervision</p> | | | | |
| | <p>Indication in the certificate on the purpose of verification of the following information:</p> <ol style="list-style-type: none"> 1) certificate number and date; 2) the name of the state body; 3) surname, first name, patronymic (if it is specified in the identity document) and position of the person (s) authorized to conduct the verification; 4) information on specialists, consultants and experts involved in the audit; 5) the name of the subject of control and supervision or the surname, name, | | | | |

patronymic (if it is indicated in the identity document) of the individual in respect of whom the verification is scheduled, his location, identification number, list of objects of control and supervision, a section of the territory.

In case of branch verification and (or) representation of a legal entity, its name and location shall be indicated in the verification appointment certificate;

6) subject of the assigned verification;

7) verification period;

8) legal grounds for the verification, including regulatory legal certificates, the mandatory requirements of which are subject to verification;

9) the period to be verified;

10) rights and obligations of the subject of control and supervision;

11) signature of the person authorized to sign the certificates and seal of the state body;

12) signature of the head of a

legal entity or its authorized person , an individual on receipt or refusal to receive certificate on the appointment of verification.

Indication in the certificate on the appointment of preventive control and supervision with a visit to the subject (object) of control and supervision of the following information:

- 1) certificate number and date;
- 2) the name of the state body;
- 3) surname, first name, patronymic (if it is specified in the identity document) and the position of the person (s) authorized to conduct preventive control and supervision with a visit to the subject (object) of control and supervision;
- 4) information on specialists, consultants and experts involved in preventive control and supervision with a visit to the subject (object) of control and supervision;
- 5) the name of the subject of control and

supervision or the surname, name, patronymic (if it is specified in the identity document) of the individual in respect of whom preventive control and supervision is appointed with a visit to the subject (object) of control and supervision, its location, identification number, list of object of control and supervision, site of territory.

In case of preventive control and supervision with a visit to the subject (object) of control and supervision of the branch and (or) representation of the legal entity, its name and location shall be indicated in the certificate on appointment of preventive control and supervision with a visit to the subject (object) of control and supervision;

6) the subject of the appointed preventive control and supervision with a visit to the subject (object) of control and supervision;

7) the period of preventive control and supervision with a visit to the subject (object) of control and supervision;

8) legal grounds for conducting preventive control and supervision with a visit to the subject (object) of control and supervision, including the requirements of check lists;

9) rights and obligations of the subject of control and supervision;

10) signature of the person authorized to sign the certificates and seal of the state body;

11) signature of the head of a legal entity or its authorized person , an individual on receipt or refusal to receive an certificate on the appointment of preventive control and supervision with a visit to the subject (object) of control and supervision

Registration of the certificate of appointment, additional certificate of extension of the terms of verification and

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| 14 | preventive control and supervision with a visit to the subject (object) of control and supervision | | | | |
| 15 | Written notification of the subject (object) of control and supervision on the beginning of the verification according to a special procedure for conducting verifications at least thirty calendar days before the start of the verification itself, indicating the date of the verification and the subject of the verification | | | | |
| 16 | Notification of the subject (object) of control and supervision on the start of an unscheduled verification and preventive control and supervision with a visit to the subject (object) control and supervision at least a day before the start of the verification itself and preventive control and supervision with a visit to the subject (object) of control and supervision with indication of the subject of verification and | | | | |

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| | preventive control and supervision with a visit to the subject (object) of control and supervision | | | | |
| 17 | Drawing up a protocol in case of refusal by the subject (object) of control and supervision to adopt an certificate on the appointment of verification or preventive control and supervision with a visit to the subject (object) control and supervision or obstruction of access of an official of a control and supervision body carrying out verification or preventive control and supervision with a visit to the subject (object) of control and supervision, to the materials necessary for verification or preventive control and supervision with a visit to the subject (object) of control and supervision signed by an official of the control and supervision body carrying out verification or | | | | |

