



On approval of the Rules for the exchange of electronic information resources between the policyholder (insured person, beneficiary) and the insurer, the Rules for notification of the conclusion of the insurance contract and the requirements for the content of the notification, Requirements for software and hardware and Internet resources of the insurance (reinsurance) organization, ensuring the conclusion of insurance contracts, exchange of electronic information resources between the policyholder and the insurer

Invalidated Unofficial translation

Resolution of the Board of the National Bank of the Republic of Kazakhstan of October 29, 2018 No. 268. Registered with the Ministry of Justice of the Republic of Kazakhstan on November 29, 2018 No. 17824.

Unofficial translation

Footnote. Expired by resolution of the Board of the Agency for regulation and development of the financial market of the Republic of Kazakhstan No. 50 dated 27.04.20 (effective after twenty-one calendar days after the date of its first official publication).

This resolution will come into force on January 1, 2019.

In compliance to the Law of the Republic of Kazakhstan "On Insurance Activities" dated 18 December 2000, the Board of the National Bank of the Republic of Kazakhstan hereby RESOLVES:

1. To approve:

1) the Rules for the exchange of electronic information resources between the policyholder (insured person, beneficiary) and the insurer in compliance to Appendix 1 to this resolution;

2) the Rules for notification of the conclusion of the insurance contract and the requirements for the content of the notification according to Appendix 2 to this Resolution;

3) the Requirements to the software and hardware tools and Internet resources of the insurance (reinsurance) organization, ensuring the conclusion of insurance contracts, exchange of electronic information resources between the policyholder and the insurer in compliance to Appendix 3 to this Resolution.

2. The Department for the Regulation of Non-Banking Financial Organizations (A.M. Kosherbayeva) in the order established by the legislation of the Republic of Kazakhstan shall ensure:

1) jointly with the Legal Department (Sarsenova N.V.) the state registration of this resolution with the Ministry of Justice of the Republic of Kazakhstan;

2) within ten calendar days from the date of state registration of this resolution, its direction 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 in the Reference Control Bank of Regulatory Legal Acts of the Republic of Kazakhstan;

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

4) within ten working days after the state registration of this resolution, submission to the Legal Department of the information on the implementation of measures provided by subparagraphs 2), 3) of this paragraph and paragraph 3 of this resolution.

3. Within ten calendar days after the state registration of this resolution, the Department on the Protection of the Rights of Consumers of Financial Services and External Communications (Terentyev A.L.) ,shall provide a copy of it for official publication in periodicals.

4. The Deputy Chairman of the National Bank of the Republic of Kazakhstan Zh. B . Kurmanov shall be responsible for the control over the execution of this resolution.

5. This resolution shall come into effect on January 1, 2019, and shall be subject to official publication.

*Chairman
of the National Bank*

D. Akishev

Appendix 1
to resolution No. 268 of the
Board of Directors
of the National Bank.
of the Republic of Kazakhstan
dated 29 October 2018

Rules for the exchange of electronic information resources between the Policyholder (Insured Person Beneficiary) and the Insurer

1. These Rules for the exchange of electronic information resources between the policyholder (insured person, beneficiary) and the insurer (hereinafter referred to as - the Rules) are developed in compliance to the Law of the Republic of Kazakhstan "On Insurance Activities" dated December 18, 2000 (hereinafter referred to as - the Law) and determine the order of exchange of electronic information resources between the policyholder (insured person, beneficiary) and the insurer.

2. The exchange of electronic information resources shall be carried out using the Internet resource of the insurer and its mobile application (hereinafter referred to as the

Internet resource) and the Internet resource of other organizations that are partners of the insurer on the basis of the relevant agreement (hereinafter referred to as the Internet resource of the partner).

3. The exchange of electronic information resources between the Policyholder (Insured Person, Beneficiary) and the Insurer shall be carried out upon provision by the Insurer:

- 1) an unimpeded 24-hour access to the Internet resource;
- 2) the placement of insurance rules (standard terms and conditions of insurance) by types (classes) of insurance on the Internet resource;
- 3) the possibility of creating a personal page of the insured person on the Internet resource (hereinafter referred to as - the personal account of the insured person);
- 4) automated verification of fields filled in by the policyholder in the application for the conclusion of the insurance contract (hereinafter referred to as - the application) for their compliance with the minimum and maximum number and format of letters, numbers or symbols required for the formation of the application.

