



On approval of the Rules for the provision of the state service "Issue of an extract from the register of pledge of movable property registration"

Invalidated Unofficial translation

Order of the Minister of Justice of the Republic of Kazakhstan dated June 19, 2020 No. 107. Registered with the Ministry of Justice of the Republic of Kazakhstan on July 2, 2020 No. 20917.

Unofficial translation

Footnote. Expired by Order of the Minister of Justice of the Republic of Kazakhstan dated 06.18.2021 No. 517 (effective after ten calendar days after the date of its first official publication).

In accordance with subclause 1) of article 10 of the Law of the Republic of Kazakhstan dated April 15, 2013 "On state services" **I HEREBY ORDER:**

1. To approve the Rules for the provision of the state service "Issue of an extract from the register of pledge of movable property registration" according to the appendix to this order.

2. The Department of Registration Service and Organization of Legal Services of the Ministry of Justice of the Republic of Kazakhstan in accordance with the procedure, established by the legislation, shall ensure:

1) state registration of this order;

2) placement of this order on the official Internet resource of the Ministry of Justice of the Republic of Kazakhstan.

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

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

*Minister of Justice
of the Republic of Kazakhstan*

M. Beketayev

"AGREED"

Ministry of Digital Development, Innovations
and Aerospace Industry
of the Republic of Kazakhstan

Appendix 1
to the order of
the Minister of Justice
of the Republic of Kazakhstan

"On approval of the Rules for the provision of the state service "Issue of an extract from the register of pledge of movable property registration"

Chapter 1. General Provisions.

1. The Rules for the provision of the state service "Issue of an extract from the register of pledge of movable property registration" (hereinafter referred to as the Rules) have been developed in accordance with subclause 1) of article 10 of the Law "On state services" and shall determine the procedure for the provision of the state service "Issue of an extract from the register of pledge of movable property registration" hereinafter referred to as the state service.

2. Activities on registration of the pledge of movable property that is not subject to compulsory state registration, provision of an information service in kind of an extract from the register of the pledge of movable property, correction of errors in registration documents committed through the fault of the applicant, falls into the state monopoly and shall be carried out by the State Corporation in accordance with clause 1 of article 5 of the Law of the Republic of Kazakhstan "On the registration of pledge of movable property".

Chapter 2. Procedure for the provision of the state service.

3. To obtain the state service, legal entities and individuals (hereinafter referred to as the service recipient) shall submit through the portal a request in the form according to Appendix 1 to these Rules and shall sign by an electronic digital signature (hereinafter referred to as the EDS) or through obtaining a single-time password, in case of registration of connection of the subscriber number of the service recipient provided by the mobile operator to the account of the portal for certification (signing).

4. The list of main requirements to the provision of the state service, including the characteristics of the process, form, content and the result of provision, as well as other information subject to particularities of provision of the state service are set forth in the standard of the state service according to Appendix 1 to the Rules (hereinafter referred to as the Standard).

5. The request shall be transferred for processing to the register of pledge of movable property (hereinafter referred to as the RPMP), where the processing is carried out in the RPMP within 20 minutes.

6. "Request processing" this status means that the request is in processing.

After the request processing, the service recipient is provided with the status "Request processed positively".

7. by results of the request processing, an extract from the register of pledge of movable property is generated in the form according to Appendix 3 to these Rules,

signed by the EDS of the service provider and is sent to the personal account of the service recipient.

8. The result of the state service is available for viewing and saving, in the absence of information about the registered pledge of movable property, the result of the absence of information.

9. The state service can be provided to individuals and legal entities (hereinafter referred to as third parties) in relation to another individual in electronic form through the electronic government portal - EGP, subject to his consent.

A request for a service is sent by third parties through the EGP. An electronic request of third parties is executed subject to the consent of the person in respect of whom the information is requested, provided from the "personal account" on the EGP, as well as through the subscriber's mobile phone number registered on the EGP by transmitting a one-time password or by sending a short text message as a response to portal notification.

The consent (refusal) of the person in respect of whom the information is requested for the provision of the service is sent within 2 (two) hours from the moment of receiving the request. Upon receipt of consent, the result of the state service, generated through the RPMP using the EDS of the authorized person of the service provider, is sent to the "personal account" of the third party.

10. In the event of a failure of the information system, the State Corporation "Government for Citizens" immediately notifies the operator of the information and communication infrastructure of "electronic government" (hereinafter referred to as the operator).

In this case, the operator, within the period specified in part one of this clause of the Rules, draws up a protocol on a technical problem and signs it with the service provider.

Chapter 3. Procedure for appealing of decisions, actions (inaction) of the service provider concerning the issues of the provision of state services.

11. A complaint for the decision, action (inaction) of the employees of structural subdivisions of the service provider shall be submitted in the name of the head of the service provider and (or) to the authorized body for assessment and control over the quality of the provision of state services in accordance with the legislation of the Republic of Kazakhstan.