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| | <p>preventive control and supervision with a visit to the subject (object) of control and supervision, and an authorized person of the subject (object) of control and supervision</p> | | | | |
| 18 | <p>Availability of notification of the subject (object) of control and supervision and the authorized body in the field of legal statistics and special accounting in cases of replacement of the composition of officials conducting verification and preventive control and supervision with the visit of the subject (object) control and supervision, before participation in the verification of persons not specified in the certificate on the appointment of verification or preventive control and supervision with a visit to the subject (object) control and supervision, indicating the reason for the replacement</p> | | | | |
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Verification and preventive control and supervision with a visit to the subject (object) of control and supervision, taking into account the scope of upcoming work, as well as the tasks set:

1) for micro-business entities - no more than five working days and with an extension of up to five working days ;

2) for small, medium and large business entities, as well as control and supervision entities that are not private business entities:

during unscheduled verifications - no more than ten working days and with an extension of up to ten working days;

during verifications carried out according to a special procedure and preventive control and supervision with a visit to the subject (object) of control and supervision - no more than fifteen working days and with an extension to fifteen working days;

3) in the field of veterinary medicine, quarantine and plant protection, seed production, grain and cotton market - no more than five working days and with an extension to five working days;

4) in the field of compliance with the labor legislation of the Republic of Kazakhstan in terms of safety and labor protection at construction sites, taking into account their technical complexity: related to technically complex facilities - no more than five working days and with an extension of up to five working days ;

not related to technically complex object - no more than four hours of the working day and with an extension to eight hours of the working day.

Extension of the verification and preventive control and supervision with the visit of the subject (object) of control and supervision only once by the head

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of the control and supervision body (or by the person ensuring the obligations as such) if necessary :

- 1) receiving information from foreign state bodies within the framework of international treaties of the Republic of Kazakhstan;
- 2) establishing the location of the person in respect of whom verification and preventive control and supervision are carried out with a visit to the subject (object) of control and supervision;
- 3) obtaining the results of laboratory studies of sanitary and epidemiological expertise

Execution of an additional certificate on the extension of verification and preventive control and supervision with a visit to the subject (object) control and supervision with registration with the authorized body for legal statistics and special accounts and indicating the number and date

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| 21 | <p>of registration of the previous certificate on the appointment of verification or preventive control and supervision with a visit to the subject (object) control and supervision and reasons for extension in case of extension of verification and preventive control and supervision terms with visit of the subject (object) control and supervision</p> | | | | |
| 22 | <p>Provision of notification of the subject (object) of control and supervision on the extension of the terms of verification and preventive control and supervision with a visit to the subject (object) of control and supervision one working day before the extension</p> | | | | |
| 23 | <p>Product sampling by an official of the control and supervision body in the availability of the head or representative of the subject under verification and an authorized person of the subject under verification,</p> | | | | |

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| | certified by the product sampling certificate | | | | |
| 24 | Indication in the product sampling certificate of the place and date of preparation, number and date of the decision of the head of the control and supervision body, on the basis of which sampling of products, position, surname, names and patronymics is carried out (if they are indicated in the identity document) of the officials taking product samples, the name and location of the subject to be checked, from which the product samples are taken, position and surname, name, patronymic (if it is specified in the identity document) of the authorized person of the subject under verification, the list and number of selected product samples with indication of the manufacturer production date, batch (lot number), total sample cost, packaging type and seal number (seals) | | | | |
| | Observance of restrictions | | | | |

during verification and preventive control and supervision with a visit to the subject (object) of control and supervision:

1) check compliance with the requirements not established in the check lists of this control and supervision body, as well as if such requirements do not fall within the competence of the state body on whose behalf these official's certificate;

2) require the provision of documents, information, product samples, samples of verification of environmental facilities and industrial environment facilities, if they are not object of verification or do not belong to the subject of verification;

3) take samples of products, samples of verification of environmental facilities and industrial environment facilities for their studies, tests, measurements without drawing up protocols on

the collection of these samples, samples according to the established form and (or) in an amount exceeding the standards established by national standards, rules for sampling, samples and methods of their studies, tests, measurements, technical regulations or other regulatory technical documents, rules and methods of studies, tests, measurements valid until the date of their entry into force;

4) disclose and (or) distribute information obtained as a result of verification and preventive control and supervision with a visit to the subject (object) of control and supervision and constituting a commercial, tax or other secret protected by law;