In case of discrepancy between the content of the fields in the application, the insurer's Internet resource shall notify of the need for the policyholder to check and adjust the inappropriate fields in the application;

5) sending a one-time notice by means of a text messaging service (hereinafter referred to as SMS) with indication of a one-time password to the subscriber number specified by the policyholder, provided by the mobile operator (hereinafter referred to as subscriber number), in order to confirm this number, except for the cases of conclusion of the insurance contract by entering the personal office of the policyholder;

6) when entering into the insurance contract with residents of the Republic of Kazakhstan of the automated reconciliation in the Unified Insurance Database (hereinafter referred to as the - UID) of the data specified in the statement, including data on the availability of privileges established by paragraph 1 of article 20 of the Law of the Republic of Kazakhstan as of July, 1, 2003 "On Obligatory Insurance of Civil Liability of Owners of Vehicles" (hereinafter referred to as – the privilege on obligatory insurance of the CL of owners of vehicles), with the data from information systems of the state bodies and subordinates.

In case of absence of data in the state databases, data necessary for conclusion of the insurance contract, the insurer shall carry out verification of data specified in the application with electronic or scanned copies of documents attached to the application;

7) receipt from the UID of information on the compliance or incompatibility of the information specified in the application with the data from the state databases, indicating the non-compliant fields.

In case of receipt of information from the UID about the discrepancy of the information specified in the application with the data from the state databases, the

insurer's Internet resource shall notify about the necessity of checking and correcting the inappropriate information specified in the application;

8) sending information on the concluded insurance contract to the UID and registration of the insurance contract in the UID with an assignment of a unique number thereto;;

9) immediate sending to the policyholder of the notification on conclusion of the insurance contract with indication of the unique number of the insurance contract assigned to the UID and other information specified in paragraphs 5 and 6 of the Rules for notification of the conclusion of the insurance contract and the requirements to the content of the notification approved by this resolution.

4. Upon the conclusion of the insurance contract in electronic form, the insurer, on its Internet resource, shall provide the policyholder with the possibility of:

1) the formation of an application which contains:

for an individual:

name, surname, and patronymic (if any);

individual identification number (if any);

legal address and (or) place of residence;

date of issue, number of the identity document;

residence sign (resident or non-resident of the Republic of Kazakhstan);

e-mail address (if any);

subscriber number;

a mark on the availability of benefits for mandatory insurance of the CL of vehicle owners;

instruction on the insured person (beneficiary), if he/she is not the policyholder under the insurance contract;

other information required for the conclusion of the insurance contract in compliance to the legislation of the Republic of Kazakhstan on insurance and insurance activities;

for a legal entity:

full name;

business identification number (if any);

location;

economic sector code, type of economic activity;

information on beneficial owners or the first manager;

information on the number and date of issuance of the license (in case of insurance of licensed types of activity);

e-mail address (if any);

subscriber number;

Instruction on the insured person (beneficiary), if he/she is not the policyholder under the insurance contract;

other information required for the conclusion of the insurance contract in compliance to the legislation of the Republic of Kazakhstan on insurance and insurance activities.

The application of the policyholder (tour operator in the field of outbound tourism), in addition to the information specified in this paragraph, shall contain the subscriber number of the insured (tourist traveling abroad);

2) attaching electronic or scanned copies of the documents confirming the information provided by the policyholder in the application;

3) familiarization with the amount of the insurance premium, as well as with the amount of the insurance premium, taking into account the discounts and benefits provided by the compulsory insurance of the State pension scheme for motor vehicle owners (if any);

4) familiarisation with the insurance rules (standard terms and conditions of insurance) for the insurance product selected by the policyholder prior to payment of the insurance premium;

5) non-cash and the cash payment of the insurance premium, including by means of issuing an invoice by the insurer for payment containing payment details of the insurer, account number, term of payment and procedure for entry into force of the insurance contract.

