



**On approval of the Rules for issuing a permit for voluntary reorganization of the Bank (banking holding) or refusal to issue a permit, issue a permit to convert a bank into an Islamic bank and refusal to issue a permit, issue a permit to voluntarily liquidate banks, issue a permit to voluntarily terminate the activities of a non-resident bank branch of the Republic of Kazakhstan, as well as return deposits of individuals, transfer them to another bank or branch of a non-resident bank of the Republic of Kazakhstan, being participants in the mandatory deposit guarantee system**

*Unofficial translation*

Resolution of the Board of the Agency of the Republic of Kazakhstan on Regulation and Development of the Financial Market No. 31 dated March 30, 2020. Registered with the Ministry of Justice of the Republic of Kazakhstan on March 31, 2020, No. 20241.

Unofficial translation

**Footnote. The title - in the wording of the resolution of the Board of the Agency for regulation and development of the financial market of the Republic of Kazakhstan dated 16.07.2021 № 80 (shall enter into force upon expiry of sixty calendar days after the day of its first official publication).**

In accordance with part two of paragraph 1 of Article 52-14, part two of paragraph 1 of Article 60, part three of paragraph 1 of Article 69, part four of paragraph 3 of Article 74-5 of the Law of the Republic of Kazakhstan "On Banks and Banking Activities in the Republic of Kazakhstan," subparagraph 1) of paragraph 1 of Article 9 of the Law of the Republic of Kazakhstan "On state regulation, control and supervision of the financial market and financial institutions, " subparagraph 1) of Article 10 of the Law of the Republic of Kazakhstan" On public services, " paragraph 2 of Article 12 of the Law of the Republic of Kazakhstan "On permits and notifications" The Board of the Agency of the Republic of Kazakhstan for the regulation and development of the financial market hereby **RESOLVED**:

**Footnote. Preamble - in the wording of the resolution of the Board of the Agency for regulation and development of the Financial Market of the Republic of Kazakhstan dated 16.07.2021 № 80 (shall enter into force upon expiry of sixty calendar days after the day of its first official publication).**

1. To approve the attached Rules for issuing a permit for voluntary reorganization of the bank (banking holding) or refusal to issue a permit, issue a permit to convert a bank into an Islamic bank and refusal to issue a permit, issue a permit to voluntarily liquidate banks, issue a permit to voluntarily terminate the activities of a non-resident bank branch of the Republic

of Kazakhstan, as well as return deposits of individuals, transfer them to another bank or branch of a non-resident bank of the Republic of Kazakhstan, which shall be participants in the mandatory deposit guarantee system.

**Footnote. Paragraph 1 - in the wording of the resolution of the Board of the Agency for regulation and development of the financial market of the Republic of Kazakhstan dated 16.07.2021 № 80 (shall enter into force upon expiry of sixty calendar days after the day of its first official publication).**

2. To recognize as terminated the regulatory legal acts of the Republic of Kazakhstan, as well as structural elements of some regulatory legal acts of the Republic of Kazakhstan according to the list in accordance with the Annex to this Resolution.

3. The Department of Banking Regulation, in accordance with the procedure established by the legislation of the Republic of Kazakhstan, shall ensure:

1) jointly with the Legal Department, state registration of this Resolution with the Ministry of Justice of the Republic of Kazakhstan;

2) posting this Resolution on the official Internet resource of the Agency of the Republic of Kazakhstan for the Regulation and Development of the Financial Market after its official publication;

3) within ten working days after the state registration of this Resolution, the submission to the Legal Department of information on the implementation of the measures provided for in subparagraph 2) of this paragraph and paragraph 4 of this Resolution.

4. The Department of International Relations and External Communications shall ensure, within ten calendar days after the state registration of this Resolution, sending of a copy of it for official publication in periodicals.

5. Control over the implementation of this Resolution shall be entrusted to the supervising Deputy Chairman of the Agency of the Republic of Kazakhstan for the Regulation and Development of the Financial Market.

6. This Resolution shall come into effect upon the expiration of twenty-one calendar days after the day of its first official publication.

*Chairman of the Agency of the  
Republic of Kazakhstan  
for Regulation and Development of the  
Financial Market*

*M. Abylkassymova*

"AGREED"

Ministry of National Economy of the  
Republic of Kazakhstan

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"AGREED"

Ministry of Digital Development, Innovation and  
Aerospace Industry of the

Approved  
by the Resolution of the Board  
of the Agency of the  
Republic of Kazakhstan  
for the Regulation and  
Development of the  
Financial Market  
dated March 30, 2020, No. 31

## **Rules**

**for issuing a permit for voluntary reorganization of a bank (banking holding) or refusal to issue a permit, issuing a permit to convert the bank into an Islamic bank and refusing to issue a permit, issuing a permit for voluntary liquidation of banks, issuing a permit for voluntary termination of the activities of a non-resident bank branch of the Republic of Kazakhstan, as well as the return of deposits of individuals, their transfer to another bank or branch of the non-resident bank of the Republic of Kazakhstan, which are participants in the system of mandatory deposit guarantee**

**Footnote. Rules – in the wording of the resolution of the Board of the Agency of the Republic of Kazakhstan for regulation and development of the financial market dated 16.07.2021 № 80 (shall enter into force upon expiry of sixty calendar days after the day of its first official publication).**

## **Chapter 1. General provisions**

1. These Rules for issuing a permit for voluntary reorganization of a bank (banking holding) or refusing to issue a permit, issuing a permit to convert a bank into an Islamic bank and refusing to issue a permit, issuing a permit to voluntarily liquidate banks, issuing a permit to voluntarily terminate the activities of a non-resident bank branch of the Republic of Kazakhstan, as well as returning deposits of individuals, transferring them to another bank or a branch of a non-resident bank of the Republic of Kazakhstan, which are participants in the mandatory deposit guarantee system, (hereinafter referred to as the Rules) have been developed in accordance with part two of paragraph 1 of Article 52-14, part two of paragraph 1 of Article 60, part three of paragraph 1 of Article 69, part four of paragraph 3 of Article 74-5 of the Law of the Republic of Kazakhstan "On Banks and Banking Activities in the Republic of Kazakhstan" (hereinafter referred to as the Law on banks), subparagraph 1) of paragraph 1 of Article 9 of the Law of the Republic of Kazakhstan "On state regulation, control and supervision of the financial market and financial organizations," subparagraph 1) Article 10 of the Law of the Republic of Kazakhstan "On public services" (hereinafter referred to as the Law on public services), paragraph 2 of Article 12 of the Law of the Republic of Kazakhstan "On permits and notifications" (hereinafter referred to as the Law on

permits) and shall determine the procedure for issuing by the authorized body for regulation, control and supervision of the financial market and financial institutions (hereinafter referred to as the authorized body, service provider) of permission for voluntary reorganization of the bank (banking holding) or refusal to issue a permit, issue a permit to convert a bank into an Islamic bank and refusal to issue a permit, issue a permit to voluntarily liquidate banks, to voluntarily terminate the activities of a non-resident bank branch of the Republic of Kazakhstan, as well as return deposits of individuals, transfer them to another bank or branch of a non-resident bank of the Republic of Kazakhstan, which are participants in the mandatory deposit guarantee system.

2. The peculiarities of voluntary reorganization and liquidation of interstate banks shall be determined by international treaties (agreements) on the creation of these banks and their constituent documents.

## **Chapter 2.**

### **Procedure for issuing a permit for voluntary reorganization of the bank (banking holding) and conversion of the bank into an Islamic bank or refusal to issue permits**

3. Bank (bank holding) (hereinafter referred to as the bank (bank holding) or service recipient) to obtain permission for the voluntary reorganization of the bank (banking holding) (hereinafter referred to as the permission for voluntary reorganization, state service) is sent to the authorized body through the web portal "e-government [www.egov.kz](http://www.egov.kz)" (hereinafter referred to as the portal) application for permission to conduct a voluntary reorganization of the bank (of the bank holding) in accordance with Annex 1 to the Rules or an application for a permit for voluntary reorganization of the bank in the form of conversion into an Islamic bank in accordance with Annex 2 to the Rules.