5) exceed the established terms of verification and preventive control and supervision with a visit to the

subject (object) of control and supervision;
6) conduct verification or preventive control and supervision with a visit to the subject (object) of control and supervision, in respect of which a check or preventive control and supervision was previously carried out with a visit to the subject (object) of control and supervision by its higher (lower) body or other state body on the same issue for the same period;
7) to carry out measures of a costly nature for the purpose of state control at the expense of subjects (object) of control and supervision

Drawing up a report on the results of the verification with the following information in it:
1) date, time and place of drawing up the certificate;
2) name of the control and supervision body;
3) date and number of the certificate of appointment of the verification

on the basis of which the verification was carried out;

4) surname, first name, patronymic (if it is specified in the identity document) and position of the person (s) who conducted the check;

5) name or surname, first name, patronymic (if it is specified in the document certifying the identity) of the subject (object) of control and supervision, position of the representative of the individual or legal entity present during the verification;

6) date, place and period of verification;

7) information on the results of the verification, including the revealed violations, their nature;

8) the name of the checklist and the points of the requirements for which violations were identified;

9) information on familiarization or refusal to familiarize with the certificate of the representative of the subject (object) of control and supervision,

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| <p>as well as persons present during the verification, their signature or refusal to sign;</p> <p>10) signature of the official (s) who carried out the verification</p> | | | |
| <p>Preparation of the order on elimination of the identified violations based on the results of verification and preventive control and supervision with a visit to the subject (object) of control and supervision with indication of the following information in it:</p> <p>1) date, time and place of preparation of the prescription;</p> <p>2) name of the control and supervision body;</p> <p>3) surname, first name, patronymic (if it is specified in the identity document) and position of the person (s) who conducted (conducted) the verification and preventive control and supervision with the visit of the subject (object) of control and supervision;</p> <p>4) name or surname, first name, patronymic (if it is specified</p> | | | |

in the identity document) of the subject of control and supervision, the position of a representative of a natural or legal person who was present during the verification and preventive control and supervision with a visit to the subject (object) of control and supervision;

5) date, place and period of verification and preventive control and supervision with a visit to the subject (object) of control and supervision;

6) list of detected violations in accordance with the items of the checklist with mandatory indication of the severity of the violation in accordance with subjective criteria for assessing the degree of risk;

7) recommendations and instructions on possible actions to eliminate the identified violations with indication of the terms of their elimination;

8) information on familiarization or refusal to

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| | <p>familiarize with the order of the representative of the subject of control and supervision (head of a legal entity or its authorized person, individual), as well as persons who were present during the verification and preventive control and supervision with a visit to the subject (object) of control and supervision, their signature or refusal to sign;</p> <p>9) signature of the official (s) who carried out (conducted) verification and preventive control and supervision with a visit to the subject (object) of control and supervision</p> | | | | |
| 28 | <p>Non-presentation of requirements and making requests not related to the subject of verification and preventive control and supervision with a visit to the subject (object) of control and supervision</p> | | | | |
| | <p>Non-presentation of requirements and making requests not related to the subject of</p> | | | | |

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| 29 | verification and preventive control and supervision with a visit to the subject (object) of control and supervision | | | | |
| 30 | Observance of the frequency of verifications and preventive control and supervision with a visit to the subject (object) of control and supervision | | | | |
| 31 | Provision to the subject of control and supervision of the report on the results of the verification, the order to eliminate the identified violations based on the results of the verification and preventive control and supervision with a visit to the subject (object) of control and supervision on the day of their completion, but not later than the deadline for the verification specified in the report on the purpose of the verification and preventive control and supervision | | | | |
| | Compliance by officials of the control and supervision body with the | | | | |

following responsibilities during control and supervision:

- 1) comply with the legislation of the Republic of Kazakhstan, the rights and legitimate interests of the subjects (object) of control and supervision;
- 2) carry out verifications or preventive control and supervision with a visit to the subject (object) of control and supervision on the basis and in strict accordance with the procedure established by the Business Code of the Republic of Kazakhstan;
- 3) not to interfere with the established mode of operation of the subjects (object) of control and supervision during the period of verification or preventive control and supervision with the visit of the subject (object) of control and supervision;
- 4) timely and fully fulfill the powers granted in accordance with the Laws of the Republic of Kazakhstan to

prevent, detect and suppress violations;