In case of absence of payment of the insurance premium within the term required by the insurer, the insurer shall ensure sending a notification to the policyholder on the failure to conclude the insurance contract.

In case of payment of the Insurance Premium in the amount less than that provided for in the Insurance Contract, the Insurer shall immediately send to the Policyholder a notification on the necessity to pay the missing part of the Insurance Premium within the term specified by the Insurer. The application of the policyholder (tour operator in the field of outbound tourism), in addition to the information specified in this paragraph, shall contain the subscriber number of the insured (tourist traveling abroad);

2) attaching electronic or scanned copies of the documents confirming the information provided by the policyholder in the application;

3) familiarization with the amount of the insurance premium, as well as with the amount of the insurance premium, taking into account the discounts and benefits provided by the compulsory insurance of the State pension scheme for motor vehicle owners (if any);

4) familiarisation with the insurance rules (standard terms and conditions of insurance) for the insurance product selected by the policyholder prior to payment of the insurance premium;

5) non-cash and the cash payment of the insurance premium, including by means of issuing an invoice by the insurer for payment containing payment details of the insurer, account number, term of payment and procedure for the enactment of the insurance contract.

In case of absence of payment of the insurance premium within the term required by the insurer, the insurer shall ensure sending a notification to the policyholder on the failure to conclude the insurance contract.

In case of payment of the Insurance Premium in the amount less than that provided for in the Insurance Contract, the Insurer shall immediately send to the Policyholder a notification on the necessity to pay the missing part of the Insurance Premium within the term specified by the Insurer.

In case of payment of the excess amount of the insurance premium, the insurer shall ensure its return to the policyholder and send a respective notification;

6) the choice of the method of notification by the insurer and the policyholder's UID of the conclusion of the insurance contract in compliance to paragraphs 2 and 3 of the Rules for Notification of the Conclusion of the Insurance Contract and the requirements to the content of the notification approved by this Resolution; ;

7) creation of a personal cabinet containing the information on all previously concluded and (or) valid insurance contracts in electronic form with respect to each policyholder (insured person).

5. The requirements of paragraphs 3 and 4 of the Rules shall apply to contracts:

compulsory insurance of tourists;

compulsory ecological insurance;

compulsory civil liability insurance:

private notaries;

audit organizations;

carriers to passengers;

owners of vehicles;

owners of facilities whose activities are connected with the risk of harm to third parties.

The compulsory insurance contracts specified in Paragraph one of this section shall be concluded on the insurer's Internet resource.

Contracts of compulsory insurance of an employee against accidents in the course of the performance of labor (official) duties, compulsory insurance in crop production, voluntary insurance shall be concluded on the Internet resource of the insurer and (or) the Internet resource of the partner.

The requirements of paragraphs 3 and 4 of the Rules , except for sub-paragraphs 1) 3), 6) and 7) of paragraph 3, sub-paragraph 7) of paragraph , of the Rules shall apply to insurance contracts concluded on the Partner's Internet resource.

6. In the case stipulated in the second block of sub-paragraph 6) of paragraph 3 of the Rules, the Insurer shall, no later than the next business day after the date of uploading by the Policyholder of electronic or scanned copies of documents for the insurer's Internet resource or the partner's Internet resource provide the direction of the notification:

1) on the necessity to pay the insurance premium in order to conclude the insurance contract with the policyholder;

2) the impossibility of concluding the insurance contract and the need to correct the information specified in the application of the policyholder;

3) on the need to re-download documents within the term specified by the insurer.

Notification of the impossibility to conclude the insurance contract and the need to correct the information shall be sent in case of discrepancy of the information specified in the application of the policyholder with the data of the documents provided by the policyholder.

Notification of the need to re-download the documents within the period specified by the insurer shall be sent, if it is impossible to compare the information specified in the application of the policyholder with the data of the documents provided by the policyholder.

7. Access to the information on the concluded insurance contract on the insurer's Internet resource shall be provided by entering the subscriber number of the insured and (or) the unique number of the insurance contract and other data at the discretion of the insurer.

