



On approval of the Public Service Standard "Issuance of the license for import of plant protection agents (pesticides)"

Invalidated Unofficial translation

Order of the Deputy Prime Minister of the Republic of Kazakhstan - Minister of Agriculture of the Republic of Kazakhstan dated October 15, 2018 No. 422. Registered with the Ministry of Justice of the Republic of Kazakhstan on December 7, 2018 No. 17898. Abolished by the Order of the Minister of Agriculture of the Republic of Kazakhstan dated November 18, 2020 No. 349.

Unofficial translation

Footnote. Abolished by the Order of the Minister of Agriculture of the Republic of Kazakhstan dated November 18, 2020 No. 349 (effective after ten calendar days after the date of its first official publication).

In accordance with sub-item 1) of article 10 of the Law of the Republic of Kazakhstan dated April 15, 2013 “On Public Services”, **I HEREBY ORDER:**

1. To approve the attached public service standard Public Service Standard “Issuance of the license for import of plant protection agents (pesticides)”.

2. Department of Veterinary, Phytosanitary and Food Safety of the Ministry of Agriculture of the Republic of Kazakhstan in accordance with the procedure established by the legislation, shall ensure:

1) 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 the direction hereof to the Republican State Enterprise on the Right of Economic Management "Republican Center of Legal Information of the Ministry of Justice of the Republic of Kazakhstan" for official publication and placement in the Reference Control Bank of the Regulatory Legal Acts of the Republic of Kazakhstan;

3) within ten calendar days after the state registration of this joint order, direction of a copy hereof for official publication to periodical printed media;

4) placing this order on the Internet resource of the Ministry of Agriculture of the Republic of Kazakhstan after official publication;

5) within ten working days after the state registration of this order, reporting to the Department of Legal Services of the Ministry of Agriculture of the Republic of Kazakhstan on performance of activities, stipulated by sub-items 2) 3) and 4) of this item.

3. Control over the execution of this order shall be entrusted to the supervising Vice-Minister of Agriculture of the Republic of Kazakhstan.

4. This order shall be put into effect upon expiry of twenty-one calendar days after the day of its first official publication.

*Deputy Prime-Minister of the Republic of Kazakhstan –
Minister of Agriculture of the Republic of Kazakhstan*

U. Shukeyev

"AGREED"

Ministry of Information and
Communications of the Republic of Kazakhstan

Approved
by order no.422 of the Deputy
Prime-Minister of the
Republic of Kazakhstan –
Minister of Agriculture of the
Republic of Kazakhstan
U. Shukeyev
dated October 15,2018

Public Service Standard “Issuance of the license for import of plant protection agents (pesticides)”

Chapter 1. General provisions

1. Public Service “Issuance of the license for import of plant protection agents (pesticides)”(hereinafter referred to as the public service).

2. The public service standard have been developed by the Ministry of Agriculture of the Republic of Kazakhstan (hereinafter referred to as the Ministry).

3. The public service shall be rendered by the State Inspection Committee in Agricultural Complex of the Ministry of Agriculture of the Republic of Kazakhstan (hereinafter referred to as the service provider).

Acceptance of the application and issuance of the result of rendering the public service shall be made through web-portal of “electronic government” www.egov.kz, www.elicense.kz (hereinafter referred to as the portal).

Chapter 2. Procedure for rendering the public service

4. The period of rendering the public service:
- in case of applying to the portal:
 - in case of issuance of a license – 5 (five) working days;
 - in case of re-licensing – 3 (three) working days;
 - in case of issuance of license duplicates – 3 (three) working days.

The service provider within two working days upon receipt of the documents of the service receiver shall verify the completeness of the submitted documents.

In case of establishing the fact of incompleteness of the submitted documents, the service provider within the established time limits shall give a motivated rejection from further consideration of the application.

5. The form of rendering the public service shall be electronic (completely automated).

6. The result of rendering the public service shall be a license, a re-licensing, a duplicate of the license for import of plant protection agents (pesticides), or a motivated response about the rejection from rendering the public service in cases and based on the grounds specified by item 10 of this public service standard.

The form of provision of the result of rendering the public service shall be electronic.

On the portal, the result of rendering the public service shall be sent to the “personal account” in form of an electronic document, certified by the electronic digital signature (hereinafter referred to as the EDS) of the authorized body of the service provider.

