

On Compulsory Insurance of Civil Liability of Vehicle Owners

Unofficial translation

The Law of the Republic of Kazakhstan dated 1 July, 2003 No. 446.

Unofficial translation

This Law regulates relations arising in the scope of compulsory insurance of civil liability of vehicle owners, and establishes the legal, financial and organizational grounds for its performance.

Chapter 1. General provisions

Article 1. Basic definitions used in the Law

The following basic definitions shall be used in the Law:

1) shall be excluded by the Law of the Republic of Kazakhstan dated 10.01.2018 № 134-VI (shall be enforced upon the expiration of six months after the date of its first official publication);

2) a factor of reliability - a coefficient characterizing the degree of confidence in the data used in the unified insurance database, necessary for calculating correction factors;

2-1) bonus-malus system - a system of discounts and surcharges used in calculating the amount of the insurance premium payable under the contract of compulsory insurance of civil liability of vehicle owners by applying increasing or decreasing coefficients to the insured (insured), depending on the existence or absence of the insured (insured) insurance cases due to his fault with the assignment of the appropriate class;

3) victim – an individual whose life, health and/or property has been harmed as a result of the vehicle operation;

4) a passenger – an individual that concluded the contract of carriage with a carrier in oral or written form;

5) package contract – compulsory insurance contract of civil liability of the vehicle owners, concluded by an individual being owner of two and more units of transport vehicles mentioned in the insurance policy, and being valid in respect of only one insured individual;

6) civil liability of the vehicle owner – the obligation of individuals and legal entities to compensate for harm caused to life, health and (or) property of third parties as a result of operation of vehicle as a source of increased danger established by the civil legislation of the Republic of Kazakhstan;

7) operation of vehicle – use of vehicle for road travel, as well as for the travel on the territories being adjacent to them being well equipped or adapted and used for a flow of traffic;

8) the owner of the vehicle is the natural or legal person owning the vehicle on an ownership right, the right of economic maintaining or the right of operational management or any other legal basis (the contract of property hiring, owing to the order of competent authority about transfer of the vehicle and another);

9) traffic accident - an accident (including a traffic accident) that occurred during the operation of the vehicle and with its participation, as well as the movement of parts separated from the vehicle and the cargo located on it, as a result of which third parties have been harmed;

9-1) simplified registration of a transport accident - registration of documents about a transport accident without the participation of employees of internal affairs bodies in the manner and under the conditions established by this Law;

10) a beneficiary – a person that is a recipient of insurance payment in accordance with the Law;

11) insured event – the event in occurrence of which the insurance contract provides carrying out of insurance payment;

11-1) simplified procedure for settling an insured case - settlement of an insured case with a simplified registration of a transport accident in the manner and on the conditions established by this Law and the regulatory legal act of the authorized body;

11-2) insurance ombudsman - an individual independent in his/her activities who is settling disagreements between participants in the insurance market in accordance with the Law of the Republic of Kazakhstan "On insurance activities";

12) insured amount – a sum of money on which the object of insurance is insured and which represents the limiting volume of responsibility of an insurer upon occurrence of insured event;

13) insurance premium – a sum of money that shall be paid by an insurant to an insurer for accepting the obligation by the latter to make insurance payment to the insurant (beneficiary) in amount determined by the insurance contract;

14) insurance payment - the amount of money paid by the insurer to the beneficiary within the insurance amount upon the occurrence of an insured event;

15) an insurer – a legal entity that obtained a license for the right to carry out insurance activity in the territory of the Republic of Kazakhstan in the manner established by the legislation of the Republic of Kazakhstan, being obliged to make insurance payment to an insurant or other person in favor of which the contract is concluded (beneficiary) upon occurrence of the insured event, within sum (insured amount) determined by the contract;

16) an insured person – a person in respect of whom the insurance is carried out;

17) an insurant - a person that concluded insurance contract with an insurer. An insurant is insured person at the same time, unless otherwise is provided by the insurance contract;

18) standard contract – compulsory insurance contract of civil liability of vehicle owners concluded by an individual or legal entity being the owner of vehicle mentioned in insurance policy, and being valid in respect of one or several insured persons;

18-1) targeted loss ratio - a coefficient characterizing the target loss ratio for compulsory civil liability insurance of vehicle owners, used to calculate correction coefficients;

19) direct settlement is the mechanism of settlement of an insured event at which indemnification, caused to life, health and (or) property of the victim in transport incident, the insurer with whom at the victim the contract of obligatory insurance of civil responsibility of vehicle owners within the volume of responsibility provided by the present Law is signed.

