



On approval of the Rules for monitoring the state guaranteed obligation to support exports and the financial condition of the Export Credit Agency of Kazakhstan, which shall have a state guarantee to support exports

Unofficial translation

Order of the First Deputy Prime Minister of the Republic of Kazakhstan – Minister of Finance of the Republic of Kazakhstan dated February 12, 2020 no. 138. Registered with the Ministry of Justice of the Republic of Kazakhstan on February 13, 2020 no. 20033.

Unofficial translation

Footnote. Title - in the wording of the order of the Minister of Finance of the RK dated 18.04.2024 № 220 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

In accordance with Article 225-5 of the Budget Code of the Republic of Kazakhstan I **hereby ORDER:**

Footnote. Preamble - in the wording of the order of the Minister of Finance of the RK dated 18.04.2024 № 220 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

1. To approve the attached Rules for monitoring the state-guaranteed obligation to support exports and the financial condition of the Export Credit Agency of Kazakhstan, which has a state guarantee to support exports.

Footnote. Point 1 - in the wording of the order of the Minister of Finance of RK dated 18.04.2024 № 220 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

2. The Department of State Borrowing of the Ministry of Finance of the Republic of Kazakhstan in accordance with the procedure established by law shall ensure:

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

2) placement of this order on the Internet resource of the Ministry of Finance of the Republic of Kazakhstan;

3) 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 Service of the Ministry of Finance of the Republic of Kazakhstan of information about execution of measures stipulated by subclauses 1) and 2) of this clause.

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

First Deputy Prime Minister

A. Smailov

of the Republic of Kazakhstan-Minister of Finance

"AGREED"

Ministry of Trade and Integration
of the Republic of Kazakhstan

"AGREED"

Ministry of National Economy
of the Republic of Kazakhstan

Approved by the order
of the First Deputy
of the Prime Minister
of the Republic of Kazakhstan
– of the Minister of Finance
of the Republic of Kazakhstan
dated February 12, 2020 № 138

Rules for monitoring the state-guaranteed export support obligation and financial condition of the Export Credit Agency of Kazakhstan, which has a state guarantee on export support

Footnote. Rules - as amended by the order of the Minister of Finance of the Republic of Kazakhstan dated 18.04.2024 № 220 (shall be brought into force upon the expiration of ten calendar days after the day of its first official publication).

Chapter 1: General Provisions

1. These Rules for monitoring of the state-guaranteed export support obligation and financial condition of the Export Credit Agency of Kazakhstan, which has a state export support guarantee (hereinafter referred to as the Rules) have been developed in accordance with Article 225-5 of the Budget Code of the Republic of Kazakhstan (hereinafter referred to as the Budget Code) and shall determine the procedure for monitoring of the state-guaranteed export support obligation and financial condition of the Export Credit Agency of Kazakhstan, which has a state export support guarantee (hereinafter referred to as the Rules).

The procedure for granting state guarantee of the Republic of Kazakhstan on export support shall be regulated by the Rules of granting state guarantee of the Republic of Kazakhstan on export support, approved by the order of the First Deputy Prime Minister of the Republic of Kazakhstan - Minister of Finance of the Republic of Kazakhstan dated July 2, 2019 № 674 (registered in the Register of state registration of regulatory legal acts under № 19026).

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

1) special loan account - an account opened by the Export Credit Agency of Kazakhstan in a second-tier bank or an organization engaged in certain types of banking operations, authorized to service state-guaranteed obligations to support exports and designed to transfer

funds from the republican budget to fulfill state-guaranteed obligations to support exports, as well as to return to the republican budget the funds allocated to fulfill obligations under the state guarantee on the following items

2) bank - a legal entity being a commercial organization, which shall be authorized to carry out banking activities in accordance with the Law of the Republic of Kazakhstan “On Banks and Banking Activities in the Republic of Kazakhstan”;

3) central authorized body for budget execution (hereinafter referred to as the authorized body for budget execution) - a central executive body that shall carry out management and inter-branch coordination in the field of budget execution, accounting, budget accounting and budget reporting on execution of the republican budget and, within its competence, local budgets, Victims Compensation Fund, National Fund of the Republic of Kazakhstan on the basis of the report of the National Bank of the Republic of Kazakhstan;

4) state (governmental, sovereign) guarantee of the Republic of Kazakhstan on export support (hereinafter referred to as the State Guarantee) - the obligation of the Government of the Republic of Kazakhstan to the Export Credit Agency of Kazakhstan in accordance with the terms and conditions of the contract of guarantee on export support, to fully or partially repay its debt on insurance and guarantee payments;