7. The public service shall be rendered on a paid basis to individuals and legal entities (hereinafter referred to as the service receivers). When rendering the public service to the budget at the location of the service recipient, a license fee shall be paid for the right to engage in certain types of activities:

- 1) in case of issuance of the license for the right to engage in this type of activity – 10 monthly calculation indices (hereinafter referred to as the MCI);
- 2) for re-licensing – 1 MCI;
- 3) for issuance of the duplicate of the license – 1 MCI.

Payment of the license fee shall be made in cash and non-cash form through second-tier banks and organizations, performing certain types of bank operations.

When submitting the electronic request for the receipt of public service through the portal, payment may be performed via the payment gateway of the “e-government” (hereinafter referred to as the PGEG) or via the second-tier banks.

An electronic receipt about payment of a license fee shall be sent on the electronic portal to the personal account of the service recipient. The information about payment shall be saved in the service payment history.

8. The schedule of the portal work shall be 24-hours, except for technical breaks in connection with maintenance work (when applying of a service recipient after the end of the working time, in day-offs and holidays, in accordance with the labor legislation of the Republic of Kazakhstan and article 5 of the Law of the Republic of Kazakhstan dated December 13, 2001 "On holidays in the Republic of Kazakhstan", acceptance of the application and issuance of the result of rendering the public service shall be made on the following working day or in accordance with the working time schedule established by the service provider).

9. The list of the documents required for rendering the public service on the portal:

1) to receive the license:

an application for issuance of the license for import of plant protection agents (pesticides) in accordance with annex 1 to this public service standard in the form of an electronic document, certified by the electronic digital signature of the service recipient ;

an electronic copy of the application for issuance of the license for import of plant protection agents (pesticides) in accordance with annex 1 to this public service standard;

an electronic copy of the document confirming the payment to the budget of the license fee for the right to engage in certain types of activities, except for the cases of payment via the PGEG;

an electronic copy of a foreign trade agreement (contract), annex and (or) addendum to it (for a single-use license), and in case of the absence of the foreign trade agreement (contract)– a copy of other document, confirming the intentions of the parties;

the electronic copy of documents about compliance with the qualification requirements, receipt of which is not possible from the relevant state information systems via the PGEG, in accordance with annex 2 to this public service standard;

information about the document certifying the identity of an individual, about registration with a tax authority or state registration (re-registration) of a legal entity, about payment via the PGEG, about availability of the license for manufacturing (formulation) of pesticides (toxic chemicals), sale of pesticides (toxic chemicals), use of pesticides (toxic chemicals) by aerosol or fumigation methods, the service provider shall receive from the relevant state information systems via PGEG;

2) to receive a duplicate of the license in case of the absence of the opportunity to obtain the information about the license from the relevant information systems:

request in the form of an electronic document, certified by the EDS of the service recipient;

an electronic copy of the document, confirming the payment of the license fee to the budget, except for the payment via the PGEG;

information about the document certifying the identity of the individual, about registration with a tax authority or state registration (re-registration) of a legal entity, about payment via the PGEG, about availability of the license for manufacturing (formulation) of pesticides (toxic chemicals), sale of pesticides (toxic chemicals), use of pesticides (toxic chemicals) by aerosol or fumigation methods, the service provider shall receive from the relevant state information systems via the PGEG;

3) for re-licensing and (or) re-registration of an annex to the license:

an application of a legal entity or an individual for re-licensing and (or) re-registration of an annex to the license for import of plant protection agents (pesticides) in the form of an electronic document, certified by the EDS of the service recipient, in accordance with annex 3 to this public service standard;

an electronic copy of the document, confirming the payment of the license fee to the budget, except for the payment via the PGEG;

an electronic copy of documents containing the information about amendments that have served as the grounds for re-licensing and (or) re-registration of the annexes to the license, except for the documents, information from which is contained in the state information systems;

information about the document certifying the identity of the individual, about registration with a tax authority or state registration (re-registration) of a legal entity, about payment via the PGEG, about availability of the license for manufacturing (formulation) of pesticides (toxic chemicals), sale of pesticides (toxic chemicals), use of pesticides (toxic chemicals) by aerosol or fumigation methods, the service provider shall receive from the relevant state information systems via the PGEG.

The service recipients, who have received licenses for import of plant protection agents (pesticides), shall be obliged to submit to the service provider information about execution of the license within fifteen calendar days upon expiry of the license.

When submitting by the service recipient of all necessary documents via the portal - the status on acceptance of the request for rendering the public service shall be displayed in the "personal account" of the service recipient, indicating the date of receipt of the result of the public service.