The list of basic requirements for the provision of public services, including the characteristics of the process, the form, content and result of the provision, as well as other information taking into account the peculiarities of the provision of public services, shall be set out in the state service standard "Issuance of permission for voluntary reorganization of a bank (banking holding)" in accordance with Annex 3 to the Rules.

When the service recipient sends a request or application through the portal, the "personal account" automatically displays the status of acceptance of the request for the provision of public service with an indication of the date and time of receipt of the result.

4. The employee of the service provider authorized to receive and register correspondence, on the day of receipt of the application for obtaining permission to carry out a voluntary reorganization of the bank (banking holding) or an application for issuing a permit for voluntary reorganization of the bank in the form of conversion into an Islamic bank, shall receive, register and shall send them for execution to the division responsible for the provision of state services (hereinafter referred to as the responsible subdivision). Upon receipt of the application or application of the service recipient after the end of working hours

, on weekends and holidays in accordance with the labor legislation of the Republic of Kazakhstan, the acceptance of applications or applications shall be carried out by the next working day.

5. Within fifteen (15) calendar days from the date of registration of the application for permission to conduct a voluntary reorganization of the bank (banking holding) or an application for permission to voluntarily reorganize the bank in the form of conversion to an Islamic bank, the employee of the responsible subdivision shall verify the completeness of the submitted documents.

The authorized body shall receive from the relevant state information systems through the gateway of the "electronic government" the information indicated in the documents on state registration (re-registration) of the legal entity - resident of the Republic of Kazakhstan.

If the fact of incompleteness of the submitted documents is established, the responsible department shall prepare and send a reasoned refusal to further consider the application for obtaining permission to conduct a voluntary reorganization of the bank (banking holding) or an application for issuing permission to voluntarily reorganize the bank in the form of conversion to an Islamic bank through the portal to the "personal account" of the service recipient.

6. After establishing the fact of completeness of the submitted documents, the responsible department within 40 (forty) calendar days reviews the documents for their compliance with the requirements of the legislation of the Republic of Kazakhstan.

If the grounds for refusal to provide a public service are identified, the authorized body notifies the service recipient of the preliminary decision to refuse to provide a public service, as well as the time and place (method) of the hearing to provide the service recipient with the opportunity to express his position on the preliminary decision.

The notification of the hearing is sent at least 3 (three) working days before the decision on refusal to provide a public service is made. The hearing is held no later than 2 (two) working days from the date of receipt by the service recipient of a notification of a preliminary decision to refuse to provide a public service.

Based on the results of the review of the documents submitted by the service recipient, the hearing, the responsible department prepares and submits to the Board of the service provider a draft resolution of the Board of the service provider on the issuance (refusal to issue) of a permit for the voluntary reorganization of the bank (bank holding). The Management Board of the service provider makes a decision to issue (refuse to issue) a permit for the voluntary reorganization of the bank (bank holding).

The employee of the responsible division within 4 (four) calendar days after the responsible division receives the resolution of the Board of the service provider (within the period of rendering the public service), sends to the "personal account" of the service recipient through the portal a notification of the issuance of a permit for the voluntary reorganization of the bank (bank holding) or a reasoned refusal to provide the public service

in the form of an electronic document, signed with an electronic digital signature of the authorized person of the service provider with the attachment of electronic copies of the resolution of the Management Board and the corresponding permit (when making a decision to issue a permit).

If there are grounds for refusal to provide a public service, the term of consideration of the application may be extended by a reasoned decision of the head of the service provider or his deputy for a reasonable period, but not more than 2 (two) months due to the need to establish factual circumstances relevant to the correct consideration of the application, which is notified to the service recipient within 3 (three) working days from the date of extension of the term, in accordance with paragraph 3 of Article 76 of the Administrative Procedural Code of the Republic of Kazakhstan.

**Footnote. Paragraph 6 - as amended by the resolution of the Board of the Agency of the Republic of Kazakhstan for regulation and development of the financial market dated 14.02.2022 No. 3 (shall be enforced sixty calendar days after the date of its first official publication).**

7. If there are comments on the documents submitted for obtaining permission for voluntary reorganization of the bank (banking holding), permission for voluntary reorganization of the bank in the form of conversion to an Islamic bank, the authorized body sends a letter to the bank (banking holding) indicating these comments by mail, facsimile, e-mail and (or) through the portal indicating the period for their elimination.

The bank (bank holding) shall eliminate the comments and submit the revised (corrected) documents within the period established by the authorized body in the sent letter.

If the service recipient fails to resolve the comments of the authorized body on the submitted documents within the period established by him, the authorized body shall refuse to issue a permit.

8. Information on the stage of provision of public services shall be updated automatically in the information system for monitoring the provision of public services.

9. In case of voluntary reorganization of the bank by means of transformation into an organization carrying out certain types of banking operations, the bank after the general meeting of shareholders decision on its voluntary reorganization shall:

1) take measures to return deposits of individuals by their direct payment or transfer to another bank or branch of a non-resident bank of the Republic of Kazakhstan, which shall be a member of the system of mandatory guarantee of deposits, in the manner prescribed by Chapter 5 of the Rules, as well as to return deposits of legal entities by their direct payment or transfer to another bank or branch of a non-resident bank of the Republic of Kazakhstan;

2) take measures to early fulfill obligations under previously concluded agreements of the bank or termination of these agreements.

After carrying out the measures specified in the first part of this paragraph, the bank being reorganized applies to the authorized body with a request to obtain permission to carry out a

voluntary reorganization of the bank by transformation into an organization, carrying out certain types of banking operations, with the attachment of supporting documents, including an agreement on the transfer of deposits of individuals and an act of acceptance and transfer of deposits of individuals to another bank or branch of a non-resident bank of the Republic of Kazakhstan, which shall be a member of the mandatory deposit guarantee system.

10. Documents specified in paragraph 2 of Article 52-14 of the Law on Banks shall be certified by signatures of bank officials with the right to sign such documents.

### **Chapter 3. Procedure for issuing a permit for voluntary liquidation of a bank**

11. In order to obtain a permit for voluntary liquidation of a bank (hereinafter referred to as the permit for voluntary liquidation of a bank, a state service), the bank shall send to the authorized body through the portal a request for issuance of a permit for voluntary liquidation of a bank in the form specified in Annex 4 to the Rules.

The list of basic requirements for the provision of public services, including the characteristics of the process, the form, content and result of the provision, as well as other information taking into account the specifics of the provision of public services, shall be set out in the state service standard "Issuance of a permit for voluntary liquidation of a bank, voluntary termination of the activities of a non-resident bank branch of the Republic of Kazakhstan" in accordance with Annex 5 to the Rules (hereinafter referred to as the Liquidation standard).

When the service recipient sends an application through the portal in the "personal account," the status of acceptance of the request for the provision of public service is automatically displayed with an indication of the date and time of receipt of the result.

12. The employee of the service provider authorized to receive and register correspondence, on the day of receipt of the application for a permit for voluntary liquidation of the bank, shall perform its reception, registration and sending for execution to the responsible subdivision. Upon receipt of the request of the service recipient after the end of working hours, on weekends and holidays in accordance with the labor legislation of the Republic of Kazakhstan, the acceptance of applications shall be carried out by the next working day.

13. Within fifteen (15) calendar days from the date of registration of the application for a permit for voluntary liquidation of the bank, the employee of the responsible subdivision shall check the completeness of the submitted documents.