5) Export Credit Agency of Kazakhstan (hereinafter referred to as the Agency) - a party to the export support guarantee agreement and the agreement on granting the state export support guarantee, receiving the State Guarantee, which bears the obligation to return to the republican budget the funds allocated for fulfillment of obligations under the State Guarantee at the expense of insurance and guarantee payments reimbursement;

6) attorney (agent) - a person who, on the basis of the agreement on granting the State Guarantee, ensures the performance of works related to the State Guarantee granted and ensuring the return of funds diverted from the republican budget in case of fulfillment of obligations under the State Guarantee;

7) Export Support Guarantee Agreement - a written agreement between the authorized body for budget execution and the Export Credit Agency of Kazakhstan, which shall establish legal relations, obligations and responsibility of the parties when providing the State Guarantee;

8) Agreement on granting the State Guarantee on export support - an agreement between the central authorized body on budget execution, attorney (agent) and the Export Credit Agency of Kazakhstan, establishing legal relations of the parties on granting the State Guarantee on export support, return of the republican budget funds diverted in case of fulfillment of obligations under the State Guarantee on export support;

9) state-guaranteed obligation on export support - the amount of outstanding obligations under insurance contracts and guarantees secured by the state guarantee of the Republic of Kazakhstan on export support, for which the Export Credit Agency of Kazakhstan has not made insurance and guarantee payments, as of a certain date.

Other concepts used in these Rules shall be applied in the meaning in which they are used in the relevant branches of the legislation of the Republic of Kazakhstan, unless otherwise provided for by the budget legislation of the Republic of Kazakhstan and these Rules.

Chapter 2: Procedure for monitoring of the state-guaranteed export support obligation and financial condition financial condition of the Export Credit Agency of Kazakhstan, which has a state guarantee on export support Paragraph 1: Procedure for monitoring of state guaranteed export support obligations

3. This Chapter shall define the procedures for monitoring the State Guaranteed Export Support Obligation.

4. The object of monitoring shall be obligations under insurance contracts and guarantees secured by the State Guarantee.

5. Monitoring of the State Guaranteed Export Support Obligation shall consist in tracking the volume of obligations under insurance and guarantee contracts secured by the State Guarantee on the basis of provision by the attorney (agent) of monthly information on the status of the volume of accepted insurance and guarantee obligations secured by the State Guarantee and insurance and guarantee payments made, according to Annexes 1 and 3 to these Rules.

The data of the attorney (agent) shall be formed on the basis of this clause and information on the status of the volume of accepted insurance and guarantee liabilities and insurance and guarantee payments made, according to Annexes 2 and 4 to these Rules.

Based on the results of monitoring, the authorized body on budget execution shall provide information on the status of the state-guaranteed obligation on export support to the Government of the Republic of Kazakhstan on a quarterly basis within the period until the 30th (thirtieth) day of the month following the reporting quarter.

Paragraph 2: Procedure for monitoring the financial condition of the agency holding the state guarantee

6. This Chapter shall define the procedures for monitoring the financial condition of the Agency holding the State Guarantee.

7. Financial ratios shall be calculated by the attorney (agent) based on the financial statements of the Agency that received the State Guarantee.

8. The Agency's financial condition shall be monitored on the basis of annual audited financial statements.

9. The Agency's financial condition analysis shall include quarterly financial condition analysis and year-end financial condition analysis. The financial condition analysis consists of analyzing basic (information on the legal entity's management, activities, industry and regulatory environment) and financial information (analysis of financial statements).

The following financial ratios shall be used in monitoring:

liquidity ratio - the ratio of cash and short-term receivables to short-term liabilities;
coverage ratio - the ratio of current assets to short-term liabilities;
debt to equity ratio - the ratio of current liabilities to equity capital;
attraction ratio - ratio of liabilities to the sum of current and long-term assets;
return on equity ratio - ratio of total income before tax to the amount of equity capital.

10. The Attorney (agent) shall monitor the Agency's financial condition by comparing the financial ratios determined on the basis of the indicators provided and the generally accepted norms of these ratios.

11. The Attorney (agent) shall submit the results of the analysis to the authorized budget execution body on a quarterly basis by the 25th (twenty-fifth) day of the second month following the reporting month, as well as on an annual basis by July 1, the results of the Agency's financial condition monitoring.

12. In case of determination of potential insolvency of the Agency, the authorized body on budget execution shall notify the Government of the Republic of Kazakhstan and make a proposal on taking measures to prevent diversion of the republican budget funds envisaged for repayment of debts on insurance and guarantee payments.

13. If necessary, the authorized body on budget execution shall request from the Agency additional information on financial indicators.