10. Grounds for rejection from rendering the public service shall be when:

1) engagement in the type of activity has been prohibited by the laws of the Republic of Kazakhstan for this category of individuals or legal entities;

2) the license fee has not been paid;

3) the service recipient does not comply with the qualification requirements;

4) existence of incomplete or unreliable information in documents, submitted by the service recipient for obtaining of the license;

5) failure to comply with the requirements, provided for by item 9 of this public service standard;

6) there is a final and binding decision (verdict) of the court in respect of the service receiver on suspension or prohibition of the activities or certain types of activities that are subject to licensing;

7) based on the recommendation of a judicial custodian the court has temporarily prohibited to issue the license to the service receiver - debtor;

8) termination or suspension of one or several documents, serving as the grounds for issuance of the license;

9) violation of international obligations of member-states, which may occur in consequence of the performance of the agreement (contract), for which implementation the license is requested;

10) establishment of unreliability of documents, submitted by the service receiver for obtaining the license and /or data (information) containing therein;

11) other grounds, stipulated by the act of the Eurasian Economic Commission.

Chapter 3. Procedure for the appeal of decisions, actions (inactions) of central state agencies, as well as service providers and their officials concerning the issues of rendering public services

11. The appeal of actions (inactions) of a central state agency, service provider and (or) its officials, concerning the issues of rendering public services:

A complaint shall be addressed to the head of the service provider at www.mgov.kz, or to the head of the Ministry at: 36, Kenessary Street, office no. 702, Astana city, 010000, telephone: 8 (7172) 55-57-86.

In the complaint the service recipient shall indicate his surname, first name, patronymic (if any), postal address, outgoing number and date. The complaint must be signed by the service recipient.

Confirmation of the acceptance of the complaint shall be its registration (stamp, incoming number and date) in the office of the service provider, or the Ministry, indicating the name and initials of the person who received the complaint, the date and place of receipt of the response to the complaint.

When applying through the portal, information on the appeal procedure can be obtained by calling the unified contact center 1414.

When sending a complaint through the portal to the service recipient from the “personal account”, information about the application, which is updated during the processing of the application by the service provider (marks on delivery, registration, execution, response for consideration or refusal of consideration) shall be available.

The complaint of the service recipient received by the service provider or the Ministry shall be subject to consideration within 5 (five) working days from the date of its registration. A motivated response about the results of the consideration of the complaint shall be sent to the service recipient by postal service or shall be issued on purpose in the office to the service provider.

In case of disagreement with the results of the public service provided, the service recipient may complain to the authorized body for the assessment and control of the quality of public services.

The complaint of the service recipient, received by the authorized body for the assessment and control of the quality of public services, shall be considered within 15 (fifteen) working days from the date of its registration.

12. In cases of disagreement with the results of the provided state service, the service recipient shall apply to court in accordance with the procedure established by the legislation of the Republic of Kazakhstan.

Chapter 4. Other requirements subject to peculiarities of provision of the public service rendered in the electronic form

13. The addresses of the places of rendering the state service shall be posted on the official Internet resource of the service provider. – www.mgov.kz.

14. The customer shall have the opportunity to receive the state service in electronic form through the portal, subject to the availability of EDS.

15. The service recipient shall have the opportunity to obtain information about the procedure and status of the provision of the state service in the remote access mode through the "personal account" of the portal, as well as by calling the uniform contact center for the provision of public services.

16. Contact phone numbers of the reference services for the provision of public services are listed on the Internet resource www.mgov.kz. The uniform contact center for the provision of public services: 1414.

Annex to the application no. _____ dated _____			
№ п/п	Description of plant protection agents (pesticides)	quantity	measuring unit
		value	
№ п/п	Description of plant protection agents (pesticides)	quantity	measuring unit
		value	
№ п/п	Description of plant protection agents (pesticides)	quantity	measuring unit
		value	
№ п/п	Description of plant protection agents (pesticides)	quantity	measuring unit
		value	
№ п/п	Description of plant protection agents (pesticides)	quantity	measuring unit
		value	
№ п/п	Description of plant protection agents (pesticides)	quantity	measuring unit
		value	
		quantity	

№ п/п	Description of plant protection agents (pesticides)	value	measuring unit
Total of sheets Sheet no.		18. Authorized person surname, name, patronymic (if any) Position Signature and seal. Date	

Annex 1
to the Public Service Standard
“Issuance of the license for import
of plant protection agents
(pesticides)”

Application for the issuance for import of plant protection agents (pesticides)

