



On Approval of the Rules on the Issue and Circulation of Secured Digital Assets

Invalidated Unofficial translation

Order No. 407/N-K of the Minister of Digital Development, Innovation and Aerospace Industry of the Republic of Kazakhstan dated October 29, 2020. Registered with the Ministry of Justice of the Republic of Kazakhstan on October 30, 2020 under No. 21546. Abolished by the order of the Acting Minister of Digital Development, Innovation and Aerospace Industry of the Republic of Kazakhstan dated March 30, 2023 No. 117/NK

Unofficial translation

Footnote. Abolished by the order of the Acting Minister of Digital Development, Innovation and Aerospace Industry of the Republic of Kazakhstan dated March 30, 2023 No. 117/NK (effective from 04/01/2023).

Pursuant to sub-paragraph 20-3) of Article 7-1 of the Law of the Republic of Kazakhstan of November 24, 2015 "On Informatisation" **I HEREBY ORDER:**

1. That the attached Rules on the Issue and Circulation of Secured Digital Assets shall be approved.

2. That the Committee on Information Security of the Ministry of Digital Development, Innovation and Aerospace Industry of the Republic of Kazakhstan shall ensure:

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

2) the placement hereof on the website of the Ministry of Digital Development, Innovation and Aerospace Industry of the Republic of Kazakhstan;

3) within ten working days after the state registration hereof, submission to the Legal Department of the Ministry of Digital Development, Innovation and Aerospace Industry of the Republic of Kazakhstan of information on the implementation of activities under sub-paragraphs 1) and 2) of this paragraph.

3. That the supervising Vice-Minister of Digital Development, Innovations and Aerospace Industry of the Republic of Kazakhstan shall be in charge of controlling the execution of this order.

4. That this order shall be put into effect after ten calendar days after the date of its first official publication.

*Minister of Digital Development,
Innovation and Aerospace Industry
of the Republic of Kazakhstan*

B. Mussin

Rules on the Issue and Circulation of Secured Digital Assets

Chapter 1. General provisions

1. These Rules on the Issue and Circulation of Secured Digital Assets (hereinafter - Rules) have been developed in conformity with sub-paragraph 20-3) of Article 7-1 of the Law of the Republic of Kazakhstan "On Informatization" dated November 24, 2015. (hereinafter - the Law) and determine the procedure for the issue and circulation of secured digital assets.

2. The following basic concepts are used in this Regulation:

1) information system - an organisationally ordered set of information and communication technologies, service personnel and technical documentation implementing certain technological actions through information interaction and designed to solve specific functional tasks;

2) digital asset - property created in electronic digital form using cryptography and computer calculations, which is not a financial instrument, as well as an electronic digital form of property rights certification;

3) secured digital asset - digital token and other digital assets, which are digital means of certification of property rights for goods and (or) services, issued (provided) by the person who issued the secured digital asset;

4) digital token - a type of digital asset, which is a digital means of recording, exchanging and certifying property rights.

Other notions used in these Rules shall be applied in compliance with the current legislation of the Republic of Kazakhstan.

Chapter 2: Procedures for the issuance and circulation of secured digital assets

3. A secured digital asset shall be issued by the owner or proprietor recording in the information system the rights evidenced by the secured digital asset in conformity with the agreement between the owner or proprietor of the information system and the user who is the issuer of the secured digital asset.

The issuer of a secured digital asset shall be the owner of the property or other person who owns the rights evidenced by the secured digital asset.

4. Circulation of a secured digital asset shall be carried out via certification and transfer of rights to secured digital assets, as well as their encumbrance with rights of

third parties, including alienation, acquisition, exchange of digital assets for electronic money, values and other property, by entering data in the information system in obedience to the agreement between users of the information system.

Inclusion in the information system of data on the transfer of a digital asset or rights thereto shall be allowed provided that the following conditions are met:

1) the person who has entered the data has access to the information system of the person who issues the digital asset on the distributed data platform pursuant to the procedure specified in these Rules;

2) the information system of the person issuing the digital asset on the distributed data platform meets the requirements established by the Law.

5. The proprietor, owner and user of the information system shall have equal rights to introduce amendments to the data in compliance with the specified data validation algorithm. The changes shall be synchronised for all users of the information system.

6. A secured digital asset shall not provide rights to financial instruments and shall not provide its owner or holder with rights to profit share or management rights in relation to a legal entity.