Footnote. Article 1 is in the wording of the Law of the Republic of Kazakhstan dated 30.12.2009 № 234-IV (order of enforcement see Article 2); as amended by the Law of the Republic of Kazakhstan dated 05.07.2012 № 30-V (shall be enforced upon expiry of ten calendar days after its first official publication); from 29.12.2014 № 269-V (shall be enforced from 01.01.2015); from 24.11.2015 № 422-V (shall be enforced 01.01.2016); dated 02.07.2018 № 166-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); from 10.01.2018 № 134-VI (shall be enforced upon the expiration of six months after the day of its first official publication); dated 12.07.2022 № 138-VII (the order of enforcement see Art. 2).

Article 2. The legislation of the Republic of Kazakhstan on compulsory insurance of civil liability of vehicle owners

1. The legislation of the Republic of Kazakhstan on compulsory insurance of civil liability of vehicle owners is based on the Constitution of the Republic of Kazakhstan and consists of the Civil Code of the Republic of Kazakhstan, this Law and other regulatory legal acts of the Republic of Kazakhstan.

2. If international treaty ratified by the Republic of Kazakhstan establishes other rules than those provided in this Law, the rules of international treaty shall be applied.

3. The provisions of this Law applied to an insurer, including an insurance company, shall apply to the branches of insurance companies that are non-residents of the Republic of Kazakhstan, opened on the territory of the Republic of Kazakhstan.

Footnote. Article 2 as amended by the Law of the Republic of Kazakhstan dated 02.01.2021 № 399-VI (shall be enforced from 16.12.2020).

Article 3. Object of compulsory insurance of civil liability of vehicle owners

The object of compulsory insurance of civil liability of vehicle owners (hereinafter – compulsory liability insurance of vehicle owners) shall be the property interest of the insured

person, linked with its obligation established by the civil legislation of the Republic of Kazakhstan to compensate the harm inflicted to life, health and (or) property of the third parties as a result of operation of the vehicle as a source of increased danger.

Article 4. Purpose and basic principles of compulsory liability insurance of vehicle owners

1. The purpose of compulsory liability insurance of vehicle owners shall be the provision of protection of the property interests of third parties, life, health and (or) property of which the harm is inflicted as a result of exploitation of vehicles by carrying out of insurance payments.

2. The basic principles of compulsory liability insurance of vehicle owners shall be:

protection of property interests of the affected person in the volume and in the manner established by the Law;

operation of the vehicle provided that the owner of the vehicle has concluded a compulsory motor third party liability insurance contract;

ensuring of fulfilling the obligations by parties under the compulsory insurance contract of vehicle owners;

economic interest of vehicle owners in improving road safety.

Footnote. Article 4 with the change introduced by the Law of the Republic of Kazakhstan dated 02.07.2018 № 166-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).

Article 5. Persons the civil liability of which shall be subject to compulsory insurance

1. The civil responsibility of the owners as follows shall be subject to compulsory insurance:

1) passenger cars, the trucks, buses, minibuses and vehicles constructed on their base, motor-transport and trailers (semi-trailers) to them, registered (which are subject to the state registration) in divisions of authorized body on traffic safety and also trams and trolleybuses;

2) those entered (imported) to the territory of the Republic of Kazakhstan on a temporary basis;

3) the vehicles mentioned in subparagraphs 1) and 2) of this paragraph being delivered on their own steam from the organizations manufacturers, repair and trade organizations, bodies of customs control to the place of registration, as well as removed from the register by subdivision of authorized body on traffic safety due to the change of the residence place of the owner or change of the property right.

2. Civil liability of the vehicle owner shall be subject to insurance for each unit of the vehicle operated by him (her).

Conclusion of voluntary insurance contract of civil liability of vehicle owners shall not release the vehicle owner from the obligation on conclusion of compulsory insurance contract of vehicle owners.

3. Compulsory insurance contract of vehicle owners shall not be concluded in the case of entry into the territory of the Republic of Kazakhstan registered in the other state of transport vehicle, the owner of which concluded insurance liability contract of vehicle owners recognized by the Republic of Kazakhstan in accordance with the terms of an international treaty concluded between this state and the Republic of Kazakhstan.