1. Application no.	2. Validity period from DD.MM.YYYY to DD.MM.YYYY		
3. License type IMPORT	4. Contract no. dated		
5. Service recipient	6. Seller		
7. Departure country	8. Seller's country		
9. Currency of the contract	10. Value	11. Statistic value	
12. Country of origin	13. Quantity	14. Measuring unit	
15. Code of the plant protection agents (pesticides) in accordance with the Common Commodity Nomenclature of Foreign Economic Activity of the Customs Union and its description			
16. Additional information			
17. Grounds for issuance of the license	18. Authorized person of the service recipient surname, name, patronymic (if any) Position Telephone Signature and seal. Date		

Annex to the application for the issuance for import of plant protection agents (pesticides)

Annex 2
to the Public Service Standard
“Issuance of the license for import
of plant protection agents
(pesticides)”

Information about compliance with qualification requirements

item no.	Qualification requirements	Documents, confirming the compliance therewith	Required data	Note
1	2	3	4	5
		* An application for issuing a license, completed and executed in accordance with the		

1	Confirmation of intention to obtain the license	instructions for filing an application for issuing a license to import plant protection agents (pesticides) and for issuing such a license , approved by the relevant decision of the Board of the Eurasian Economic Commission		
2	Confirmation of intention to obtain the license	*electronic copy of the application		
3	Confirmation of intention of the parties for implementation of foreign trade activities	* A copy of the foreign trade agreement (contract), an annex and / or supplement to it, and in the absence of a foreign trade agreement (contract) - a copy of another document confirming the intentions of the parties		
4	** Availability of the document (information) about registration with a tax authority or about the state registration		business identification number	
			registration number	
			date of registration	
			name	
			location	
			date of state registration	
			issued by	
5	** Availability of permission to perform the relevant type of activities		license number	
			full name	
			location	
			name of the licensed type of activities	
			license type	
			special conditions	
			issued by	
			issue date	
			subtype(s) of the licensed type of activities	

	Annex to the license (if any)		production facilities	
			special license conditions	
			annex number	
6	Availability of agricultural land uses for the application of imported volume of pesticides	* Copies of title documents for agricultural land uses, and calculations of the number of pesticides required for chemical processing of agricultural land uses		in case if the applicant imports pesticides not for sale , but for use on agricultural land uses owned by him or on the right of land use
7	Availability of information on official distributorship	* A copy of the license agreement between the registration company pesticides and the distribution company, or a letter of confirmation from the corporate registrant of pesticides about the official distribution of the seller		In case of import of pesticides from the distributor company of the pesticide registrant
8	When changing the pesticide manufacturing plant	The original letter of notification from the pesticide corporate registrant of a change in the manufacturing plant at which the imported registered pesticide is produced with a copy of the registration certificate for the pesticide, indicating the new pesticide manufacturing plant in accordance with the rules approved by the authorized plant protection authority		When changing the pesticide manufacturing plant
	Availability of an agreement with the company for the	*A copy of the agreement with the company for the disposal, destruction of the damaged pesticides and used pesticides packaging. Therewith to		

9	disposal, destruction of pesticides that have become unusable and used pesticides packaging	envisage in the agreements (contracts), in the further sale of pesticides to consumers, the obligatory return by consumers of packaging from used pesticides to the enterprise		
10	The availability in the foreign trade contract (agreement) of a clause indicating the procedure for returning expired pesticides or their packaging to the exporter	* A copy of the foreign trade contract (agreement), which specifies the procedure for returning expired pesticides to the exporter or their packaging		In order to return worn-out pesticides or their packaging, in the process of delivery to the point of reception (TSW, customs warehouse, post, etc.) of the goods by the applicant.
11	Availability of chemical safety data sheet	*A copy of chemical safety data sheet		

I hereby do confirm the accuracy of the information provided, I am aware of the responsibility for submitting inaccurate information in accordance with the legislation of the Republic of Kazakhstan and I give my consent to the use of information constituting a secret protected by law.

signed and sent by the service recipient at hours 00:00 " __ " _____

20__:

EDS data

Date and time of signing of EDS

Notification about acceptance of the application:

Accepted by the authorized person of the service recipient at hours 00:00 " __ " _____

20__:

EDS data

Date and time of signing of EDS

Note:

* when submitting documents through the e-government web portal www.egov.kz or the E-licensing web portal - www.elicense.kz, the documents shall be submitted as electronic copies of documents certified by the electronic signature of the service recipient;

**to be filled electronically in form of information.

Application of a legal entity for renewal of the license and (or) annex to the license for the import of plant protection agents (pesticides)