5) not to prevent the subject of control and supervision from being present during the verification or preventive control and supervision with a visit to the subject (object) of control and supervision, to provide explanations on issues related to the subject of verification and preventive control and supervision with a visit to the subject (object) of control and supervision;

6) provide the subject of control and supervision with the necessary information related to the subject of verification and preventive control and supervision with a visit to the subject (object) of control and supervision during their conduct;

7) ensure the safety of documents and information obtained as a result of verification and

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| | preventive control and supervision with a visit to the subject (object) of control and supervision | | | | |
| 33 | Suspension of verification and preventive control and supervision with visits to small businesses, including micronutrients, in cases where such suspension is provided for by certificates of the President of the Republic of Kazakhstan | | | | |

Officer (s) _____

(position) (signature) (last name, first name, patronymic (if any))

Head of the subject of control and supervision _____

(Surname, first name, patronymic (if any))

Annex 3
to the order of the Minister
of the National Economy
of the Republic of Kazakhstan
dated October 31, 2018 № 49

Check list in the field of support and protection of business entities for compliance by subjects with the procedure for issuing permits of the first and second categories, receiving a notification for entrepreneurial activity

Footnote. The checklist - in the revision of the order of the Minister of National Economy of the Republic of Kazakhstan dated 30.06.2021 № 67 shall enter into force upon expiry of ten calendar days after the day of its first official publication).

with respect to: state bodies and their territorial subdivisions (if any) _____

(name of homogeneous group of control and supervision subjects)

The state body that appointed the verification _____

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Certificate on the appointment of verification/preventive control and supervision with a visit to the subject (object) of control and supervision _____

(date №)

Name of the subject of control _____

(Individual identification number), business identification number of the subject of control _____

Address of the location _____

| № r/n | List of requirements | Required | Not required | Conform the requirement | Not meet the requirements |
|-------|---|----------|--------------|-------------------------|---------------------------|
| 1 | Not a requirement from individuals and legal entities to have permits or notifications not provided for by the Law of the Republic of Kazakhstan "On Permits and Notifications" (hereinafter referred to as the Law) | | | | |
| 2 | Making a decision within three working days on renewal of the permit and (or) Annex to the permit suspended by voluntary application to the permitting authority of an individual and legal entity that shall be the licensee or owner of the permit of the second category | | | | |
| | Posting information on the issued permits , sent | | | | |

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notifications, conditions for issuing permits and sending notifications on the web portal of the "electronic government" and the Internet resources of the subject (object) of control and supervision in Kazakh and Russian, with the exception of information containing state secrets and other secrets protected by the Law

Compliance by the subject (object) of control and supervision with the following responsibilities:
1) carry out licensing and permitting procedures in accordance with the Law;
2) create the necessary conditions for persons with disabilities when they obtain permits;
3) provide in an accessible form complete and reliable information on licensing, permitting procedures, the list of documents required for this and the procedure

for obtaining and issuing such documents;

4) provide state bodies and the State Corporation with documents and/or information necessary for licensing and permitting procedures, including through information systems;

5) take measures aimed at restoring the violated rights, freedoms and legitimate interests of applicants, licensees and holders of permits of the second category;

6) within its competence to ensure uninterrupted operation and filling of information systems containing the necessary information for issuing permits;

7) obtain written consent of applicants, licensees and holders of permits of the second category, including in the form of an electronic document, to use personal data of limited access, constituting a secret protected

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| | <p>by law, contained in information systems, when issuing permits;</p> <p>8) provide, at the request of the authorized investment body, information necessary for licensing and permitting procedures in relation to investors implementing investment priority projects in accordance with the Entrepreneurial Code of the Republic of Kazakhstan</p> | | | | |
| 5 | <p>Compliance by subjects (objects) of control and supervision with the requirements for the validity period of the permit</p> | | | | |
| 6 | <p>The issuance of permits shall be carried out on an equal basis and equal conditions for all persons who meet the qualification or permitting requirements</p> | | | | |
| 7 | <p>Refusal to consider the applicant's documents during licensing and implementation of the permitting procedure only if the fact of incompleteness of the submitted</p> | | | | |