The authorized body shall receive from the relevant state information systems through the gateway of the "electronic government" the information indicated in the documents on state registration (re-registration) of the legal entity - resident of the Republic of Kazakhstan.

If the fact of incompleteness of the submitted documents is established, the responsible department shall prepare and send a reasoned refusal to further consideration of the



application for issuing a permit for voluntary liquidation of the bank through the portal to the "personal account" of the service recipient.

14. After establishing the fact of completeness of the submitted documents, the responsible department within 40 (forty) calendar days reviews the documents for their compliance with the requirements of the legislation of the Republic of Kazakhstan.

If the grounds for refusal to provide a public service are identified, the authorized body notifies the service recipient of the preliminary decision to refuse to provide a public service, as well as the time and place (method) of the hearing to provide the service recipient with the opportunity to express his position on the preliminary decision.

The notification of the hearing is sent at least 3 (three) working days before the decision on refusal to provide a public service is made. The hearing is held no later than 2 (two) working days from the date of receipt by the service recipient of a notification of a preliminary decision to refuse to provide a public service.

Based on the results of the review of the documents submitted by the service recipient, the hearing, the responsible department prepares and submits to the Board of the service provider a draft resolution of the Board of the service provider on the issuance (refusal to issue) of a permit for the voluntary liquidation of the bank. The Management Board of the service provider makes a decision to issue (refuse to issue) a permit for the voluntary liquidation of the bank.

The employee of the responsible department within 4 (four) calendar days after the responsible department receives the resolution of the Board of the service provider (within the period of rendering the public service), sends to the "personal account" of the service recipient through the portal a notification of the issuance of a permit for the voluntary liquidation of the bank or a reasoned refusal to provide the public service in the form of an electronic document signed by electronic digital signature of the authorized person of the service provider, with the attachment of electronic copies of the resolution of the Management Board and the corresponding permit (when making a decision to issue a permit).

If there are grounds for refusal to provide a public service, the term of consideration of the application may be extended by a reasoned decision of the head of the service provider or his deputy for a reasonable period, but not more than 2 (two) months due to the need to establish factual circumstances relevant to the correct consideration of the application, which is notified to the service recipient within 3 (three) working days from the date of extension of the term, in accordance with paragraph 3 of Article 76 of the Administrative Procedural Code of the Republic of Kazakhstan.

**Footnote. Paragraph 14 - as amended by the resolution of the Board of the Agency of the Republic of Kazakhstan for regulation and development of the financial market dated 14.02.2022 No. 3 (shall be enforced sixty calendar days after the date of its first official publication).**



15. Information on the stage of provision of public services shall be updated automatically in the information system for monitoring the provision of public services.

16. The application for a permit for voluntary liquidation of the bank shall be sent to the authorized body after the return of deposits of individuals by their direct payment or their transfer to another bank or a branch of a non-resident bank of the Republic of Kazakhstan, which are participants in the system of mandatory deposit guarantee, in the manner prescribed by Chapter 5 of the Rules.

17. Upon the receipt of the permit for voluntary liquidation, the bank shall return the previously issued original of the license for the right to carry out banking and other operations and activities on the securities market within ten (10) working days from the date of entry into force of this decision of the authorized body (if the previously issued license has been executed in paper form).

#### **Chapter 4. Procedure for issuing a permit to voluntarily terminate the activities of a non-resident bank branch of the Republic of Kazakhstan**

18. The non-resident bank of the Republic of Kazakhstan, in order to obtain permission to voluntarily termination of the activities of the non-resident bank of the Republic of Kazakhstan (hereinafter referred to as the voluntary termination of the activities of the non-resident bank of the Republic of Kazakhstan, state service), shall send to the authorized body through the portal a request to issue permission to voluntarily termination of the activities of the non-resident bank of the Republic of Kazakhstan in accordance with Annex 6 to the Rules.

The list of the main requirements for the provision of public service, including the characteristics of the process, the form, content and result of the provision, as well as other information taking into account the peculiarities of the provision of public service, shall be set out in the Liquidation standard.

When the service recipient sends an application through the portal in the "personal account," the status of acceptance of the request for the provision of public service is automatically displayed with an indication of the date and time of receipt of the result.

19. The employee of the service provider authorized to receive and register correspondence on the day of receipt of the application for a permit to voluntarily terminate the activities of the branch of the non-resident bank of the Republic of Kazakhstan shall receive, register and send for execution to the responsible subdivision. Upon receipt of the request of the service recipient after the end of working hours, on weekends and holidays in accordance with the labor legislation of the Republic of Kazakhstan, the acceptance of applications shall be carried out by the next working day.

20. Within fifteen (15) calendar days from the date of registration of the application for a permit to voluntarily termination of the activities of the non-resident bank branch of the

Republic of Kazakhstan, the employee of the responsible subdivision shall check the completeness of the submitted documents.

The authorized body shall receive the information specified in the registration documents of the non-resident bank branch of the Republic of Kazakhstan from the relevant state information systems through the "electronic government" gateway.

If the fact of incompleteness of the submitted documents is established, the responsible department shall prepare and send a reasoned refusal to further consideration of the application for issuing a permit to voluntarily termination of the activities of the non-resident bank branch of the Republic of Kazakhstan through the portal to the "personal account" of the service recipient.

21. After establishing the fact of completeness of the submitted documents, the responsible department within 40 (forty) calendar days reviews the documents for their compliance with the requirements of the legislation of the Republic of Kazakhstan.

If the grounds for refusal to provide a public service are identified, the authorized body notifies the service recipient of the preliminary decision to refuse to provide a public service, as well as the time and place (method) of the hearing to provide the service recipient with the opportunity to express his position on the preliminary decision.

The notification of the hearing is sent at least 3 (three) working days before the decision on refusal to provide a public service is made. The hearing is held no later than 2 (two) working days from the date of receipt by the service recipient of a notification of a preliminary decision to refuse to provide a public service.

Based on the results of consideration of the documents submitted by the service recipient, the hearing, the responsible department prepares and submits for consideration by the Board of the service provider a draft resolution of the Board of the service provider on the issuance (refusal to issue) of a permit for the voluntary termination of the activities of a branch of a non-resident bank of the Republic of Kazakhstan. The Management Board of the service provider decides on the issuance (refusal to issue) of a permit for the voluntary termination of the activities of a branch of a non-resident bank of the Republic of Kazakhstan.

The employee of the responsible department within 4 (four) calendar days after the receipt by the responsible department of the resolution of the Board of the service provider (within the term of the provision of public services), sends to the "personal account" of the service recipient through the portal a notification on the issuance of a permit for the voluntary termination of the activities of a branch of a non-resident bank of the Republic of Kazakhstan or a reasoned refusal to provide public service in the form of an electronic document signed with an electronic digital signature of the authorized person of the service provider, with the attachment of electronic copies of the resolution of the Management Board and the corresponding permit (when making a decision to issue a permit).

If there are grounds for refusal to provide a public service, the term of consideration of the application may be extended by a reasoned decision of the head of the service provider or his

deputy for a reasonable period, but not more than 2 (two) months due to the need to establish factual circumstances relevant to the correct consideration of the application, which is notified to the service recipient within 3 (three) working days from the date of extension of the term, in accordance with paragraph 3 of Article 76 of the Administrative Procedural Code of the Republic of Kazakhstan.

**Footnote. Paragraph 21 - as amended by the resolution of the Board of the Agency of the Republic of Kazakhstan for regulation and development of the financial market dated 14.02.2022 No. 3 (shall be enforced sixty calendar days after the date of its first official publication).**

22. Information on the stage of provision of public services shall be updated automatically in the information system for monitoring the provision of public services.