Actions specified in subparagraph 4) of paragraph 4 of Article 15-2 of the Law shall be performed by the policyholder (insured person, beneficiary) via the access to the personal account of the policyholder or access to information under the concluded insurance contract provided in compliance to part one of this paragraph.

8. Upon the receipt of an application for change in the information, a reissue of the insurance contract, the insurer shall verify and check the information contained in the application in compliance to sub-paragraphs 5), 6) and 7) of paragraph 3 of the Regulations.

9. Upon receipt of the application for early termination of the insurance contract, the Insurer shall inform the Policyholder of the procedure for early termination of the insurance contract.

10. Upon the request of the policyholder (insured person, beneficiary), electronic or scanned copies of the documents required to send the notification of the occurrence of the insured event, to assess the amount of damage caused, to make the insurance payment, shall be sent to the insurer by downloading them via the Internet - resource of the insurer or to the private office of the policyholder.

11. In case of insufficiency of the documents confirming the fact of occurrence of the insured event and the amount of the damage to be compensated by the insurer, the insurer within 3 (three) working days from the date of their receipt shall notify about it with the indication of the full list of missing and (or) incorrectly executed documents by sending a notification in the form of an electronic message to the e-mail address (if any) and (or) in the form of SMS-message to the specified subscriber number.

An electronic statement specifying the full list of submitted documents and the date of their acceptance shall be sent to the applicant to the e-mail address specified by him/her (if any) and/or shall be displayed in the personal cabinet of the policyholder on the insurer's Internet resource.

Appendix 2
to resolution No. 268 of the Board
of Directors of the National Bank
of the Republic of Kazakhstan
dated 29 October 2018

Rules for Notification of the Conclusion of the Insurance Contract and Requirements to the Content of the Notification

1. These Rules for Notification of the Conclusion of the Insurance Contract and Requirements to the Content of Notification have been developed in compliance to the Law of the Republic of Kazakhstan "On Insurance Activities" dated December 18, 2000, and determine the procedure for notification of the conclusion of the insurance contract and requirements to the content of the notification.

2. Notification of the insurance organization (hereinafter referred to as - the insurer) on the conclusion of the insurance contract shall be sent to the insured person:

1) in the form of a message via text messaging service (hereinafter referred to as SMS) to the subscriber number specified by the policyholder and provided by the cellular communication operator (hereinafter referred to as subscriber number);

2) in the form of an electronic message to the e-mail address specified by the policyholder (if any);

3) otherwise offered by the insurer.

3. Notification of the Unified Insurance Database (hereinafter referred to as UID) of the conclusion of the insurance contract shall be sent to the policyholder in the form of a notice:

1) SMS messages to the subscriber number specified by the policyholder;

2) an electronic message to the e-mail address specified by the policyholder (if any)

4. The policyholder shall have the possibility to choose one or more of the notification methods specified in paragraphs 2 and 3.

5. According to the contract of compulsory insurance of a tourist, the notifications of the insurer and UID about its conclusion shall be sent to the insured person (a tourist going abroad) to the subscriber number and (or) e-mail address of the insured person (if any) indicated by the policyholder (tour operator in the field of outbound tourism).

6. The insurer's notification on the conclusion of the insurance contract in the form of an SMS message shall contain:

for the policyholder - a natural person:

the surname and initials of the policyholder;

period of validity of the insurance contract;

vehicle registration number (for compulsory civil liability insurance of vehicle owners);

for a tourist insured under compulsory insurance:

surname and initials of the insured persons;

period of validity of the insurance contract;

insurance territory;

for the insured person - a legal entity:

name of the insured person;

period of validity of the insurance contract;

vehicle registration number (for compulsory civil liability insurance of vehicle owners).

