



On approval of the Rules for Allocation of Extrabudgetary Funds for the Development of Physical Culture and Sport

Unofficial translation

Order No. 134 of the Minister of Culture and Sport of the Republic of Kazakhstan dated May 20, 2020. Registered with the Ministry of Justice of the Republic of Kazakhstan on 20 May 2020 under No. 20678

Unofficial translation

In obedience to sub-paragraph 65-4) of Article 7 of the Law of the Republic of Kazakhstan of 3 July 2014 “On Physical Culture and Sports” **I HEREBY ORDER:**

1. That the attached Rules for Allocation of Extrabudgetary Funds for the Development of Physical Culture and Sport shall be approved.

2. That to the extent permitted under applicable law, the Committee for Sports and Physical Culture of the Ministry of Culture and Sports of the Republic of Kazakhstan shall ensure:

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

2) posting this order on the web-site of the Ministry of Culture and Sports of the Republic of Kazakhstan;

3) within two business days after the execution of the measures provided by this order, submission to the Legal Service Department of the Ministry of Culture and Sports of the Republic of Kazakhstan of the information on the execution of these measures.

3. That the supervising Vice-Minister of Culture and Sports of the Republic of Kazakhstan shall be in charge of controlling the execution hereof.

4. That this order shall be enacted upon expiry of ten calendar days after the date of its first official publication.

*Minister of Culture and Sport
of the Republic of Kazakhstan*

A. Raimkulova

Annex
to order of the Minister
of Culture and Sport of the
Republic of Kazakhstan
No. 134 dated May 20, 2020

Rules for Allocation of Extrabudgetary Funds for the Development of Physical Culture and Sport

Chapter 1. General provisions

1. These Rules for Allocation of Extrabudgetary Funds for the Development of Physical Culture and Sport (hereinafter - the Rules), have been developed in obedience to

sub-paragraph 65-4) of Article 7 of the Law of the Republic of Kazakhstan of July 3, 2014 “On Physical Culture and Sports” (hereinafter - the Law) and determine the procedure for distribution of extrabudgetary funds aimed at the development of physical culture and sports.

2. The basic concept used in these Rules:

a single operator - a non-profit organisation in the form of a corporate fund, determined by the authorised body in the field of physical culture and sport, carrying out activities on the allocation of extrabudgetary funds aimed at the development of physical culture and sport in compliance with paragraph 1 of article 50-1 of the Law.

Chapter 2. Procedure for the allocation of extrabudgetary funds for the development of physical education and sport

3. The single operator shall administer extra-budgetary funds for the development of physical education and sport in compliance with paragraph 2 of Article 50-1 of the Law based on the principles of:

1) compliance with the will of the benefactor for the distribution of the charitable aid to the users;

2) the effectiveness of measures for providing charitable aid;

3) ensuring that the funds allocated as part of the charitable donation are spent in a targeted way

4) the positive impact of charitable assistance.

4. In order to receive extra-budgetary funds aimed at the development of physical culture and sport, legal entities or natural persons shall send to the single operator an application for charitable assistance in hard copy (hereinafter - the application) in the form according to Annex 1 with the attachment of documents pursuant to the list specified in Annex 2 of these Rules.

In case the documents are submitted in a foreign language, the authenticity of translation of the attached documents shall be verified in conformity with Article 80 of the Law of the Republic of Kazakhstan No. 155 of July 14, 1997 “On Notaries”.

5. An application from legal entities and natural persons shall be considered by a single operator within a period not exceeding 20 (twenty) business days from the date of application submission.

6. In case of non-compliance of submitted documents, the single operator shall send notifications on rectification of the deficiencies by legal entities or natural persons within 5 (five) working days.

7. If the deficiencies are not rectified, the single operator shall notify the rejection of the application within ten (10) working days.

8. If the legal entity or natural person rectifies the deficiencies, the application shall be considered within ten (10) working days.

9. After accepting and reviewing the application with a complete set of documents the single operator shall take a decision and approve the calculation of costs within 10 (ten) business days.