4. The agreement of compulsory liability insurance for vehicle owners shall not be concluded by the owners whose vehicles are not subject to state registration and registration (except for trams and trolleybuses) in the subdivisions of the authorized traffic safety body in accordance with the legislation of the Republic of Kazakhstan, except for cases when the vehicle is considered to be in international traffic in the territory of the Republic of Kazakhstan.

5. Civil liability of a person operating the vehicle by virtue of performance of his (her) official or employment duties, as well as on the basis of employment or other agreement with the vehicle owner or in the presence of the owner of vehicle on the basis of his (her) will without execution of written form of transaction shall not be subject to compulsory insurance.

Footnote. Article 5 as amended by the Law of the Republic of Kazakhstan dated 30.12.2009 № 234-IV (order of enforcement see Article 2); From 17.04.2014 № 195-V (shall be enforced after six months after day of its first official publication); dated 12.07.2022 № 138-VII (shall enter into force upon expiry of sixty calendar days after the day of its first official publication).

Chapter 2. Ensuring of the functioning of the compulsory liability insurance system of vehicle owners

Article 6. State control and supervision in the field of compulsory liability insurance of vehicle owners

1. State control and supervision over the activities of insurance organizations is carried out by the authorized body for regulation, control and supervision of the financial market and financial organizations (hereinafter referred to as the authorized body) in accordance with the legislation of the Republic of Kazakhstan.

2. The state control over the implementation by vehicle owners of an obligation for conclusion of compulsory insurance contract of vehicle owners established by this law shall be carried out by subdivisions of authorized body on traffic safety at registration of vehicles and implementation of other powers in the field of control of observance of traffic regulations as well as regulations of the Republic of Kazakhstan in the field of traffic safety.

3. The state control over the implementation by vehicle owners of an obligation for conclusion of the compulsory insurance contract of vehicle owners established by this law

shall be carried out at automobile check points through the Frontier of the Republic of Kazakhstan matching customs border of the Eurasian Economic Union, bodies of state revenues.

Footnote. Article 6 as amended by the Laws of the Republic of Kazakhstan dated 31.01.2006 № 125; dated 20.02.2006 № 128 (order of enforcement see Article 2); dated 11.07.2009 № 185-IV (shall be enforced from 30.08.2009); dated 06.01.2010 № 238-IV (order of enforcement see Article 2); dated 30.06.2010 № 297-IV (shall be enforced from 01.07.2011); dated 24.01.2011 № 399-IV (shall be enforced from 01.01.2012); dated 05.07.2012 № 30-V (shall be enforced upon expiry of ten calendar days after its first official publication); from 17.04.2014 № 195-V (shall be enforced after six months after day of its first official publication); from 07.11.2014 № 248-V (shall be enforced after ten calendar days after day of its first official publication); from 24.11.2015 № 422-V (shall be enforced from 01.01.2016); from 26.12.2017 № 124-VI (shall be enforced from 01.01.2018); dated 03.07.2019 № 262-VI (shall be enforced from 01.01.2020).

Article 7. Impermissibility to use a vehicle without entering into a contract of compulsory liability insurance for vehicle owners

1. Use of a motor vehicle in case of failure to conclude a compulsory motor third party liability insurance contract shall not be allowed.

2. When checking documents, subdivisions of the authorized body on road traffic safety and transport control bodies shall verify the fulfillment of the obligation by the owners of vehicles to conclude a contract on mandatory liability insurance of vehicle owners.

Footnote. Article 7 of the Law of the Republic of Kazakhstan dated 02.07.2018 № 166-VI (shall be enforced dated 01.01.2019)..

Article 8. Peculiarities of compulsory motor third party liability insurance

1. An insurance organization, prior to obtaining a license for the right to carry out compulsory liability insurance of vehicle owners, is obliged to conclude a participation agreement with the Insurance Payments Guarantee Fund in the manner prescribed by the Law of the Republic of Kazakhstan "On the Insurance Payments Guarantee Fund", with the exception of a newly created insurance organization that concludes this agreement within thirty calendar days from the date of obtaining a license for the specified type of compulsory insurance.

2. Activities aimed at restricting or eliminating competition, providing or obtaining unjustified advantages in the conclusion of contracts of compulsory liability insurance of vehicle owners by some insurers before others, and infringement of the rights and legitimate interests of insurers are not allowed.