Paragraph 3: The main functions performed by the participants of the process of monitoring the state-guaranteed obligation to support exports and the financial condition of the Export Credit Agency of Kazakhstan, having the State Guarantee

14. The authorized body on budget execution, the attorney (agent) and the Agency are participants in the process of monitoring, state-guaranteed obligation on export support and financial condition of the Export Credit Agency of Kazakhstan, which has a state guarantee on export support, and shall carry out the following:

1) The Agency shall:

ensure provision of necessary documentation and information required by the participants of the State Guarantee provision process and in accordance with the requirements of these Rules;

monthly provide the Attorney (Agent) with financial statements according to standard forms (balance sheet and profit and loss statement) with cumulative total and other necessary documents determining the financial condition of the Agency upon written request of the Attorney (Agent);

not later than the 25th (twenty-fifth) day following the reporting quarter, provides the Attorney (Agent) with quarterly financial statements according to standard forms (balance sheet, profit and loss statement, cash flow statement, explanatory note) with cumulative total and other documents determining the financial condition of the Agency upon written request of the Attorney (Agent);

not later than May 31 (thirty-first) of each year following the reporting year, annually provide the attorney (agent) with audited financial statements according to standard forms (balance sheet, profit and loss statement, cash flow statement, explanatory note for the financial year);

inform the attorney (agent) of the facts and reasons for non-fulfillment of its obligations under the insurance and guarantee contracts, which may lead to the fulfillment of the State Guarantee;

ensure the return of diverted funds for the execution of the State Guarantee by transferring them to the special loan account;

2) authorized body for budget execution shall:

monitor the State Guaranteed Export Support Obligation in accordance with the procedure determined by these Rules;

3) attorney (agent) shall:

monitor the financial condition of the Agency holding the State Guarantee;

monitor the use of the republican budget funds allocated for the execution of the State Guarantee and their repayment in accordance with the terms and conditions of the agreement on granting the State Guarantee;

analyze the financial and economic condition of the Agency and provides information on the results of the respective analysis to the authorized body in charge of budget execution;

on the basis of the agreement on the provision of the State Guarantee on export support ensures the execution of other works related to the provision and execution of the State Guarantee.

15. Payment to the attorney (agent) for rendering the services provided for by subparagraph 3) of paragraph 14 of these Rules shall be made in accordance with the agreement on granting the state guarantee on export support by the Agency at its own expense on the basis of the agreement on payment for the services of the attorney (agent) according to its tariffs, concluded between the Agency and the attorney (agent).

16. If the volume of insurance and guarantee payments made during the reporting period (financial year) exceeds 40 (forty) percent of the Agency's equity capital, the Agency is not allowed to assume additional obligations under insurance and guarantee agreements. In this case, the volume of insurance and guarantee payments shall be indicated minus the amount of insurance and guarantee payments reimbursed under subrogation, reinsurance and guaranteeing.

17. The Agency shall provide the Attorney (agent) with information on the socio-economic effect of the final results under the existing insurance and guarantee contracts as of the last date of the reporting quarter secured by the State Guarantee on a quarterly basis by the thirtieth (30th) day of the second month following the reporting quarter, according to Annex 5 to these Rules.

The Attorney (agent) shall provide the authorized body for budget execution with information on the socio-economic effect of the final results under the existing insurance and guarantee contracts within 7 (seven) days after the information is provided by the Agency.

Annex 1
to the Rules for conducting
monitoring of the guaranteed
state obligation
on export support
and financial condition
Export Credit Agency
of the Republic of Kazakhstan, which has
state guarantee
on export support

Information on the status of the volume of accepted insurance and guarantee liabilities secured by the State Guarantee

Thousand in KZT					
№	Name	Commitments at the beginning of the reporting period	Changes in the reporting period		Liabilities at the end of the reporting period (column 6 = column 3 + column 4 - column 5)
			Obligations assumed	Discontinued liabilities	
1	2	3	4	5	6
1.	Liabilities in local currency				
2.	Foreign currency liabilities, including:				
	in Russian rubles				
	in United States dollars				
	in EUR				
	...				
	In total				

frequency: monthly

Equity at the end of the reporting period - _____ thousand tenge

The number of obligations secured by the State Guarantee,

at the end of the reporting period - _____ KZT thousand

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

chief accountant signature surname, first name, patronymic (if any)

responsible executive signature surname, name, patronymic (if any)
 phone number of the attorney (agent) _____

Note:

The report shall be prepared monthly until the 20th (twentieth) day of the month, following the reporting period, separately for each line in KZT thousand with summing up the final line "Total" for all columns in thousand tenge.

Bringing indicators to KZT

Shall be made at market exchange rates determined in the order, established by the Law of the Republic of Kazakhstan "On the National Bank," on the last calendar day of the reporting period.