23. The application for a permit to voluntarily termination of the activities of a non-resident bank branch of the Republic of Kazakhstan shall be sent to the authorized body after the return of deposits of individuals by direct payment or their transfer to another bank or branch of a non-resident bank of the Republic of Kazakhstan, which are participants in the system of mandatory deposit guarantee, in the manner prescribed by Chapter 5 of the Rules.

24. Upon obtaining permission to voluntarily termination of the activities of the non-resident bank branch of the Republic of Kazakhstan, the non-resident bank branch of the Republic of Kazakhstan shall return the previously issued original license for the right to carry out banking and other operations and activities on the securities market within ten (10) working days from the date of entry into force of this decision of the authorized body (if the previously issued license has been issued in paper form).

**Chapter 5. Procedure for the return of deposits of individuals, their transfer to another bank or branch of a non-resident bank of the Republic of Kazakhstan, which are participants in the system of mandatory deposit guarantee**

25. After making a decision of the general meeting of shareholders of the bank on its voluntary liquidation or a decision of the relevant body of the non-resident bank of the Republic of Kazakhstan on the voluntary termination of the activities of the branch of the non-resident bank of the Republic of Kazakhstan, the branch of the non-resident bank of the Republic of Kazakhstan shall take measures to return deposits of individuals by their direct payment or their transfer to another bank or branch of the non-resident bank of the Republic of Kazakhstan, which are participants in the mandatory deposit guarantee system.

26. Preparatory measures for the return of deposits of individuals by their direct payment or their transfer to another bank or branch of the non-resident bank of the Republic of Kazakhstan, which are participants in the mandatory deposit guarantee system, shall include:

1) determination of the number of obligations of the bank, branch of the non-resident bank of the Republic of Kazakhstan on deposits of individuals;

2) publication of the announcement of the upcoming return of deposits of individuals or their transfer to another bank or branch of a non-resident bank of the Republic of Kazakhstan, which are participants in the system of mandatory deposit guarantee, in at least 2 (two) republican periodicals and on the Internet resource of the bank, a branch of a non-resident bank of the Republic of Kazakhstan in Kazakh and Russian;

3) place an announcement about the upcoming return of deposits of individuals or their transfer to another bank or branch of a non-resident bank of the Republic of Kazakhstan, which are participants in the system of mandatory deposit guarantee, in a place available for viewing by customers of the bank, a branch of a non-resident bank of the Republic of Kazakhstan.

27. Acceptance of applications for return of deposits of individuals or their transfer to another bank or branch of the non-resident bank of the Republic of Kazakhstan, which are participants in the system of mandatory guarantee of deposits, at the choice of the bank or branch of the non-resident bank of the Republic of Kazakhstan, is carried out within 10 (ten) business days from the date of publication of the announcement.

Deposits of individuals shall be returned within 3 (three) working days from the date of submission of the application for deposit return.

The absence of a written objection of the depositors within the period specified in part 1 of this paragraph shall be considered as the consent of the depositor to transfer the deposit.

28. A bank or a branch of non-resident bank of the Republic of Kazakhstan not later than 3 (three) working days from the date of expiration of the period specified in part 1 of paragraph 27 of the Rules, shall generate lists of depositors - individuals who submitted an application for deposit transfer, or who had not applied for deposit receipt or who had not submitted an application for deposit transfer to another bank or branch of a non-resident bank of the Republic of Kazakhstan, participants of the mandatory deposit guarantee system, indicating the deposit amount, The amount of deposit remuneration accrued and received by depositors, and shall send an offer to banks or branches of non-resident banks of the Republic of Kazakhstan to accept deposits of individuals.

The proposal shall indicate the total amount of deposits, including the amount of deposit remuneration accrued and received by depositors, as well as the total number of depositors - individuals in the context of bank branches or additional premises of a non-resident bank branch of the Republic of Kazakhstan.

Banks or branches of non-resident banks of the Republic of Kazakhstan wishing to accept deposits of individuals within 5 (five) working days from the date of sending an offer to accept deposits of individuals submit to the bank or branch of the non-resident bank of the Republic of Kazakhstan a statement of intention to accept deposits of individuals, drawn up in an arbitrary form.

29. A bank or a branch of a non-resident bank of the Republic of Kazakhstan shall select a bank or a branch of a non-resident bank of the Republic of Kazakhstan from among those

who have applied for the intention to accept deposits of individuals and meet the following requirements no later than 7 (seven) working days from the date of sending the offer:

- 1) being a member of the mandatory deposit guarantee system;
- 2) having a valid license of the authorized body for accepting deposits, opening and maintaining bank accounts of individuals, conducting cash transactions;
- 3) compliance with prudential standards during the last 3 (three) calendar months, as well as taking into account the number of accepted deposits of individuals;
- 4) do not have the effective supervisory response measures provided for in subparagraphs 1), 2), 3), 4) and 5) of paragraph 1 of Article 46, Article 47-1 of the Law of the banks, and (or ) administrative penalties for administrative offenses provided for in parts four, five, six, seven, eight, nine of Article 213, part one of Article 227 of the Code of the Republic of Kazakhstan "On administrative offenses" as of the date of submission of the application and during the consideration of documents applied by the authorized body to the bank, a major participant (the bank holding) and (or) the executive employee of the bank, the branch of the non-resident bank of the Republic of Kazakhstan and (or) the executive employee of the branch of the non-resident bank of the Republic of Kazakhstan;
- 5) have branches or additional premises of a branch of a non-resident bank of the Republic of Kazakhstan for servicing depositors of a voluntarily liquidated bank or voluntarily terminating the activities of a branch of a non-resident bank of the Republic of Kazakhstan.

30. The decision on the choice of a bank or a branch of a non-resident bank of the Republic of Kazakhstan, which are participants in the mandatory deposit guarantee system, shall be sent for consideration to the authorized body.

Within ten (10) working days from the date of receipt of documents in writing, the authorized body shall inform the bank or branch of the non-resident bank of the Republic of Kazakhstan of the results of consideration of the decision of the bank or branch of the non-resident bank of the Republic of Kazakhstan.

At the request of the authorized body, the bank or a branch of the non-resident bank of the Republic of Kazakhstan shall provide information regarding the transfer of deposits of individuals.

31. Transfer of deposits of individuals, as well as relevant documents (contracts and other documents) shall be carried out within 7 (seven) working days from the date of consideration by the authorized body of the decision of the bank or branch of the non-resident bank of the Republic of Kazakhstan on the basis of an agreement on the transfer of deposits of individuals , concluded between a voluntarily liquidated bank voluntarily terminating the activities of a branch of a non-resident bank of the Republic of Kazakhstan and another bank, a branch of a non-resident bank of the Republic of Kazakhstan that shall be a member of the mandatory deposit guarantee system, and the certificate of acceptance and transfer of deposits of individuals, drawn up in 2 (two) copies.

32. When issuing a certificate of acceptance and transfer of deposits of individuals, it contains the following information:

1) the number of obligations of the bank, a branch of the non-resident bank of the Republic of Kazakhstan on deposits of individuals as of the date of transfer;

2) the list of depositors - individuals in the context of branches of a voluntarily liquidated bank, in the context of additional premises voluntarily terminating the activities of a branch of a non-resident bank of the Republic of Kazakhstan, which shall contain the following information:

individual identification code (bank account number) of the depositor;

surname, first name, patronymic (if any), date of birth of the depositor;

the number of the document certifying the identity of the depositor, and information about the state body that issued it, the date of issue;

individual identification number;

legal address, place of residence of the depositor;

date and number of the bank account and/or bank deposit agreement, term of the agreement;

interest rates on the deposit;

the amount of the deposit, as well as the amounts of the deposit consideration accrued and received by the deposit;

3) the number of cases (documents) transferred.