3. Vehicle owners have the right to enter into vehicle liability insurance contracts with insurers of other countries, including in electronic form, provided that this insurance provides insurance coverage for vehicle owners only outside the Republic of Kazakhstan.

Footnote. Article 8 of the Law of the Republic of Kazakhstan of 02.07.2018 № 166-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); as amended by the Law of the Republic of Kazakhstan dated 25.11.2019 № 272-VI (shall be enforced from 02.01.2020).

Article 8-1. Data base

Footnote. Article 8-1 is excluded by the Law of the Republic of Kazakhstan dated 15.07.2010 № 338-IV (shall be enforced from 01.01.2011).

Article 8-2. Information being provided by for creation of a data base and term of its presenting

Footnote. Article 8-2 is excluded by the Law of the Republic of Kazakhstan dated 15.07.2010 № 338-IV (shall be enforced from 01.01.2011).

Article 8-3. Obligated conditions of the treaty on provision of the information and (or) receipt of the insurance reports

Footnote. Article 8-3 is excluded by the Law of the Republic of Kazakhstan dated 15.07.2010 № 338-IV (shall be enforced from 01.01.2011).

Article 9. Information exchange

1. The internal affairs bodies of the Republic of Kazakhstan shall issue one copy to the participants of the transport accident or their representatives, as well as insurance organizations, the insurance ombudsman at their request documents, confirming the occurrence of an event with signs of an insured event, as well as a case of harm to the life and health of the victim by an individual, those hiding from the scene of the traffic accident, including a copy of the traffic violation protocol with the incident scheme.

2. Internal affairs bodies, procuratorial bodies, courts, health care organizations, other state bodies and organizations that have information about the transport accident and its consequences shall provide this information to the insurer, insurance ombudsman and the Insurance Benefits Guarantee Fund upon their application.

3. If it is impossible to notify by an insurant (insured person), affected person or their successors about occurrence of the traffic accident, the subdivisions of authorized body on traffic safety shall carry out informing the relevant insurer about this traffic accident.

4. The types of information interaction specified in paragraphs 1, 2 and 3 of the Article shall be carried out by exchanging electronic information resources through a unified insurance database.

5. In order to obtain information on cases of harm to the life of the victim as a result of a transport accident, information interaction between the state body carrying out statistical activities in the field of legal statistics and special accounting and the organization for the formation and maintenance of the database shall be carried out through the exchange of electronic information resources.

In order to determine the beneficiary and provide access to information confirming the applicant's relationship with the deceased person, information interaction shall be carried out between the state body exercising the right to own, use and dispose of the database containing such information in accordance with the Laws of the Republic of Kazakhstan and the organization for the formation and maintenance of the database.

The organization for the creation and maintenance of the database shall send the information specified in parts one and two of this paragraph to the insurer who has entered into a compulsory liability insurance agreement for vehicle owners with the participant of this traffic accident.

6. Authorized bodies in the field of customs affairs, defense and protection of the State border of the Republic of Kazakhstan and other state bodies shall submit information on vehicles that have temporarily entered (been imported) into the territory of the Republic of Kazakhstan to the organization for the formation and maintenance of a database through an information exchange system.

Footnote. Article 9 in edition of the Law of the Republic of Kazakhstan from 17.04.2014 № 195-V (shall be enforced after six months after day of its first official publication); with the changes introduced by the laws of the Republic of Kazakhstan dated 24.05.2018 № 156-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 02.07.2018 № 166-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 12.07.2022 № 138-VII (shall enter into force upon expiry of sixty calendar days after the day of its first official publication); dated 30.12.2022 № 177-VII (shall be enforced ten calendar days after the date of its first official publication).

Chapter 3. Compulsory liability insurance contract of vehicle owners

Article 10. Compulsory liability insurance contract of vehicle owners and procedure for its conclusion

1. Compulsory liability insurance of vehicle owners shall be carried out on the basis of the contract concluded between an insurant and an insurer in accordance with the Law.

2. Compulsory liability insurance contract of vehicle owners shall provide the carrying out of insurance payments on the obligations created due to infliction of harm to life, health and (or) property of the affected person, except for compensation for moral harm and loss of profit of the affected person, including the loss of the commodity value of the property, as

well as compensation of penalty due to violation of goods delivery or performance of works (rendering of services) by the affected person, its other obligations under the contracts (agreements).