Annex 2
 to the Rules for conducting
 of monitoring of the guaranteed
 state obligation
 on export support
 and financial condition
 Export Credit Agency
 of the Republic of Kazakhstan, which has
 state guarantee
 on export support

Information on the status of the volume of accepted insurance and warranty obligations

Thousand in KZT					
№	Name	Liabilities at the beginning of the reporting period	Changes in the reporting period		Liabilities at the end of the reporting period (Column 6 = column 3 + column 4 - column 5)
			Obligations assumed	Discontinued liabilities	
1	2	3	4	5	6
1.	Liabilities in national currency				
2.	Liabilities in foreign currency, including:				
	in Russian roubles				
	in United States dollars				
	in euros				
	...				
	TOTAL				

frequency: monthly

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

chief accountant signature surname, first name, patronymic (if available)

responsible executor signature surname, first name, patronymic (if available)

phone number

Export Credit Agency of Kazakhstan

Note:

The report shall be prepared monthly, by the 15th (fifteenth) day of the month following the reporting period, separately for each line in thousands of tenge with a subheading for each line in thousands of tenge.

following the reporting period, separately for each line in thousand tenge with summarizing the

total line "Total" for all columns in thousand tenge. Conversion of indicators to KZT shall be made at market exchange rates determined by the Law of the Republic of Kazakhstan "On National Bank of the Republic of Kazakhstan".

of the Republic of Kazakhstan "On the National Bank", as of the last calendar day of the reporting period.

of the reporting period.

Annex 3
to the Rules for conducting
of monitoring of the guaranteed
state obligation
on export support
and financial condition
Export Credit Agency
of the Republic of Kazakhstan, which has
state guarantee
on export support

Information on insurance and guarantee payments within the framework of accepted insurance and guarantee obligations

Name	Insurance payments	warranty payments	Equity	Ratio of insurance and guarantee payments to equity, %
1	2	3	4	5
Total amount at the end of the reporting period in local currency				
Foreign currency liabilities, including:				
in Russian roubles				

in United States dollars				
in EUR				
...				
TOTAL in local currency at the exchange rate at the date of the report				

frequency: monthly

Equity at the end of the reporting period - _____ thousand tenge

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

 chief accountant signature surname, first name, patronymic (if any)

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

phone number of the attorney (agent) _____

Note:

the report shall be prepared monthly until the 20th (twentieth) day of the month, following the reporting period.

Annex 4
 to the Rules for conducting
 of monitoring of the guaranteed
 state obligation
 on export support
 and financial condition
 Export Credit Agency
 of the Republic of Kazakhstan, which has
 state guarantee
 on export support

Information on insurance and guarantee payments within the framework of accepted insurance and guarantee obligations

Name	Insurance benefits	Guarantee payments	Amount of equity capital	Ratio of insurance and guarantee payments to equity capital, %
1	2	3	4	5
Total amount at the end of the reporting period in national currency				
Liabilities in foreign currency, including:				
in Russian roubles				

in United States dollars				
in euros				
...				
TOTAL in national currency at the exchange rate as of the date of this report				

frequency: monthly

Shareholders' equity at the end of the reporting period - _____ thousand tenge

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

 chief accountant signature surname, first name, patronymic (if available)

 responsible executor signature surname, first name, patronymic (if available)

phone number of the Export Credit Agency of Kazakhstan

Note:

The report shall be prepared monthly, by the 15th (fifteenth) day of the month, following the reporting period.

Annex 5
 to the Rules for conducting
 of monitoring of the guaranteed
 by state obligation
 on expert support
 and financial condition
 of Expert Credit Agency
 of Kazakhstan, which has
 state guarantee

Information on the socio-economic effect of the final results under existing insurance and guarantee contacts as of the last date of the reporting quarter, insurance and guarantee as of the last date of the reporting quarter, secured by the State Guarantee

Name	Total
1	2
Total number of export contracts as of the end of the reporting period, quantity	
Total amount of export contracts as of the end of the reporting period, thousand tenge	
Volume of products produced, bln. KZT*	
Taxes paid by exporters, thousand KZT*	
New jobs created, number*	

periodicity: quarterly

*In accordance with Article 112-1 of the Entrepreneurial Code of the Republic of Kazakhstan

provision of information to state authorities and other persons by business entities of entrepreneurship, is carried out only in the presence of the relevant requirements established by the laws of the Republic of Kazakhstan.

requirements established by the laws of the Republic of Kazakhstan. In this regard, the data

are formed on the basis of submitted letters of exporters.

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

responsible executor signature surname, first name, patronymic (if any)