10. Within 5 (five) business days from the date of the decision, the single operator shall provide the interested parties with the extract from the decision of the single operator.

11. Based on the positive decision, the single operator shall conclude an agreement with the legal entity or an individual within 7 (seven) business days from the date of the decision.

12. In case of necessity the legal entities or private natural persons shall reapply to the single operator for amending the approved cost calculations.

13. Amendments to the approved cost calculations shall be made upon availability of an appropriate justification, supporting documents, except for the amendments concerning the payment of accounts payable, forfeits (fines, penalties), administrative fines of previous years

14. A legal or natural person shall re-apply an application for amendments to the approved cost calculations not more than once per quarter, not later than on the 20th day of the second month of the period to be adjusted.

15. The time period for consideration of the repeated application for amendments to the approved cost calculations of the legal entity or a natural person shall not exceed 10 (ten) business days from the date of submission of supporting documents.

16. If necessary, the single operator shall request additional information and supporting documents from the legal entity or the natural person required to make a decision on amending the approved cost calculations.

17. It shall be prohibited to amend the approved cost calculations for other items:

1) if the recipient has or has become in arrears in taxes and other compulsory payments to the budget during the current year;

2) in the presence or formation during the current year of arrears on payroll and civil contracts.

18. Upon availability of supporting documents and calculations, the single operator shall consider the application of the legal entity or natural person for amending the approved cost calculations and make a decision specifying the cost calculations.

19. After receiving the charitable donations, the legal entities or natural persons shall submit quarterly, semi-annual and annual reports to the single operator on the purposeful use of the extra-budgetary funds stipulated in paragraph 7 of Article 50-1 of the Law.

Rules for Allocation of Extrabudgetary Funds for the Development of Physical Culture and Sport

To: _____
(position, full name of the head
of the single operator
on the allocation of extrabudgetary
funds for the development of
physical culture and sport
from: _____
(a legal entity or a natural person)

(address, phone number, e-mail)

Application for charitable aid

I hereby ask you to consider providing charitable aid:

(the purpose of the charity, the amount requested

charitable aid, expected results, with a timetable for implementation

of extrabudgetary funds in the ___ quarter of 20__).

I hereby confirm that I have read and agree to the distribution of extrabudgetary funds for the development of physical education and sport, attaching the documents in pursuance of the list.

Annex: on ___ sheets.

(Signature) (first name, surname and patronymic of the head (if any))
of a legal entity or a natural person)

Stamp here _____ (if available)

Application date" ____ " _____ 20__

Annex 2
Rules for Allocation of
Extrabudgetary
Funds for the Development
of Physical Culture and Sport

List of documents

1) for legal entities:

bank details;

a certificate of state incorporation (certificate of incorporation on re-registration) of the legal entity;

a notarised copy of the Articles of Association as amended;

a copy of the memorandum of association (if any);

an estimate of expenses with explanatory note, transcripts and supporting documents of each item in compliance with the rules established by the legislation of the Republic of Kazakhstan;

regulations of the sports competition (event) (if any);

not less than two quotations from suppliers for the purchase of goods, works and services;

copies of contracts, including employment contracts, invoices, invoices for payment, orders and other supporting documents (if any);

at least two quotations from suppliers for goods, works and services;

copies of contracts, including employment contracts, invoices, invoices for payment, orders and other supporting documents (if available);

certificate from the second-tier bank confirming the opening (existence) of a special bank account;

inventory list (if any);

2) for natural persons:

a copy of an identity document;

a copy of the order of enrollment of an athlete of the physical culture and sports organization, where the athlete is engaged and (or) is listed, the protocol of sports competitions, confirming the participation of a physical person engaged in sports and sports activities (competitions), certificate of registration of the athlete;

for natural persons engaged in physical education, athletes, teams (sports teams) – an explanatory note and supporting documents to substantiate the application ;

a certificate from a second-tier bank confirming the opening (existence) of a special bank account.