3. Compulsory liability insurance contract of vehicle owners shall be concluded only with an insurer having a license for the right to carry out the activity for this type (class) of compulsory insurance.

Insurant shall have free choice while choosing an insurer.

The insurer shall not be entitled to refuse the insured to conclude a compulsory liability insurance agreement for vehicle owners, except for cases stipulated by the Laws of the Republic of Kazakhstan.

Under the compulsory insurance contract of vehicle owners, an insurant shall be obliged to pay the insurance premium, and an insurer shall be obliged to make an insurance payment to beneficiary upon occurrence of the insured event in amount, manner and terms established by the Law.

4. Compulsory liability insurance contracts of vehicle owners shall be divided into the following types:

- 1) standard contract;
- 2) package contract.

5. The contract of compulsory motor third party liability insurance shall be concluded by means of drawing up an insurance policy in electronic form by the insurer.

The basis for conclusion of the compulsory motor third party liability insurance contract shall be the application of the policyholder containing the data required for calculation of the insurance premium and identification of the policyholder insured.

5-1. The agreement of compulsory liability insurance of vehicle owners at the request of the insured can be concluded by contacting the insurer or exchanging electronic information resources between the insured and the insurer.

5-2. It is not allowed to conclude a compulsory liability insurance contract for owners of vehicles that are not in international traffic on the territory of the Republic of Kazakhstan, with the exception of vehicles registered (subject to state registration) in the territorial divisions of the authorized body for road safety.

6. Besides the conditions listed in Article 826 of the Civil Code of the Republic of Kazakhstan, the insurance policy shall contain the size of the maximum volume of the insurer's liability for one insured event and an indication to the type of contract.

Requirements for the content and registration of insurance policy on mandatory insurance of liability of vehicle owners are established by the legislation of the Republic of Kazakhstan on insurance and insurance activities.

6-1. Introduction of amendments and supplements to the insurance policy shall not be allowed.

7. Excluded by the Law of the Republic of Kazakhstan dated 02.07.2018 № 166-VI (shall be enforced dated 01.01.2019).

8. If an insurer concluded compulsory liability insurance contract of vehicle owners in conditions aggravating the situation of an insurant (insured person) or the affected person as compared to those that provided by the Law, then an insurer shall bear responsibility before an insurant (insured person) and the affected person in conditions established by the Law upon occurrence of the insured event.

9. Payment of insurance premium under compulsory liability insurance contract of vehicle owners shall be made by an individual in a lump sum.

10. Excluded by the Law of the Republic of Kazakhstan dated 12.07.2022 No. 138-VII (to come into effect from 01.01.2024).

Footnote. Article 10 as amended by the Laws of the Republic of Kazakhstan dated 20.02.2006 № 128 (order of enforcement see Article 2); dated 07.05.2007 № 244; dated 30.12.2009 № 234-IV (order of enforcement se Article 2); dated 24.01.2011 № 399-IV (shall be enforced from 01.01.2012); from 17.04.2014 № 195-V (shall be enforced after six months after day of its first official publication); from 09.04.2016 № 499-V (shall be enforced after ten calendar days after day of its first official publication); the Law of the Republic of Kazakhstan № 166-VI dd. 02.07.2018 (shall be enforced dated 01.01.2019); dated 12.07.2022 № 138-VII (the order of enforcement see Art. 2); dated 30.12.2022 № 177-VII (shall be enforced ten calendar days after the date of its first official publication).

Article 11. Standard contract

1. According to the standard contract, civil liability of one or several vehicle owners may be insured.

2. A standard contract is concluded for each unit of the vehicle in use.

3. Insurance policy shall contain details about an insurant (insured persons), and operated vehicles.

4. Is excluded by the Law of the Republic of Kazakhstan dated 30.12.2009 № 234-IV (order of enforcement see Article 2).

5. According to the standard contract the civil liability of an insurant (insured person) created in a result of infliction of harm to third parties by the insurant himself (herself) or in case as follows shall be considered as insured:

1) operation of the vehicle by a person having the right to its operation in the presence of an insurant (insured person);

2) operation of the vehicle by a person on the basis of employment or other contract with an insurant (insured person) drawn up in writing;

3) operation of the vehicle by a person that unlawfully possessed the vehicle, if the responsibility for inflicted harm is imposed on an insurant (insured person).

