



On approval of the Rules for formation of the Plan of Oil Products Supply

Unofficial translation

Order of the Minister of Energy of the Republic of Kazakhstan dated May 30, 2019 no. 201. Registered with the Ministry of Justice of the Republic of Kazakhstan dated May 31, 2019 no. 18757.

Unofficial translation

Under sub-paragraph 21-7) of Article 7 of the Law of the Republic of Kazakhstan “On State Regulation of Production and Turnover of Certain Types of Oil Products”, **I HEREBY ORDER:**

Footnote. The preamble - as reworded by Order No. 257 of the Minister of Energy of the Republic of Kazakhstan dated 09.08.2021 (shall be enacted sixty calendar days after the date of its first official publication).

1. To approve the attached Rules for formation of the Plan of Oil Products Supply.

2. Department of Oil Industry Development of the Ministry of Energy of the Republic of Kazakhstan in accordance with the procedure established by the law of the Republic of Kazakhstan 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 direction of it in Kazakh and Russian languages to the Republican State Enterprise on the right of economic management “Institute of Legislation and Legal Information of the Republic of Kazakhstan” 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) placement of this order on the Internet resource of the Ministry of Energy of the Republic of Kazakhstan;

4) within ten working days after the state registration of this order with the Ministry of Justice of the Republic of Kazakhstan, submission to the Department of Legal Services of the Ministry of Energy of the Republic of Kazakhstan information on the implementation of measures provided for in subclauses 1), 2) and 3) of this clause.

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

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

*Minister of Energy
of the Republic of Kazakhstan*

"AGREED"

Ministry of Industry and Infrastructure Development
of the Republic of Kazakhstan

"AGREED"

Ministry of Finance
of the Republic of Kazakhstan

"AGREED"

Ministry of National Economy
of the Republic of Kazakhstan

Approved
by the order of the Minister of Energy
of the Republic of Kazakhstan
dated May 30, 2019 no. 201

Rules for the Development of the Oil Products Supply Plan

Footnote. The title - as reworded by Order No. 257 of the Minister of Energy of the Republic of Kazakhstan dated 09.08.2021 (shall come into effect sixty calendar days after the date of its first official publication).

Chapter 1. General provisions

1. These Rules for the Development of the Oil Products Supply Plan (hereinafter - the Rules) have been drafted under sub-paragraph 21-7) of Article 7 of the Law of the Republic of Kazakhstan “On State Regulation of Production and Turnover of Certain Petroleum Products” (hereinafter - the Law) and establish the procedure for the development of the Oil Products Supply Plan.

Footnote. Paragraph 1 - as reworded by Order No. 257 of the Minister of Energy of the Republic of Kazakhstan dated 09.08.2021 (shall be put into effect sixty calendar days after the date of its first official publication).

2. The following basic concepts shall apply herein:

1) oil supplier - a natural person or a legal entity supplying a producer of oil products, as well as oil refineries located outside the Republic of Kazakhstan, independently produced, received by the Republic of Kazakhstan as taxes paid in kind under the tax legislation of the Republic of Kazakhstan, imported or purchased directly from a subsoil user, crude oil and (or) gas condensate on the terms set out in the Law;

2) Oil Product Supply Plan - the volume of monthly needs of oblasts, cities of republican significance and the capital city for oil products produced in the Republic of Kazakhstan (hereinafter referred to as the Plan);

3) an authorised body in the production of oil products - the central executive body in charge of state regulation of the production of oil products (hereinafter referred to as the authorized body);

4) producer of oil products - a legal entity that owns a refinery and (or) other legal grounds and produces oil products as per the production passport, as well as sells its own oil products and (or) transfers oil products that are the product of toll processing;

5) an authorised body for the turnover of oil products - the central executive body responsible for the state regulation of the turnover of oil products.

Other concepts and terms used herein shall be applied as set out in the Law.

Footnote. Paragraph 2 - as reworded by Order No. 257 of the Minister of Energy of the Republic of Kazakhstan dated 09.08.2021 (shall come into force sixty calendar days after the date of its first official publication).