12. A complaint of the service recipient, received by the service provider, in accordance with clause 2 of article 25 of the Law is subject to consideration:

by the service provider – within five working days from the date of its registration;
by the authorized body for assessment and control over the quality of the provision of state services – within fifteen working days from the date of its registration;

13. The period for consideration of the complaint by the service provider, the authorized body for assessment and control over the quality of the provision of state services in accordance with clause 4 of article 25 of the Law "On state services" shall be extended by no more than ten working days if it is necessary:

1) to conduct additional investigation or verification on a complaint or on-site verification;

2) to obtain additional information;

In the event of an extension of the term for the consideration of a complaint, an official authorized to consider complaints shall notify the service recipient in writing (when filing a complaint on paper) or electronically (when filing a complaint in electronic form) within three working days from the date of extension of the period for considering a complaint who filed a complaint on the extension of the period for consideration of the complaint, indicating the reasons for the extension.

In cases of disagreement with the results of the decision of the service provider, the service recipient applies to the court in accordance with the procedure established by the legislation.

Appendix 1
to the Rules for the provision of
the state service "Issue of an
extract from the register of pledge
of movable property registration"

Standard of the state service "Issue of an extract from the register of pledge of movable property registration"		
1.	Name of the service provider	Non-Profit Joint Stock Company "State Corporation "Government for citizens"
2.	Methods of provision of the state service	web-portal of "electronic government": www.egov.kz
3.	Period of provision of the state service	From the time of submission of an application by the service recipient, when applying to the portal, the service shall be provided within 20 (twenty) minutes if there is information in the state information system.
4.	Form of provision of the state service	Electronic (fully automated)
5.	Result of provision of the state service	extract from the register of pledge of movable property registration
6.	The amount of payment charged to the service recipient for the provision of state services, and the methods of its collection in cases provided for by the legislation of the Republic of Kazakhstan	Free of charge
		Of service providers: 1) at branches of the State Corporation - from Monday to Friday, inclusive, from 9.00 a.m. to 18.30 p.m., with a lunch break from 13.00 p.m. to 14.30 p.m., with the exception of weekends and holidays according to the Labor Code of the Republic of Kazakhstan;

7.	Work schedule	2) of the State Corporation – from Monday through Saturday, except for holidays, in accordance with the established work schedule from 9:00 a.m. to 20:00 p.m. without breaks for lunch according to the Labor Code of the Republic of Kazakhstan; The portal – around the clock, except for technical breaks related to the repair work.
8.	List of documents required for the provision of the state service	1) to the portal: a request for information on registration of a pledge of movable property from the register of a pledge of movable property in the form of an electronic document, certified by an electronic digital signature according to Appendix 2 to these Rules. Information about the identity document, contained in the information systems, the employee of the service provider receives from the relevant information systems through the gateway of "electronic government".
9.	Grounds for refusal to provide state services established by the legislation of the Republic of Kazakhstan	None
10.	Other requirements, taking into account the specifics of the provision of state services, including those provided in electronic form and through the State Corporation	The recipient has the opportunity to receive the state service in electronic form through the web portal of "electronic government", subject to the availability of an EDS. The service recipient has the opportunity to receive information about the procedure and status of the provision of the state service in the remote access mode through the "personal account" of the portal, reference services of the service provider, as well as through the Unified Contact Center 1414, 8 800 080 777. The state service can be provided to third parties. The electronic request of third parties is executed subject to the consent of the person in respect of whom the information is requested, provided from the "personal account" on the portal, as well as through the subscriber's mobile number registered on the portal by transmitting a one-time password or by sending a short text message as a response to portal notification.

Appendix 2
to the Rules for the provision of
the state service "Issue of an
extract from the register of pledge
of movable property registration"
Form

(Branch of the NPJSC "State Corporation "Government for citizens")
Request No. _____ for issue of an extract from the register of pledge of
movable property, which is not subject to compulsory state registration

I, _____

(surname, name, patronymic (if any) (hereinafter referred to as the full name)
passport data (the data of identity card) and place of residence of an individual, name
and details of a legal entity)

Acting on behalf of _____

(to be completed by the authorized representative)

Based on _____

(details of the document certifying the powers)

Hereby request to provide an extract from the register of pledge of movable property, which is not subject to compulsory state registration

(full name of an individual or name of a legal entity – the pledger)

A document confirming the authority of a representative of an individual or legal entity

_____/_____/_____

(date)

(applicant's signature)

(applicant's full name)

(full name and signature of the employee, who accepted the application)

Date of submission of the request: _____ 20____. Time ____ hour ____ minutes

Result of completion/consideration/request _____

Verified: date _____ 20____.

(full name and signature of the registrar)

Appendix 3
to the Rules for the provision of
the state service "Issue of an
extract from the register of pledge
of movable property registration"
Form

EXTRACT FROM THE REGISTER OF PLEDGE OF MOVABLE PROPERTY AS OF _____

Pledger's name

Property encumbrances are registered

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Description of movable property	Date of registration of the occurrence of the encumbrance	Grounds for the occurrence of the encumbrance	Pledge period	Pledge holder	Amount of the pledge
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