33. A voluntarily liquidated bank voluntarily terminating the activities of a branch of a non-resident bank of the Republic of Kazakhstan shall bear all expenses related to the transfer of deposits of individuals and charges interest on deposits, including the date of transfer of deposits of individuals.

34. A voluntarily liquidated bank that voluntarily terminates the activities of a branch of a non-resident bank of the Republic of Kazakhstan within 1 (one) business day from the date of signing the certificate of acceptance and transfer of deposits of individuals shall send to the authorized body, the organization that performs mandatory guarantee of deposits, copies of the certificate of acceptance and transfer of deposits of individuals and the agreement on the transfer of deposits of individuals.

35. A bank or a branch of a non-resident bank of the Republic of Kazakhstan, being a member of the system of mandatory deposit guarantee, to which deposits of individuals have been transferred, shall enter into agreements of a bank account and (or) a bank deposit with individuals whose deposits have been transferred to it within a month.

36. Information on the transfer of deposits of individuals shall be published by a voluntarily liquidated bank, a branch of a non-resident bank of the Republic of Kazakhstan, voluntarily terminating its activities, in republican periodicals in Kazakh and Russian.

## **Chapter 6. Procedure for appealing decisions, actions (inactions) of the service provider and (or) its officials on the provision of public services**

37. Appeals against decisions, actions (inaction) of the service provider and (or) its officials on the provision of public services are made in writing.

Consideration of a complaint on the provision of public services is carried out by a higher official of the service provider, the authorized body for the assessment and control of the quality of public services.

Confirmation of acceptance of the complaint is its registration (stamp, incoming number and date) in the office of the service provider, indicating the surname and initials of the person who accepted the complaint, the date and place of receipt of the response to the complaint.

When contacting through the portal, information on the appeal procedure is provided by calling the Unified Contact Center: 8-800-080-7777 or 1414.

When sending a complaint through the portal to the service recipient, information about the request is available from the "personal account", which is updated during the processing of the request by the service provider (notes on delivery, registration, execution, response on consideration or refusal of consideration).

The complaint of the service recipient on the provision of public services received by the service provider is considered within 5 (five) working days from the date of its registration.

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

**Footnote. Paragraph 37 - as amended by the resolution of the Board of the Agency of the Republic of Kazakhstan for regulation and development of the financial market dated 14.02.2022 No. 3 (shall be enforced sixty calendar days after the date of its first official publication).**

38. The complaint specifies:

- 1) full name, postal address, business identification number of the service recipient;
- 2) the name of the service provider and (or) the surname, first name, patronymic (if any) of the official whose decision, action (inaction) is being appealed (are being appealed);
- 3) the circumstances on which the person filing the complaint bases his claims and evidence;
- 4) outgoing number and date of filing the complaint;
- 5) a list of documents attached to the complaint.

The complaint is signed by the service recipient or a person who is his representative.

**Footnote. Paragraph 38 - as amended by the resolution of the Board of the Agency of the Republic of Kazakhstan for regulation and development of the financial market dated**



14.02.2022 No. 3 (shall be enforced sixty calendar days after the date of its first official publication).

39. Unless otherwise provided by law, an appeal to the court is allowed after a pre-trial appeal.

Footnote. Paragraph 39 - as amended by the resolution of the Board of the Agency of the Republic of Kazakhstan for regulation and development of the financial market dated 14.02.2022 No. 3 (shall be enforced sixty calendar days after the date of its first official publication).

Annex 1  
to the Rules issuing a permit for  
voluntary reorganization bank  
(bank holding) or refusal to issue a  
permit, issuing a permit for  
conversion of the bank into Islamic  
bank and refusal to issue a permit,  
issuing a permit for voluntary  
liquidation banks, issuing a permit  
for voluntary termination of  
activities of the bank branch  
of the non-resident  
of the Republic of Kazakhstan,  
as well as the return of deposits  
of individuals, their transfer to  
another bank or a branch of the  
bank-non-resident  
of the Republic of Kazakhstan,  
members mandatory system  
guarantee of deposits

Form  
To the chairman  
authorized body  
of the Republic of Kazakhstan

**Application  
for permission to conduct voluntary reorganization of the bank (banking holding)**

\_\_\_\_\_  
(name of the bank (bank holding))

hereby asks in accordance with the decision of the general meeting of shareholders ( participants)

bank (banking holding) No. \_\_\_\_\_ dated \_\_\_\_\_,

\_\_\_\_\_  
\_\_\_\_\_  
(venue)

to issue permission for voluntary reorganization of the bank (banking holding) by (merging, attaching, splitting, highlighting, transforming)

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(to emphasize the necessary)

in \_\_\_\_\_

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(names of legal entities formed as a result of the reorganization of the bank (banking holding))

The bank (bank holding) shall be fully responsible for the accuracy of the documents and information attached to the application, as well as the timely submission to the authorized body of additional information and documents requested in connection with the consideration of the application.

I hereby consent to the use of information constituting a secret protected by law contained in information systems.

Attached documents (to specify the list of sent documents, the number of copies and sheets for each of them):

---

A person authorized by the shareholders (participants) of the bank (banking holding) to sign a petition (surname, first name, patronymic (if any), reference to a document that is the basis for obtaining these powers).

---

(signature)

Annex 2  
to the Rules issuing a permit for  
voluntary reorganization bank  
(bank holding) or refusal to issue a  
permit, issuing a permit for  
conversion of the bank into Islamic  
bank and refusal to issue a permit,  
issuing a permit for voluntary  
liquidation banks, issuing a permit  
for voluntary termination of  
activities of the bank branch  
of the non-resident  
of the Republic of Kazakhstan,  
as well as the return of deposits  
of individuals, their transfer to  
another bank or a branch of the  
bank-non-resident  
of the Republic of Kazakhstan,  
members mandatory system  
guarantee of deposits

Form

To the chairman  
authorized body  
Republic of Kazakhstan  
Members mandatory system  
guarantee of deposits

Form  
To the chairman of the authorized body  
of the Republic of Kazakhstan

**Application for a permit for voluntary reorganization of the bank in form of conversion to an Islamic bank**

\_\_\_\_\_  
(bank name)

hereby asks in accordance with the decision of the general meeting of shareholders of the Bank No. \_\_\_\_

dated " \_\_\_\_ " \_\_\_\_\_

(venue) to issue permission for voluntary reorganization of the bank in the form of conversions to an Islamic bank \_\_\_\_\_

\_\_\_\_\_  
(the name of the Islamic bank formed as a result of the bank's conversion)

The Bank fully shall confirm the accuracy of the documents and information attached to the application, as well as the timely submission to the authorized body of additional information and documents requested in connection with the consideration of the application.

I hereby consent to the use of information constituting a secret protected by law contained in information systems.

Attached documents (to specify the list of sent documents, the number of copies and sheets for each):

\_\_\_\_\_  
A person authorized by the shareholders of the bank to sign an application (surname, first name, patronymic (if any), reference to a document that shall be the basis for obtaining these powers).