Chapter 2. Procedure of formation of the Plan of Oil Products Supply

3. The plan shall be formed monthly to ensure the satisfaction of the needs of the domestic market of the Republic of Kazakhstan in oil products.

4. For the purposes of formation of the Plan, on a monthly basis, within the period on or before the twenty-second day of the month preceding the reporting month, oil product manufacturers shall provide the oil suppliers and authorized body the volume of manufacturing of oil products for the planned month.

Oil suppliers, monthly on or before the twenty-third day of the month preceding the reporting month, shall submit to the authorized body a request for the supply of oil products in the form in accordance with the annex to these Rules.

5. An authorized body, no later than the twenty-fifth day of the month preceding the planned one, shall approve the Plan in accordance with article 23 of the Law, as well as on the basis of the volume of oil products for the planned month and requests of oil suppliers and publishes it on its Internet resource.

6. In accordance with clause 7 of article 18 of the Law, the Plan shall indicate:

1) list of oil suppliers and producers of oil products, with the exception of low-power manufacturers of oil products;

2) the volumes of each type of oil product that each oil supplier and oil products manufacturer, with the exception of the low-power manufacturers of oil products, will supply to the domestic market of the Republic of Kazakhstan in the upcoming calendar month:

as part of direct deliveries;

through commodity exchanges in accordance with the legislation of the Republic of Kazakhstan on commodity exchanges;

3) volumes of every type of oil products, which every oil supplier and oil products manufacturer, except for low-power manufacturers of oil products, in accordance with terms

established by the Law, realizes at its own discretion in the territory of the Republic of Kazakhstan or abroad in the upcoming calendar month.

7. The volumes of each type of oil product that each oil supplier and manufacturer of oil products, with the exception of manufacturers of oil products of low capacity, supplies to the domestic market, shall be determined in proportion to the volume of their processing.

8. The plan within one working day after the approval shall be sent to oil suppliers, to the oil product manufacturer, as well as to the authorized body in the field of oil products turnover.

9. The authorised body shall amend the Plan within three working days from the date of receipt from the oil producer of corrected data on the production volumes of oil products for the current month and from the oil supplier of an adjusted application for the supply of oil products.

Should the volume of oil product production decrease, a proportional increase in the volume of oil product supply to the domestic market of the Republic of Kazakhstan shall be made by the remaining oil suppliers and oil product producers, except for small capacity oil product producers, by reducing the supply of oil products outside the territory of the Republic of Kazakhstan.

Footnote. Paragraph 9 as reworded by Order No. 257 of the Minister of Energy of the Republic of Kazakhstan dated 09.08.2021 (shall be put into effect sixty calendar days after the date of its first official publication).

10. Amendments to the Plan shall be approved by the authorized body in the presence of confirmation of the technical ability of the oil products manufacturer.

Confirmations of technical feasibility shall be presented by the manufacturer of oil products in any form to an authorized body at its prompt request within one working day.

11. Amendments to the Plan shall be sent to oil suppliers, manufacturers of oil products for execution and to the authorized body in the field of oil products turnover within one working day after the approval.

Annex
to the Rules for formation of the
Plan of Oil Products Supply
Form

Request for Oil Products Supply

Name of oil supplier:

1) Reporting month:

2) Planned month:

3) Oil refinery:

no.	Name of oil product	Planned volume of manufacturing	Supply to the domestic market of the Republic of Kazakhstan	Supply outside the territory of the Republic of Kazakhstan

1.	Automobile gasoline			
1.1	AI-80 K4/K5			
1.2	AI-92 K4/K5			
1.3	AI-95 K4/K5			
1.4	AI-98 K4/K5			
2.	Diesel fuel			
2.1	Summer K4/K5			
2.2	Interseasonal K4/K5			
2.3	Winter K4/K5			
2.4	Arctic K4/K5			
3.	Jet fuel			
3.1	RT			
3.2	TS-1			
3.3	Jet A-1			

First head: Signature:

Date: