



On approval of the form of the act of introduction of results of scientific-research, scientific-technical works and (or) results of scientific and (or) scientific-technical activities and the rules for its approval

Expired *Unofficial translation*

Order Acting Minister of Investment and Development of the Republic of Kazakhstan dated November 14, 2018 No. 791. Registered with the Ministry of Justice of the Republic of Kazakhstan on November 15, 2018 No. 17743. The order is valid until January 1, 2023

Unofficial translation

Note!

The order is valid until January 01, 2023 (item 4 of the order).

This order is valid until January 1, 2023.

In accordance with subparagraph 6) of paragraph 1 of Article 288 of the Code of the Republic of Kazakhstan “On Taxes and Other Obligatory Payments to the Budget” (the Tax Code) as of December 25, 2017, **I hereby ORDER:**

1. To approve the appended:

1) form of the act of introduction of results of scientific-research, scientific-technical works and (or) results of scientific and (or) scientific-technical activities in accordance with Appendix 1 to this order;

2) rules for approval of the act of introduction of results of scientific-research, scientific-technical works and (or) results of scientific and (or) scientific-technical activities in accordance with Appendix 2 to this order.

2. In accordance with the procedure established by the legislation, the Department of Technological and Innovative Development of the Ministry of Investments and Development of the Republic of Kazakhstan shall:

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

2) within ten calendar days of the state registration of this order, send it in Kazakh and Russian to the Republican State Enterprise with the Right of Economic Management “Republican Center of Legal Information” for its official publication and inclusion into the Reference Control Bank of Regulatory Legal Acts of the Republic of Kazakhstan;

3) place this order on the website of the Ministry of Investments and Development of the Republic of Kazakhstan after its official publication;

4) within ten working days of the state registration of this order with the Ministry of Justice of the Republic of Kazakhstan, submit information on the implementation of measures

, provided for in subparagraphs 1), 2) and 3) of this paragraph, to the Legal Department of the Ministry of Investments and Development of the Republic of Kazakhstan.

3. Control over execution of this order shall be entrusted to the supervising vice-minister of Investments and Development of the Republic of Kazakhstan.

4. This order shall take effect ten calendar days after the day of its first official publication and be valid until January 1, 2023.

*Minister of
Investments and Development of
the Republic of Kazakhstan*

Zh.Kassymbek

“AGREED”

Ministry of Information and Communications
of the Republic of Kazakhstan

" " _____ 2018

“AGREED”

Ministry of Agriculture
of the Republic of Kazakhstan

" " _____ 2018

“AGREED”

Ministry of Education and Science
of the Republic of Kazakhstan

" " _____ 2018

“AGREED”

Ministry of Healthcare
of the Republic of Kazakhstan

" " _____ 2018

“AGREED”

Ministry of Finance
of the Republic of Kazakhstan

" " _____ 2018

“AGREED”

Ministry of Defense
of the Republic of Kazakhstan

" " _____ 2018

“AGREED”

Ministry of Defense and Aerospace Industry
of the Republic of Kazakhstan

" " _____ 2018

“AGREED”

Ministry of National Economy
of the Republic of Kazakhstan

" " _____ 2018

“AGREED”

Ministry of Energy
of the Republic of Kazakhstan

" " _____ 2018

Appendix 1 to
Order № 791 of the Minister of
Investments and Development of
the Republic of Kazakhstan
as of November 14, 2018
form

**The act of introduction of results of scientific-research, scientific-technical works,
(or) results of scientific and (or) scientific-technical activities**

1. The title of scientific-research, scientific-technical works and (or) results of scientific and (or) scientific-technical activities:

2. Short abstract:

3. Benefit from introduction (economic, social, environmental), underline the relevant field):

4. Time and place of introduction:

5. Form of introduction:

It is necessary to attach copies of the following documents, certified by the signature of an authorized person of the enterprise:

- 1) a contract and terms of reference (technical specification) for performing scientific-research, scientific-technical works (if any);
- 2) an information card on the state registration of reports on scientific-research, scientific-technical projects and programs (if any);
- 3) an issued copyright protection document (patent, certificate of state registration or others) for an intellectual property object created in the course of the declared scientific-research, scientific-technical works and (or) as a result of scientific and (or) scientific-technical activities;
- 4) documents confirming the commercialization of the intellectual property object (contract and (or) another document confirming the introduction of the intellectual property object for the purpose of its commercialization) on the declared scientific-research, scientific-technical works and (or) results of scientific and (or) scientific-technical activities, and (or) documents confirming the purchase of exclusive rights to intellectual property objects from higher educational institutions, scientific organizations and start-up companies under a license contract or a contract of assignment of exclusive rights or another contract (if any);
- 5) a document confirming the improvement of technological processes and/or consumer properties (technical characteristics) of products in the organization after introduction of results of scientific-research, scientific-technical works and (or) results of scientific and (or) scientific-technical activities (production flowchart, regulations for production processes or another document confirming the change of production processes, consumer properties and/or technical characteristics).