\_\_\_\_\_  
signature

Annex 3  
to the Rules issuing a permit for  
voluntary reorganization bank  
(bank holding) or refusal to issue a  
permit, issuing a permit for  
conversion of the bank into Islamic  
bank and refusal to issue a permit,  
issuing a permit for voluntary

liquidation banks, issuing a permit for voluntary termination of activities of the bank branch of the non-resident of the Republic of Kazakhstan, as well as the return of deposits of individuals, their transfer to another bank or a branch of the bank-non-resident of the Republic of Kazakhstan, members mandatory system guarantee of deposits

**Public service standard "Issuance of permission for voluntary reorganization of a bank (banking holding)"**

1.	Name of the service provider	Agency of the Republic of Kazakhstan for regulation and development of the financial market
2.	Methods of public service provision	The web portal of "e-government" www.egov.kz (hereinafter referred to as the portal).
3.	Term of provision of public service	Within 2 (two) months from the date of contacting the portal.
4.	Form of public service provision	Electronic (fully automated)
5.	Result of public service provision	Notification of granting permission for voluntary reorganization of the bank (banking holding) or a reasoned response to refusal to provide public services with a copy of the resolution of the Board of the service provider attached. Service result form: electronic
6.	The amount of payment charged to the service recipient during the provision of the state service, and the methods of its collection in cases provided for by the legislation of the Republic of Kazakhstan	Free of charge
7.	Working schedule	1) of the service provider - from Monday to Friday, in accordance with the established schedule of work from 9.00 to 18.30 with a break for lunch from 13.00 to 14.30, with the exception of weekends and holidays, in accordance with the labor legislation of the Republic of Kazakhstan. 2) the portal - around the clock, with the exception of technical breaks in connection with the repair work (when the service recipient applies

after the end of working hours, on weekends and holidays in accordance with the labor legislation of the Republic of Kazakhstan, the acceptance of applications and the issuance of the results of the provision of public service shall be carried out the next working day).

List of documents required to provide a state service for issuing a permit for voluntary reorganization of a bank (banking holding) in the form of merger, accession, division, allocation, transformation:

1) a request for permission to conduct a voluntary reorganization of the bank (banking holding) in the form in accordance with Annex 1 to the Rules in the form of an electronic document certified by an electronic digital signature (hereinafter referred to as the EDS) of a person authorized by the shareholders (participants) of the service recipient to sign the request;

2) an electronic copy of the decision of the highest body of the service recipient on its voluntary reorganization, containing information about the person authorized to submit the petition;

3) electronic copies of documents describing the proposed conditions, forms, procedure and terms of voluntary reorganization of the service recipient;

4) an electronic copy of the financial forecast of the consequences of voluntary reorganization, including the estimated balance of the service recipient after its voluntary reorganization and (or) legal entities formed as a result of voluntary reorganization of the service recipient;

5) an electronic copy of the accession agreement signed by the first heads of the executive bodies of the reorganized banks (attached in case of obtaining permission for voluntary reorganization in the form of accession);

8.

List of documents required for provision of public service

6) an electronic copy of the agreement on the transfer of deposits of individuals and the certificate of acceptance and transfer of deposits of individuals to another bank or a branch of the non-resident bank of the Republic of Kazakhstan (attached in case of obtaining permission for voluntary reorganization in the form of transformation into an organization carrying out certain types of banking operations).

List of documents required to provide a state service for issuing a permit for voluntary reorganization of a bank in the form of conversion into an Islamic bank:

1) an application for issuing a permit for voluntary reorganization of the bank in the form of conversion into an Islamic bank in the form in accordance with Annex 2 to the Rules in the form of an electronic document certified by the EDS of a person authorized by the shareholders of the service recipient to sign the application;

2) an electronic copy of the decision of the general meeting of shareholders of the bank on the voluntary reorganization of the bank in the form of conversion into an Islamic bank, containing information about the person authorized to submit an application;

3) an electronic copy of the plan of measures for converting the bank into an Islamic bank that meets the requirements of Article 52-15 of the Law on Banks;

4) an electronic copy of the business plan for the period of conversion of the bank into an Islamic bank and the next 3 (three) years after obtaining a license to conduct banking and other operations of the Islamic bank, taking into account the requirements of the annex to this Public Service Standard.

Grounds for refusal to provide a state service for issuing a permit for voluntary reorganization of a bank (

9.

Grounds for refusal to provide public services established by the legislation of the Republic of Kazakhstan

banking holding) in the form of merger, accession, division, allocation, transformation:

- 1) absence of relevant decisions of the higher bodies of the reorganized service recipients;
- 2) violation as a result of the alleged reorganization of the interests of depositors;
- 3) violation as a result of the alleged reorganization of prudential standards and other mandatory standards and limits;
- 4) violation as a result of the alleged reorganization of the requirements of the legislation of the Republic of Kazakhstan in the field of competition protection:

Grounds for refusal to provide a government service for issuing a permit for voluntary reorganization of a bank in the form of conversion into an Islamic bank:

- 1) failure to eliminate the service provider's comments on the submitted documents within the period established by him;
- 2) non-compliance of the plan of measures for converting the bank into an Islamic bank with the requirements provided for by Article 52-15 of the Law on Banks;
- 3) non-compliance of the business plan with the requirements provided for by subparagraph 4) of paragraph 2 of Article 52-14 of the Law on Banks, the Annex to this public service standard;
- 4) the financial forecast of the consequences of converting a bank into an Islamic bank implies a deterioration in the financial condition of the bank due to its conversion into an Islamic bank;
- 5) violation by the bank and/or banking conglomerate of prudential ratios and (or) other mandatory standards and limits and (or) the presence of an administrative penalty by the bank for an administrative offense provided for in parts six and eight of Article 213, Article 227 of the Code of the Republic of



		<p>Kazakhstan "On administrative offenses," within 3 (three) consecutive calendar months preceding the date of application for permission to voluntarily reorganize the bank in the form of conversion to an Islamic bank;</p> <p>6) violation as a result of the alleged conversion of the bank into an Islamic bank of the interests of the bank's depositors.</p>
10.	<p>Other requirements taking into account the peculiarities of the provision of public services, including those provided in electronic form</p>	<p>The address of the place of provision of public service shall be posted on the official Internet resource of the service provider.</p> <p>The service recipient shall have the opportunity to receive information on the procedure and status of the provision of state service in the remote access mode through the "personal account" of the portal, as well as the Unified Contact Center for the provision of public services. Contact numbers of reference services for the provision of public services are posted on the official Internet resource of the service provider.</p> <p>Unified contact center for the provision of public services: 8-800-080-7777, 1414.</p>

Annex to the standard  
of public services  
"Issuing a permit for  
voluntary reorganization  
of the bank (bank holding) "

### Requirements to business plan content

The business plan for the period of conversion of the bank into an Islamic bank and the next 3 (three) years after obtaining a license to conduct banking and other operations of the Islamic bank, approved by the bank's board of directors, shall contain the following information:

1) a financial forecast of the consequences of converting a bank into an Islamic bank, including a short-term, medium-term and long-term analysis of the following indicators:

return on equity and equity (net income to average assets and average equity) based on financial statements upon completion of the conversion;

forecast for the structure of the investment portfolio in the context of industries, currencies, types of financial instruments, maturities after the completion of the conversion procedure;

2) description of the purpose and objectives of the bank and types of banking and other operations of the Islamic bank;

3) analysis of the bank's activities (analysis of the external and internal environment);

4) the development strategy and scale of the bank's activities for the period of conversion of the bank into an Islamic bank and three subsequent financial (operating) years after the conversion of the bank into an Islamic bank;

5) the detailed annual financial plan of the bank for the period of conversion of the bank into an Islamic bank and 3 (three) subsequent financial (operating) years after conversion of the bank into an Islamic bank, including calculation of basic financial indicators, budget, balance sheet, income statement, sources and amounts of financing of the business plan;

6) a risk management plan containing information ensuring effective control by the board of directors, the bank's management board over the activities of the bank and its financial condition, including by ensuring:

good corporate governance practices and appropriate levels of business ethics and culture;  
compliance by the bank and its employees with the requirements of the legislation of the Republic of Kazakhstan;

effective risk management of the bank through timely identification, measurement, control and monitoring to ensure compliance of the bank's capital with the level of risks it accepts;

timely detection and elimination of deficiencies in the activities of the bank and its employees;

creation of adequate mechanisms in the bank to solve unforeseen or emergency situations;

detailed description of measures for financial recovery of the bank (measures to reduce expenses, additional financial investments (indicating the amount and sources of money investment) aimed at restoring the bank's equity to the value at which prudential standards and other mandatory norms and limits, measures to obtain additional income and other measures will be implemented);

compliance with the calendar deadlines for the implementation of measures for the financial recovery of the bank;

obtaining the expected economic effect of health improvement measures (dynamics of changes in prudential ratios, changes in the size of the bank's equity capital, changes in financial and other indicators of the bank).

conversion of the bank into Islamic bank and refusal to issue a permit, issuing a permit for voluntary liquidation banks, issuing a permit for voluntary termination of activities of the bank branch of the non-resident of the Republic of Kazakhstan, as well as the return of deposits of individuals, their transfer to another bank or a branch of the bank-non-resident of the Republic of Kazakhstan, members mandatory system guarantee of deposits

Form  
To the chairman  
of the authorized body  
of the Republic of Kazakhstan

**Application for a permit for voluntary liquidation of the bank**

\_\_\_\_\_ (bank name)

hereby asks in accordance with the decision of the general meeting of shareholders of the bank No. \_\_\_\_\_

dated " \_\_\_\_ " \_\_\_\_\_, \_\_\_\_\_ (venue) to issue a permit for the voluntary liquidation of the bank.