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| | documents is established within two working days | | | | |
| 8 | Refusal to renew the license and (or) the application to the license in case of failure to submit or improper execution of documents, non-compliance of the applicant with the qualification requirements and if earlier the license and (or) the application to the license have been re-issued to another legal entity from among the newly arising as a result of the division of legal entities-licensees | | | | |
| 9 | Receipt by the permitting authority of approvals (concomitant permits) of state authorities for compliance of the applicant with the established requirements, with the request by the permitting authority to obtain approvals to the relevant state authorities at the place of implementation of the applicant's upcoming activities within two working days from the date of registration of the | | | | |

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| | applicant's documents for obtaining the permit and (or) the appendix thereto | | | | |
| 10 | Issuance by the permitting authority of a permit and/or an appendix to the permit to the applicant in case of delay in issuing the permit no later than five working days from the date of expiration of its issuance | | | | |
| 11 | Issuing a license and (or) an annex to the license at the place of registration of an individual or legal entity or a branch or representative office of a foreign legal entity, with the exception of licenses issued under the class of "permits issued for objects" that are issued at the place of their activity | | | | |
| | Not requiring applicants to submit the following documents; 1) for legal entities engaged in activities in the financial sphere and activities related to the concentration of financial resources, as well | | | | |

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| 12 | <p>as activities related to the circulation of civil and service weapons and cartridges for them, activities related to the circulation of narcotic drugs, psychotropic substances, precursors, activities related to the implementation of security activities - a copy of the charter (notarized in case of non-submission of originals for reconciliation);</p> <p>2) certificate of state registration (re-registration) of the applicant's legal entity - for the legal entity;</p> <p>3) a copy of the identification document - for an individual, if the licensor can obtain information about such documents from the relevant state information systems</p> | | | | |
| 13 | <p>Issuing a license with a validity period without limiting its validity period</p> | | | | |
| | <p>Issuing a license and/or an annex to the license or a reasoned refusal to issue them no later than fifteen working days,</p> | | | | |

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| 14 | <p>with the exception of licenses and/or annexes to licenses in the field of nuclear energy use, financial sphere and activities related to the concentration of financial resources, education sphere, hydrocarbon sphere, which are issued no later than thirty working days from the date of submission of the application with relevant documents</p> | | | | |
| 15 | <p>Do not charge the license fee when issuing applications to the license (duplicates of applications to the license), as well as in case of detection of errors in the issued permission and/or application to the permission</p> | | | | |
| | <p>Refusal to issue a license and/or an annex to the license in the following cases: 1) activity shall be prohibited for this category of individuals or legal entities; 2) the license fee has not been entered; 3) the applicant does not meet the</p> | | | | |

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qualification requirements;
4) the licensor received a response from the relevant coordinating state body on the applicant's non-compliance with the requirements for licensing;
5) in relation to the applicant, there shall be a court decision (verdict) that has entered into legal force to suspend or prohibit activities or certain types of activities subject to licensing;
6) the court, on the basis of the submission of the bailiff, is temporarily prohibited from issuing a license to the applicant-debtor;
7) it shall be established that the documents submitted by the applicant for obtaining a license and (or) the data (information) contained in them are unreliable

Reissue the license and/or the application to the license in the following cases:
1) changes in the surname, first name, patronymic (if any) of the

individual licensee;

2) re-registration of an individual licensee entrepreneur, change of his name or legal address;

3) reorganization of the legal entity-licensee in accordance with the procedure determined in accordance with the Law;

4) changes in the name and/or location of the licensee legal entity;

5) alienation by the licensee of the license issued under the class of "permits issued for objects" together with the object in favor of third parties if the alienation of a specific license is provided for by Annex 1 to the Law;

6) changing the address of the location of the object without its physical movement for a license issued according to the class "permits issued to objects" or for applications to the license indicating objects ;

7) availability of a requirement for re-registration in

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| 18 | <p>the Laws of the Republic of Kazakhstan</p> <p>When re-issuing a license and/or an Annexes, it is not required from applicants to provide other documents, except for:</p> <ol style="list-style-type: none"> 1) applications in the form approved by the authorized body in the field of permits and notifications, the National Bank of the Republic of Kazakhstan or the authorized body for the regulation, control and supervision of the financial market and financial organizations; 2) for cases of renewal of the license - a document confirming the payment of the license fee, with the exception of payment through the payment gateway of "electronic government"; 3) copies of documents containing information on changes that served as the basis for reissuing the license and (or) an Annex to the license, with the exception of documents, | | | | |
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| | information from which is contained in state information systems | | | | |
| 19 | Failure of the licensor to verify the applicant's compliance with the qualification requirements during the renewal of the license and/or the application, except for re-registration during the reorganization of the licensee legal entity in the form of separation and separation | | | | |
| | Refusal to renew the license and/or the application to the license in cases of failure or improper execution by the applicant of the following documents: 1) applications in the form approved by the authorized body in the field of permits and notifications, the National Bank of the Republic of Kazakhstan or the authorized body for the regulation, control and supervision of the financial market and financial organizations; 2) for cases of license renewal - a document | | | | |

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confirming the payment of the license fee, with the exception of payment through the payment gateway of "electronic government";
3) copies of documents containing information on changes that served as the basis for reissuing the license and (or) an Annex to the license, with the exception of documents, information from which is contained in state information systems, as well as in case of non-compliance of the applicant with qualification requirements

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Execution of a license and/or application to licenses in electronic form in compliance with the following requirements:
1) if the applicant applies for a permit and/or an Annex to the permit on paper, the permit and/or Annex to the permit shall be executed in electronic form, printed and certified by the seal of the permitting

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| | <p>authority and the signature of the head of the permitting authority;</p> <p>2) the permit and/or the permit annex shall be issued in hard copy if it is not possible to issue the permit and/or the permit annex in electronic form</p> | | | | |
| 22 | <p>Reissue the license and (or) the application to the license by the licensor within three working days from the date of submission of documents, except for reissue of the license during reorganization of the legal entity in the form of separation or separation</p> | | | | |
| 23 | <p>Re-registration of a newly created legal entity as a result of the merger of several legal entities-licensees having licenses for the same licensed type of activity or subspecies of the licensed type of activity, only one license and/or an annex to the license at the applicant's choice</p> | | | | |
| | <p>Not the product of re-registration of the license of</p> | | | | |

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| 24 | <p>the attached legal entity to the legal entity to which the legal entity joins, if the joined legal entity and the legal entity to which the joined legal entity joins have licenses for the same licensed type of activity or subspecies of the licensed type of activity</p> | | | | |
| 25 | <p>The permitting authority shall refuse to renew the license and/or the Annex to the license initiated during the reorganization of the licensee legal entity in the form of division on the following grounds:</p> <ol style="list-style-type: none"> 1) failure to submit or improper execution of documents; 2) non-compliance of the applicant with the qualification requirements; 3) if earlier the license and/or the application to the license were re-issued to another legal entity from among the newly arising as a result of the division of legal entities-licensees | | | | |
| | <p>Licensors shall issue a re-issued</p> | | | | |

license (or) an Annex to the license in the event of reorganization of the licensee legal entity in the form of separation or separation no later than fifteen business days, except for licenses and (or) Annexes to licenses in the field of atomic energy use, financial sphere and activities related to the concentration of financial resources, the field of import and export of products subject to export control, the field of education, the field of hydrocarbons, which are re-issued no later than thirty working days from the date of submission of an application with documents or the provision of a reasoned refusal within the specified period

Termination of the license and/or application to the license in the following cases:
1) expiration of the period for which they were issued;
2) performing actions (

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| 27 | <p>operations) in full , for the implementation of which they were issued;</p> <p>3) deprivation (revocation) of the license and/or application to the license;</p> <p>4) termination of the activities of an individual, liquidation of a legal entity;</p> <p>5) voluntary application of the licensee to the licensor on termination of the license and (or) Annex to the license;</p> <p>6) exclusion of a license or a certain type of activity and/or subspecies of activity or action (operation) from Annex 1 to the Law;</p> <p>7) exclusion of the licensee from the number of persons subject to licensing</p> | | | | |
| 28 | <p>Compliance by permitting authorities with special licensing conditions for certain types of activities in the fields of gambling business, architecture, town planning and construction and use of nuclear energy</p> | | | | |
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| 29 | Compliance by permitting authorities with the general provisions on export and import licensing | | | | |
| 30 | Compliance by the permitting authority with the deadlines for issuing permits of the second category | | | | |
| 31 | Implementation by the permitting authority of a reasoned refusal to issue a permit of the second category to the applicant within the time frame established for issuing a permit of the second category | | | | |
| 32 | Execution by the permitting authority of the issuance of duplicates of the permit and/or the Annex to the permit with the inscription "duplicate" in the upper right corner and indicating the date of the initial issuance of the permit and/or the Annex to the permit and the date of their re-issuance within two working days from the date of submission of the relevant Annex | | | | |
| | Implementation by the permitting | | | | |