Signatures:

1. The representative/representatives of the applicant (taxpayer), who introduced the results of scientific-research, scientific-technical works and (or) results of scientific and (or) scientific-technical activities

Position _____

Last and first names, patronymic (if any) (signature)

Position _____

Last and first names, patronymic (if any) (signature)

2. The representative/representatives of the organization that carried out scientific-research, scientific-technical works and (or) scientific and (or) scientific-technical activities (introduced)

Position _____

Last and first names, patronymic (if any) (signature)

Position _____

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Last and first names, patronymic (if any) (signature)

Agreed:

The representative/representatives of the authorized body for the relevant industry, in which results of scientific-research, scientific-technical works and (or) results of scientific and (or) scientific-technical activities were introduced

Position _____

Last and first names, patronymic (if any) (signature)

Position _____

—
Last and first names, patronymic (if any) (signature)

Appendix 2 to
Order № 791 of the Minister of
Investments and Development of
the Republic of Kazakhstan
as of November 14, 2018

Rules for approval of the act of introduction of results of scientific-research, scientific-technical works and (or) results of scientific and (or) scientific-technical activities

Chapter 1. General provisions

1. These Rules for approval of the act of introduction of results of scientific-research, scientific-technical works and (or) results of scientific and (or) scientific-technical activities (hereinafter referred to as the Rules) are developed in accordance with subparagraph 6) of paragraph 1 of Article 288 of the Code of the Republic of Kazakhstan “On Taxes and Other Obligatory Payments to the Budget” (the Tax Code) as of December 25, 2017 and set forth the procedure for approval of the act of introduction of results of scientific-research, scientific-technical works and (or) results of scientific and (or) scientific-technical activities (hereinafter referred to as the act of introduction).

2. The act of introduction is a document confirming the introduction of results of scientific-research, scientific-technical works and (or) results of scientific and (or) scientific-technical activities in the territory of the Republic of Kazakhstan, approved by the authorized body for a relevant industry.

Chapter 2. The procedure for approval of the act of introduction of results of scientific-research, scientific-technical works and (or) results of scientific and (or) scientific-technical activities

3. The act of introduction is coordinated with the authorized body for a relevant industry - the state body and (or) the department of the central state body implementing state policy in a

relevant field and having the required competence in the industry, which introduced the results of scientific-research, scientific-technical works and (or) the results of scientific and (or) scientific-technical activities (hereinafter referred to as the authorized body).

4. The applicant submits for approval a paper-based act of introduction of the results of scientific-research, scientific-technical works and (or) the results of scientific and (or) scientific-technical activities in the territory of the Republic of Kazakhstan to the authorized body together with the documents specified in the form of the act of introduction.

5. Upon receipt of the act of introduction, the structural unit of the authorized body in charge of the relevant industry's policy, within 20 (twenty) working days of receipt of the documents, considers it, and along with this:

1) checks the completeness, accuracy of the documents submitted by the applicant for approval of the act of introduction, and/or data and information contained in them;

2) if necessary, conducts an on-site inspection of the declared result of scientific-research, scientific-technical works and (or) the result of scientific and (or) scientific-technical activities;

3) makes a decision either to approve the act of introduction or to refuse to approve it providing reasons.

In case of a positive decision, the act of introduction is agreed upon by the structural unit of the authorized body that considered the act and the deputy head of the authorized body in charge of the relevant industry.

6. Reasons to refuse to approve the act of introduction are as follows:

1) the applicant's submission of an incomplete set of documents;

2) unreliability of documents submitted by the applicant for the approval of the act of introduction, and/or data and information contained in them;

3) a failure to confirm the introduction of the declared result of scientific-research, scientific-technical works and (or) the result of scientific and (or) scientific-technical activities into production as a result of the on-site inspection.

7. The structural unit of the authorized body shall, within 5 (five) working days of the decision on the approval of the act of introduction or the refusal to approve it, send a relevant response to the applicant.

In case of refusal to approve, the submitted documents are returned to the applicant.

8. The act of introduction brought into conformity with the established form and re-submitted is considered according to the standard procedure from the moment of its submission.

9. The structural unit of the authorized body shall keep record of the approved acts of introduction.