The bank shall undertake to satisfy the claims of all its creditors in full. The bank shall be fully responsible for the accuracy of the documents and information attached to the application, as well as the timely submission to the authorized body of additional information and documents requested in connection with the consideration of the application.

I hereby consent to the use of information constituting a secret protected by law contained in information systems.

Attached documents (specify the list of sent documents, the number of copies and sheets for each of them):

\_\_\_\_\_ A person authorized by the bank's shareholders to sign a petition (surname, first name, patronymic (if any), reference to a document that is the basis for obtaining these powers).

\_\_\_\_\_ (signature)

permit, issuing a permit for conversion of the bank into Islamic bank and refusal to issue a permit, issuing a permit for voluntary liquidation banks, issuing a permit for voluntary termination of activities of the bank branch of the non-resident of the Republic of Kazakhstan, as well as the return of deposits of individuals, their transfer to another bank or a branch of the bank-non-resident of the Republic of Kazakhstan, members mandatory system guarantee of deposits

**Public service standard "Issuance of a permit for voluntary liquidation of a bank, voluntary termination of a branch of a non-resident bank of the Republic of Kazakhstan"**

1.	Name of the service provider	Agency of the Republic of Kazakhstan for regulation and development of the financial market.
2.	Methods of the public service provision	The web portal of "e-government" www.egov.kz (hereinafter referred to as the portal).
3.	Term of provision of public service	Within 2 (two) months from the date of contacting the portal.
4.	Form of public service provision	Electronic (fully automated)
5.	Result of public service provision	Notification of the issuance of a permit for voluntary liquidation of the bank, voluntary termination of the activities of the branch of the non-resident bank of the Republic of Kazakhstan, or a reasoned response to the refusal to provide public service with a copy of the resolution of the Board of the service provider. Form of the service result: Electronic
6.	The amount of payment charged to the service recipient during the provision of the state service, and the methods of its collection in cases provided for by the legislation of the Republic of Kazakhstan	Free of charge
		1) the service provider - from Monday to Friday, in accordance with the established schedule of work from 9.00 to 18.30 with a break for lunch from 13.00 to 14.30, with the exception of weekends and holidays, in accordance with the

7.	Working schedule	<p>labor legislation of the Republic of Kazakhstan;</p> <p>2) the portal - around the clock, with the exception of technical breaks in connection with the repair work (when the service recipient applies after the end of working hours, on weekends and holidays in accordance with the labor legislation of the Republic of Kazakhstan, the acceptance of applications and the issuance of the results of the provision of public service shall be carried out the next working day).</p>
		<p>When applying to the service recipient to obtain permission for voluntary liquidation of the bank:</p> <p>1) application for a permit for voluntary liquidation of the bank in the form in accordance with Annex 4 to the Rules in the form of an electronic document certified by an electronic digital signature (hereinafter referred to as the EDS) of a person authorized by the bank's shareholders to sign the application;</p> <p>2) an electronic copy of the decision of the general meeting of shareholders on the voluntary liquidation of the bank with mandatory indication of the reasons for liquidation and the person authorized to submit a petition;</p> <p>3) an electronic copy of the agreement on the transfer of deposits of individuals and the certificate of acceptance and transfer of deposits of individuals to another bank or branch of the non-resident bank of the Republic of Kazakhstan, which is a member of the mandatory deposit guarantee system.</p> <p>If the service recipient returns deposits of individuals through their direct payment, these documents are not submitted. In this case, an electronic document confirming the direct payment of money on deposits of individuals is provided;</p> <p>4) an electronic copy of the list of measures indicating the timing and stages of preparation of the bank for the termination of its activities (plan</p>

8.

List of documents required for rendering public service

of main liquidation measures) approved by the general meeting of shareholders;

5) an electronic copy of the balance sheet prepared as of the last reporting date, indicating the sufficiency of the bank's funds to make settlements on its obligations, certified by an independent audit organization authorized to audit banks;

6) an electronic copy of the bank's asset valuation report conducted by an independent appraiser.

When applying to the service recipient to obtain permission to voluntarily termination of the activities of the branch of the non-resident bank of the Republic of Kazakhstan:

1) application for a permit to voluntarily terminate the activities of a non-resident bank branch of the Republic of Kazakhstan in form in accordance with Annex 6 to the Rules in the form of an electronic document certified by the EDS of a person authorized to sign the application;

2) an electronic copy of the decision of the relevant body of the non-resident bank of the Republic of Kazakhstan on the voluntary termination of the activities of the branch of the non-resident bank of the Republic of Kazakhstan, containing a description of the reasons for the termination of activities and information about the person authorized to submit the petition;

3) an electronic copy of the agreement on the transfer of deposits of individuals and the certificate of acceptance and transfer of deposits of individuals to another bank or branch of the non-resident bank of the Republic of Kazakhstan, which are participants in the system of mandatory deposit guarantee.

If the service recipient returns deposits of individuals through their direct payment, these documents are not submitted. In this case, an

		<p>electronic document confirming the direct payment of money on deposits of individuals is provided;</p> <p>4) an electronic copy of the list of measures indicating the terms and stages of preparation of the non-resident bank branch of the Republic of Kazakhstan for termination of its activities (plan of main measures to terminate the activities of the non-resident bank branch of the Republic of Kazakhstan) approved by the decision of the non-resident bank of the Republic of Kazakhstan;</p> <p>5) an electronic copy of the report on assets and liabilities, drawn up as of the last reporting date, indicating the sufficiency of the funds of the branch of the non-resident bank of the Republic of Kazakhstan for making settlements on its obligations , certified by an independent audit organization authorized to audit banks;</p> <p>6) an electronic copy of the report on the valuation of assets of a non-resident bank of the Republic of Kazakhstan, carried out by an independent appraiser.</p> <p>Documents submitted in a foreign language shall be translated into Kazakh and Russian and shall be subject to notarial witness in accordance with the legislation of the Republic of Kazakhstan on a notary.</p>
9.	<p>Grounds for refusal to provide public services established by the legislation of the Republic of Kazakhstan</p>	<p>1) incomplete or improper execution of the submitted documents;</p> <p>2) insufficient funds of the branch of the non-resident bank of the Republic of Kazakhstan for calculation of its obligations;</p> <p>3) failure to take measures to return deposits of individuals by their direct payment or their transfer to another bank or branch of the non-resident bank of the Republic of Kazakhstan, which are participants in the system of mandatory deposit guarantee.</p>
		<p>The address of the place of provision of public service shall be posted on</p>



