

**On approval of the Rules for maintaining a unified information system of equity participation in housing construction**

*Unofficial translation*

Order of the Minister of Industry and Infrastructural Development of the Republic of Kazakhstan dated August 29, 2019 no. 678. Registered with the Ministry of Justice of the Republic of Kazakhstan on August 29, 2019 no. 19313.

*Unofficial translation*

In accordance with sub-clause 11-2) of article 5 of the Law of the Republic of Kazakhstan dated April 7, 2016 "On equity participation in housing construction" **I HEREBY ORDER:**

1. To approve the attached Rules for maintaining the unified information system of equity participation in housing construction.

2. The Committee for Construction and Housing Utilities of the Ministry of Industry and Infrastructural Development of the Republic of Kazakhstan in accordance with the procedure established by the law 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) posting this order on the Internet resource of the Ministry of Industry and Infrastructural Development of the Republic of Kazakhstan.

3. Control over execution of this order shall be entrusted to the supervising Vice-Minister of Industry and Infrastructural Development of the Republic of Kazakhstan.

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

*Minister*

*R. Sklyar*

Approved by the order of the  
Minister of Industry and  
Infrastructural Development  
of the Republic of Kazakhstan  
dated August 29, 2019 no. 678

**Rules for maintaining a unified information system of equity participation in housing construction**  
**Chapter 1. General provisions**

1. Rules for maintaining a unified information system of equity participation in housing construction (hereinafter referred to as the Rules) have been developed in accordance with the Law of the Republic of Kazakhstan dated April 7, 2016 "On equity participation in housing construction" (hereinafter referred to as the Law) and shall establish the procedure for maintaining a unified information system of equity participation in housing construction.

2. The following basic concepts shall be used in these Rules:

1) the authorized body in the field of equity participation in housing construction (hereinafter - the authorized body) - the central executive body, carrying out management, as well as, within its competence, intersectoral coordination in the field of equity participation in housing construction;

2) the authorized company - a legal entity, one hundred percent of voting shares (participation interests in the authorized capital) of which belong to the developer, carrying out activities to ensure the shared construction of a multi-apartment residential building and the sale of shares in a multi-apartment residential building, which is not entitled to engage in any other commercial activity, with the exception of activities in special economic zones;

3) a unified information system for equity participation in housing construction - an information system designed for systematization and registration of agreements on equity participation in housing construction and information on assignment of rights of claim under them;

4) registration of agreements on equity participation in housing construction - is a list of information about the shareholder and the share belonging to him/her, agreements on equity participation in housing construction and on assignment of rights of claim on them, systematized, periodically updated and specified by local executive bodies of the region, the city of republican significance, capital, district, city of regional significance at the location of a multi-apartment residential building on the proposal of an authorized company.

**Footnote. Clause 2 as amended by the order of the acting Minister of Industry and Infrastructural Development of the Republic of Kazakhstan dated 16.10.2020 No. 541 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).**

**Chapter 2. Procedure for maintaining a unified information system of equity participation in housing construction**

3. The authorized company, after obtaining permission to raise money from equity holders or a guarantee of the Unified housing construction operator (hereinafter- the Single operator), shall enter the following information into the unified information system for equity participation in housing construction (hereinafter- the System):

1) about the object (area, number of floors, number of apartments, parking lots and non-residential premises (if any), land area);

2) about the share belonging to him/her (apartment number, floor, entrance number, total and usable area, balcony (loggia) area, technical characteristics);

3) copies of an agreement on provision of a guarantee for housing construction with a Single operator or permission of a local executive body to raise money from equity holders in electronic form.

**Footnote. Clause 3 - is in the wording of the order of the acting Minister of Industry and Infrastructural Development of the Republic of Kazakhstan dated 16.10.2020 No. 541 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).**

4. The authorized company, within 5 (five) working days from the date of conclusion of the Agreement on equity participation in housing construction (hereinafter- the Agreement), shall send an electronic copy of the Agreement to the local executive body of the region, cities of republican significance, the capital, districts, cities of regional significance ( hereinafter- the local executive body) through the System.

5. The local executive body, within 2 (two) working days from the date of receipt of the Agreement shall check it for compliance with the Standard form of the Agreement on equity participation in housing construction (hereinafter- the Standard form), approved by the order of the Minister of National Economy of the Republic of Kazakhstan dated July 28, 2016 No. 345 (registered in the Register of state registration of regulatory legal acts under No. 14185), as well as for the presence of previously registered rights of third parties to a share in a multi-apartment residential building.

**Footnote. Clause 5 - is in the wording of the order of the acting Minister of Industry and Infrastructural Development of the Republic of Kazakhstan dated 16.10.2020 No. 541 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).**

5. The local executive body within 2 (two) business days from the date of receipt of the Agreement shall verify it for compliance with the Standard Form of Agreement on equity participation in housing construction (hereinafter referred to as the Standard Form), approved by order of the Minister of National Economy of the Republic of Kazakhstan of 28 July 2016 no. 345 (registered in the Register of State Registration of Normative Legal Acts as no. 14185 ), as well as for the availability of previously registered third parties' rights to a share in a residential house (residential building).

6. Registration of the Agreement shall be carried out in the System within 1 (one) working day by filling in the Information on registration of the Agreement or Information on registration of assignment of rights under the Agreement in the forms according to Appendices 1 or 2 to these Rules.

7. If the Agreement does not comply with the Standard form, as well as if there is a previously registered Agreement for the same share in a multi-apartment residential building, the local executive body shall refuse to register the Agreement.

Footnote. Clause 7 - is in the wording of the order of the acting Minister of Industry and Infrastructural Development of the Republic of Kazakhstan dated 16.10.2020 No. 541 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

8. After registration of the Agreement, the local executive body shall notify the Authorized Company of registration of the agreement through the System within 3 (three) working days.

9. For deregistration of the Agreement, the Authorized company, within 3 (three) working days after the registration of the agreement on transfer to the shareholder of his/her share in the constructed multi-apartment residential building shall send an electronic copy of it to the local executive bodies through the System.

Footnote. Clause 9 - is in the wording of the order of the acting Minister of Industry and Infrastructural Development of the Republic of Kazakhstan dated 16.10.2020 No. 541 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

10. The deregistration shall be carried out by the local executive body by filling in the Information on deregistration of the agreement on equity participation in housing construction in the form according to Annex 3 to these Rules.

11. Registration and deregistration of additional agreements to the Agreement and Assignment Rights Agreements shall be carried out similarly to the procedures for registration and deregistration of the Agreement.

Annex 1  
to the Rules for maintaining a  
unified information system of  
equity participation in housing  
construction  
Form

## Information on registration of Agreements and addenda on amendments and (or) additions to the Agreement

Footnote. Annex 1 as amended by the order of the acting Minister of Industry and Infrastructural Development of the Republic of Kazakhstan dated 16.10.2020 No. 541 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Registration No.	Registration date	No. and registration of addenda	Information (certificate of state registration and legal/ actual address)		Information about the construction object (location, technical characteristics of the object)	Information on the commencement and completion of construction	
			about the developer	About the authorized company		commencement	completion
1	2	3	4	5	6	7	8 Download

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			Information on the shareholder's share			
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1	2	3	4	5	6	7	8	9	10	11
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