7. The insurer's notification on the conclusion of the insurance contract shall contain an electronic message:

for the policyholder - a natural person:

surname, name, and patronymic (if any) of the Policyholder (Insured person);

the unique number of the insurance contract assigned by the UID

period of validity of the insurance contract;

basic insurance conditions (amount of insurance premium, insurance limits, an object of insurance);

the order of activities of the policyholder (insured person) in case of the occurrence of the insured event;

procedure for applying for insurance payment;

other information on the insurance contract at the discretion of the insurer;

for the insured tourist on obligatory insurance:

surname, name, and patronymic (if any) of the insured person (insured persons);

the unique number of the insurance contract assigned by the UID;

period of validity of the insurance contract;

insurance territory;

basic insurance conditions (amount of insurance premium, insurance limits, the object of insurance);

the order of activities of the policyholder (insured person) in case of occurrence of the insured event;

the procedure for applying for insurance benefit;

other information on the insurance contract at the discretion of the insurer;

for the insurer - legal entity:

Name of the insured person;

the unique number of the insurance contract;

period of validity of the insurance contract;

basic terms of insurance (amount of insurance premium, insurance limits, the object of insurance);

the procedure of actions of the insured person (insured persons) in case of occurrence of an insured event;

the procedure of application for insurance payment.

Other information on the insurance contract, not specified in the insurer's notification on the conclusion of the insurance contract, shall be sent by displaying an active hyperlink to the Internet - the insurer's resource.

8. The notification of the UID about the conclusion of the insurance contract sent in the form of SMS-message, an electronic message to the e-mail address specified by the policyholder (if any) shall contain:

the short name of the insurer;

the unique number of the contract;

the address of the Internet resource of the UID.

Appendix 3
to resolution No. 268 of the Board
of Directors of the National Bank.
of the Republic of Kazakhstan
dated 29 October 2018

Requirements for software and hardware and Internet resources of the insurance (reinsurance) organization, ensuring the conclusion of insurance contracts, exchange of electronic information resources between the insured person and the insurer

1. These Requirements for software and hardware and Internet resources of the insurance (reinsurance) organization, ensuring the conclusion of insurance contracts, exchange of electronic information resources between the insured person and the insurer are developed in compliance to the Law of the Republic of Kazakhstan dated December 18, 2000 "On Insurance Activities" (hereinafter referred to as- the Law) and determine the requirements for software and hardware and Internet resources of the

insurance (reinsurance) organization (hereinafter referred to as - the insurer), providing the conclusion of contracts.

2. The insurer shall maintain constant efficiency and shall ensure an uninterrupted functioning of its software and hardware facilities and Internet resources ensuring conclusion of insurance contracts, exchange of electronic information resources between the insured person and the insurer.

3. Software and hardware of the insurer person shall provide:

the possibility to switch to the Internet - resource of the Unified Insurance Database (hereinafter referred to as the UID) for the insurer to verify the information on the insurance contract through the UID information system;

storage of the insurance contract in electronic form with the provision of round-the-clock access thereto for the policyholder on the insurer's Internet resource;

the possibility to perform actions specified in subparagraph 4) of paragraph 4 of Article 15-2 of the Law;

continuous registration and preservation of the following information in electronic form within one year about the actions of the policyholder (persons intending to enter into a contract) and the insurer performed with the use of this Internet resource and performed after completion of the application for the conclusion of the insurance contract by the policyholder:

serial number of the action record in the automated system, software;

the date (day, month, year) and time (hours, minutes, seconds) of the performance of the action;

a set of symbols assigned to a person performing actions on an Internet resource and allowing to identify him/her in an automated system or software;

a code corresponding to the action to be performed;

identification information (IP address) from which the Internet resource shall be accessed;

information transferred by the policyholder through the insurer's Internet resource, including files and documents uploaded by the policyholder (insured person, beneficiary);

identification information about errors in the automated system, software of the Internet resource.

4. In case the authorized body on regulation, control, and supervision of the financial market and financial organizations makes a decision on suspension or revocation of the insurer's license:

the interaction of the UID with the insurer's information systems necessary to conclude an insurance contract for the respective class of insurance shall be suspended (terminated);

the insurer shall place on the Internet resource the information on the impossibility of concluding insurance contracts with the indication of the reason and shall suspend (terminate) the operation of Internet resources.

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