10.	Other requirements taking into account the peculiarities of the provision of public service	<p>the official Internet resource of the service provider.</p> <p>The service recipient shall have the opportunity to receive information on the procedure and status of the provision of state service in the remote access mode through the "personal account" of the portal, as well as the Unified Contact Center for the provision of public services. Contact numbers of reference services for the provision of public services shall be posted on the official Internet resource of the service provider.</p> <p>Unified contact center for the provision of public services: 8-800-080-7777, 1414.</p>
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Annex 6  
to the Rules issuing a permit for voluntary reorganization bank (bank holding) or refusal to issue a permit, issuing a permit for conversion of the bank into Islamic bank and refusal to issue a permit, issuing a permit for voluntary liquidation banks, issuing a permit for voluntary termination of activities of the bank branch of the non-resident of the Republic of Kazakhstan, as well as the return of deposits of individuals, their transfer to another bank or a branch of the bank-non-resident of the Republic of Kazakhstan, members mandatory system guarantee of deposits

**Application for voluntary termination permit  
of the activities of the branch of the non-resident bank of the Republic of Kazakhstan**

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(name of the non-resident bank of the Republic of Kazakhstan)  
hereby asks in accordance with the decision of the relevant body of the non-resident bank of the Republic of Kazakhstan on voluntary termination of the banking branch non-resident of the Republic of Kazakhstan No. \_\_\_\_\_ dated of \_\_\_\_\_ " \_\_\_\_\_ ", \_\_\_\_\_

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(venue)

issue a permit to voluntarily termination of the activities of a non-resident bank branch of the Republic of Kazakhstan.

Non-resident bank of the Republic of Kazakhstan shall have

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— (describe the measures taken to return deposits of individuals by their direct payment or their transfer to another bank or a branch of a non-resident bank of the Republic of Kazakhstan, members of the mandatory deposit guarantee system).

The non-resident bank of the Republic of Kazakhstan shall undertake to satisfy the claims of all its creditors in full. The non-resident bank of the Republic of Kazakhstan shall be fully responsible for the accuracy of the documents and information attached to the application, as well as the timely submission to the authorized body of additional information and documents requested in connection with the consideration of the application.

I hereby consent to the use of information constituting a secret protected by law contained in information systems.

Attached documents (specify the list of sent documents, the number of copies and sheets for each of them):

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— Person authorized to sign the petition (surname, first name, patronymic (if any), reference to the document, which is the basis for obtaining these powers).

\_\_\_\_\_  
(signature)

Annex  
to the Resolution of the  
Board of the Agency of the  
Republic of Kazakhstan  
on Regulation and Development  
of the Financial Market  
dated March 30, 2020, No. 31

**The list of regulatory legal acts of the Republic of Kazakhstan, as well as structural elements of some regulatory legal acts of the Republic of Kazakhstan, recognized as terminated**

1. Resolution of the Board of the Agency of the Republic of Kazakhstan on Regulation and Supervision of Financial Market and Financial Organizations dated December 25, 2006, No. 295 “On approval of the Rules for granting a permit for the voluntary reorganization of a bank (bank holding company) or refusal to grant a permit for the voluntary elimination of banks, as well as the return of deposits of individuals, their transfer to another bank” (registered in the Register of State Registration of Regulatory Legal Acts No. 4521).

2. Resolution of the Board of the Agency of the Republic of Kazakhstan on regulation and supervision of the financial market and financial organizations dated November 28, 2008, No. 203 "On amendments and additions to the Resolution of the Board of the Agency of the Republic of Kazakhstan on regulation and supervision of the financial market and financial organizations dated December 25, 2006, No. 295 "On approval of the Rules for granting a permit for the voluntary reorganization or elimination of second-tier banks" (registered in the Register of State Registration of Regulatory Legal Acts No. 5460, published in 2009 in the Collection of acts of central executive and other central state bodies of the Republic of Kazakhstan, No. 1).

3. Paragraph 14 of the List of amendments and additions to some regulatory legal acts of the Republic of Kazakhstan on identification numbers, approved by the Resolution of the Board of the Agency of the Republic of Kazakhstan on regulation and supervision of the financial market and financial organizations dated March 29, 2010, No. 50 "On amendments and additions to some regulatory legal acts of the Republic of Kazakhstan on identification numbers" (registered in the Register of State Registration of Normative Legal Acts under No. 6219, published on August 26, 2010, in the Collection of acts of central executive and other central state bodies of the Republic of Kazakhstan, No. 14).

4. Resolution of the Board of the National Bank of the Republic of Kazakhstan dated February 24, 2012, No. 55 "On amendments and additions to the resolution of the Board of the Agency of the Republic of Kazakhstan on regulation and supervision of the financial market and financial organizations dated December 25, 2006, No. 295" On approval of the Rules for granting a permit for the voluntary reorganization or elimination of second-tier banks, as well as the return of deposits of individuals by direct payment or their transfer to another bank that is a member of the mandatory deposit guarantee system" (registered in the Register of State Registration of Normative Legal Acts under No. 7544, published on June 30, 2012, in the newspaper "Kazakhstanskaya Pravda" No. 207-208 (27026-27027)).

5. Paragraph 2 of the List of regulatory legal acts of the Republic of Kazakhstan on the regulation, control, and supervision of the financial market and financial organizations, which are amended and supplemented, approved by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated October 22, 2014, No. 191 "On amendments and additions in some regulatory legal acts of the Republic of Kazakhstan on the regulation, control, and supervision of the financial market and financial organizations" (registered in the Register of State Registration of Normative Legal Acts under No. 9894, published on November 28, 2014, in the Legal Information System "Adilet").

6. Paragraph 1 of the List of regulatory legal acts of the Republic of Kazakhstan on the optimization and automation of business processes of public services provided by the National Bank of the Republic of Kazakhstan, which are amended and supplemented, approved by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated December 24, 2014, No. 261 "On amendments and additions to some regulatory legal

acts of the Republic of Kazakhstan on the optimization and automation of business processes of public services provided by the National Bank of the Republic of Kazakhstan" (registered in the Register of State Registration of Normative Legal Acts under No. 10211, published on February 26, 2015, in the Legal Information System "Adilet").

7. Resolution of the Board of the National Bank of the Republic of Kazakhstan dated January 28, 2016 No. 15 "On approval of the Rules for granting a permit for the voluntary reorganization of a bank in the form of conversion to an Islamic bank and refusal to grant the permit" (registered in the Register of State Registration of Normative Legal Acts under No. 13526, published on April 6, 2016 the Legal Information System "Adilet").

8. Paragraph 1 of the List of regulatory legal acts of the Republic of Kazakhstan on the regulation of the financial market, which are amended, approved by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated October 28, 2016, No. 265 "On amendments to some regulatory legal acts of the Republic of Kazakhstan on the regulation of financial market" (registered in the Register of State Registration of Normative Legal Acts under No. 14733, published on February 28, 2017, in the Reference Control Bank of Regulatory Legal Acts of the Republic of Kazakhstan).

9. Resolution of the Board of the National Bank of the Republic of Kazakhstan dated December 22, 2017 No. 258 "On amendments to the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated January 28, 2016 No. 15 "On approval of the Rules for granting a permit for the voluntary reorganization of a bank in the form of conversion into an Islamic bank and refusal to grant the permit" (registered in the Register of State Registration of Normative Legal Acts under No. 16557, published on March 16, 2018 in the Reference Control Bank of Regulatory Legal Acts of the Republic of Kazakhstan).

10. Paragraph 7 of the List of regulatory legal acts of the Republic of Kazakhstan on financial market regulation, which are amended, approved by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated July 30, 2018 No. 157 "On amendments to some regulatory legal acts of the Republic of Kazakhstan on the financial regulation market" (registered in the Register of State Registration of Normative Legal Acts under No. 17559, published on October 22, 2018 in the Reference Control Bank of Regulatory Legal Acts of the Republic of Kazakhstan).