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| 33 | <p>authority within two working days from the date of submission by the applicant of the relevant application of the necessary changes to the state electronic register of permits and notifications and issuance of the permit and/or the Annex to the permit with the corresponding corrections (in case of detection of errors in the issued permit and /or the Annex to the permit)</p> | | | | |
| 34 | <p>Proper implementation by the permitting authority of the suspension of the permit and/or the Annex to the permit</p> | | | | |
| 35 | <p>The permitting authority shall check the elimination of violations within ten working days from the date of submission by the applicant of the application for elimination of violations</p> | | | | |
| | <p>In case of failure by the licensee or the permit holder of the second category of application for elimination of violations that were the basis for</p> | | | | |

| | | | | | |
|----|---|--|--|--|--|
| 36 | suspension of the permit and (or) the Annex to the permit before the expiration of the suspension period , initiation by the permitting authority of the procedure for deprivation (withdrawal) of the permit and (or) the Annex to the permit within ten working days from the date of expiration of the suspension period | | | | |
| 37 | Proper implementation by the permitting authority of the deprivation (revocation) of the permit | | | | |
| 38 | Not requesting from applicants' documents and other information that can be obtained from state electronic information resources during the notification procedure for carrying out activities | | | | |
| 39 | Issuance by the government agencies that accept notifications to applicants within three working days from the date of application of the extract from the state electronic register of permits and | | | | |

| | | | | | |
|----|--|--|--|--|--|
| | notifications on notifications sent by applicants | | | | |
| 40 | Inclusion by permitting authorities in the state electronic register of permits and notifications of information on the performed permits in paper form simultaneously with the implementation of the permits, with the exception of permits that are not subject to automation | | | | |
| 41 | Maintenance by permitting authorities on a permanent basis of the state electronic register of permits and notifications with mandatory entry of relevant information, in case of suspension of activities or certain types of activities or actions (operations) of an individual or legal entity | | | | |
| 42 | The subject (object) of control and supervision shall exclude the notification from the state electronic register of permits and notifications at the request of the | | | | |

| | | | | |
|--|--|--|--|--|
| applicant, by a court decision on the prohibition of activities or certain types of activities or actions of an individual or legal entity | | | | |
|--|--|--|--|--|

Authority _____

(position) (signature) (last name, first name, patronymic (if any))

Head of the subject of control and supervision _____

(Surname, first name, patronymic (if any))

Appendix 4
to Order of the Minister
of National Economy
of the Republic of Kazakhstan
dated October 31, 2018 No. 49

Footnote. Appendix 4 is in the wording of Order of the Minister of National Economy of the Republic of Kazakhstan dated 22.05.2020 No. 41 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

A checklist in the field of support and protection of business entities for compliance with the procedure for state support by the subjects of control

in relation to: state authorities and their territorial divisions
(if any) and legal entities, including their branches and representative offices

(name of a homogeneous group of subjects of control and supervision)

Authority that ordered the inspection: _____

Act on appointment of inspection/ preventive control and supervision with a visit to the subject (object) of control and supervision _____

(No., date)

Name of the subject of control: _____

(Individual identification number), business identification number of the subject of control: _____

Address: _____

| No. | List of requirements | Required | Not required | Meet the requirements | Not meet the requirements |
|-----|--|----------|--------------|-----------------------|---------------------------|
| 1 | Timely consideration of applications of private business entities for state support | | | | |
| 2 | Timely and proper implementation of state support for private business entities | | | | |
| 3 | Timely and well-grounded decision-making on provision or refusal to provide measures of state support to private business entities | | | | |

Official (Officials) _____

(position) (signature) (surname, name, patronymic (if any))

Head of the subject of control and supervision _____

(surname, name, patronymic (if any))