To _____

_____ (full name of the licensor)

from _____

_____ (full name, location, business identification number of the legal entity (including a foreign legal entity), business identification number of a branch or representative office of a foreign legal entity - in the absence of a business identification number of a legal entity) Please renew the license and (or) application (s) to the license (underline as necessary)

no. _____

dated " ____ " _____ 20____,

issued)

_____ (license number (s) and / or license annex(es), issue date, name of the licensor who issued the license and / or license annex(es)

To perform

_____ (full name of the type of activity and (or) subtype(s) of activity) by the following grounds((specify X in the relevant box):

1) reorganization of the legal entity-licensee in accordance with the procedure, specified by article 34 of the Law of the Republic of Kazakhstan of May 16, 2014

"On permissions and notifications" (hereinafter referred to as the Law) by means of (specify X in the relevant box):

merger _____ reorganization _____ consolidation _____ demerger _____ division _____

2) change in the name of legal entity-licensee _____

3) change in the location of legal entity-licensee _____

4) alienation by the licensee of a license issued in the class “permits issued to objects”, together with the object in favor of third parties in cases where the alienability of the license is provided for in Annex 1 to the Law _____

5) change of the address of the object's location without its physical relocation for a license issued in accordance with the class “permissions issued for objects” or for annexes to the license with indication of objects _____

6) Availability of the requirement about renewal of the license in the laws of the Republic of Kazakhstan _____

7) change in the name of the type of activities _____

8) change in the name of sub-type of activities _____

Address of the legal entity _____

country - for a foreign legal entity, zip code, region, city, district,
settlement, street name, house / building number (stationary room)

E-mail _____

Telephones _____

Fax _____

Bank account _____

(account number, name and location of the bank)

Address of the object of the activity or actions (operations)

(postal code, region, city, district, town, street name,
house / building number (stationary premise)

Attachment on _____ sheets.

This is to confirm that: all data specified are the official contacts and any information concerning the issuance or refusal to issue the license and (or) annexes to the license may be sent to them; the applicant is not prohibited by the court to engage in the licensed type and (or) sub-type of activities; all attached documents are true and valid; I hereby agree to use of personal data of limited access, consisting the secret protected by the law,

contained in the information systems, when issuance of the license and (or) annexes to the license.

Head _____

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

Place for seal (if any)

Date of filling: " __ " _____ 20 __

Form 2

Application of an individual for renewal of the license and (or) annex to the license for the import of plant protection agents (pesticides)

to _____

_____ (full name of the licensor)

from _____

_____ (surname, name, patronymic (if any) of the individual, individual identification number)

I kindly ask to renew the license and (or) the annex to the license (underline as necessary)

no. _____ dated _____ 20 __,

issued _____

(license number(s) and (or) number(s) of the annex(es) to the license, issue date, name of the licensor, issued

_____ the license and (or)annex(es) to the license to engage

in _____

_____ (full name of the type(s) of activity and (or) subtype(s) of activities on the following grounds (specify X in the relevant box):

1) changes in the last name, first name and patronymic (if any) of the individual licensee

_____ 2) re-registration of an individual entrepreneur-licensee, change in its name _____

_____ 3) re-registration of an individual entrepreneur-licensee, change in its legal address _____

_____ 4) alienation by the licensee of a license issued in accordance with the class “ permissions issued for objects”, together with the object in favor of third parties in _____

cases where the alienability of the license is provided for in Annex 1 to the Law of the Republic of Kazakhstan dated May 16, 2014 "On permissions and notifications" _____

5) change in the address of the object's location without its physical relocation for a license issued in accordance with the class "permissions issued for objects" or for the annexes to the license indicating the objects _____

6) availability of the requirement of renewal in the laws of the Republic of Kazakhstan _____

7) change in the name of the type of activities _____

8) change in the name of the sub-type of activities _____

Residence address of the individual _____

(postal code, region, city, district, town, street name, house / building number)

E-mail _____

Telephones _____

Fax _____

Bank account _____

(account number, name and location of the bank)

Address of the object of the activity or actions (operations)

(postal code, region, city, district, town, street name,
house / building number (stationary premise)

Attachment on _____ sheets.

This is to confirm that: all data specified are the official contacts and any information concerning the issuance or refusal to issue the license and (or) annexes to the license may be sent to them; the applicant is not prohibited by the court to engage in the licensed type and (or) sub-type of activities; all attached documents are true and valid; I hereby agree to use of personal data of limited access, consisting the secret protected by the law,

contained in the information systems, when issuance of the license and (or) annexes to the license.

Individual _____

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

Place for seal (if any)

Date of filling: " _ " _____ 20_

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Justice of the Republic of Kazakhstan