6. Is excluded by the Law of the Republic of Kazakhstan dated 30.12.2009 № 234-IV (order of enforcement see Article 2).

Footnote. Article 11 as amended by the Law of the Republic of Kazakhstan dated 30.12.2009 № 234-IV (order of enforcement see Article 2); dated 02.07.2018 № 166-VI (shall be enforced upon the expiration of ten calendar days after the date of its first official publication).

Article 12. Package contract

1. Civil liability of an individual being an owner of two or several units of vehicles may be insured according to the package contract.

2. A comprehensive contract is concluded for all vehicles in use.

3. Insurance policy shall contain details about an insurant (insured person) – an individual and the vehicles operated by him (her).

4. Is excluded by the Law of the Republic of Kazakhstan dated 30.12.2009 № 234-IV (order of enforcement see Article 2).

5. Civil liability of an insurer (insured person) arising as a result of inflicting the harm to third parties by the insurant (insured person) himself (herself) or in the case as follows shall be considered as insured according to the package contract:

1) operation of the vehicle by a person having the right to its operation in the presence of an insurant (insured person);

2) operation of the vehicle by a person that unlawfully possessed the vehicle, if the responsibility for inflicted harm is imposed on an insurant (insured person).

6. Is excluded by the Law of the Republic of Kazakhstan dated 30.12.2009 № 234-IV (order of enforcement see Article 2).

Footnote. Article 11 as amended by the Law of the Republic of Kazakhstan dated 30.12.2009 № 234-IV (order of enforcement see Article 2); dated 02.07.2018 № 166-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).

Article 12-1. Requirements for the insurer and the Internet resources when concluding a contract of compulsory liability insurance for vehicle owners and settling insurance cases through the exchange of electronic information resources

1. When concluding a compulsory liability insurance contract for vehicle owners in electronic form and settling insurance cases on them, the Internet resource and (or) the information system of the insurer shall be used to exchange electronic information resources between the organization for the formation and maintenance of a database, the insurer and the policyholder (the insured, the beneficiary).

When submitting an application for the conclusion of a compulsory liability insurance contract for vehicle owners and notification about a traffic accident, an application for determining the amount of damage caused, making insurance payments under such an agreement from the policyholder (the insured, the beneficiary) in electronic form, the use of specialized software shall not be required.

The Internet resource of the organization for the formation and maintenance of the database contains a link to the Internet resource of the insurance organization used to conclude contracts for compulsory liability insurance of vehicle owners and settlement of insurance cases in electronic form.

2. The procedure for the exchange of electronic information resources between the organization for the formation and maintenance of the database and the insurer, the insurer and the policyholder (the insured, the beneficiary) shall be determined by the regulatory legal act of the authorized body.

3. When concluding a contract of compulsory liability insurance of vehicle owners and settling insured cases under it using the insurer's Internet resource, the insurer shall be obliged to ensure:

1) immediate sending to the policyholder of a notification on the conclusion of a compulsory liability insurance contract of vehicle owners or refusal to conclude it (indicating the reasons for the refusal) in the form of an electronic message;

2) notification of the policyholder (the insured) about the main stages of the process of settling the insured case, including refusal to accept documents for settlement (indicating the reasons for the refusal), in the form of an electronic message in the manner determined by the regulatory legal act of the authorized body;

3) the possibility for the policyholder (the insured) to check information on the concluded contract of compulsory liability insurance of vehicle owners on the Internet resource of the insurance organization;

4) the possibility for the policyholder (the insured, the beneficiary) to check information on the insured case under the compulsory liability insurance contract of vehicle owners on the Internet resource of the insurance organization;

5) storage of the contract of compulsory liability insurance of vehicle owners in electronic form and information on the insured case on it, ensuring round-the-clock access for the policyholder (the insured, the beneficiary) to the insurer's Internet resource;

6) the possibility for the policyholder (the insured, the beneficiary) to create and send to the insurer information in electronic form (applications, notifications, and (or) other documents, information) necessary for:

concluding a contract of compulsory liability insurance of vehicle owners;

early termination of the contract of compulsory liability insurance of vehicle owners;

notifications about the occurrence of an insured case (traffic accident);

determining the amount of harm caused;

receiving insurance payment;

settlement of disputes arising from the contract of compulsory liability insurance of vehicle owners, taking into account the features provided for in Article 29-1 of this Law.

Notification on the conclusion of a compulsory liability insurance contract of vehicle owners and the settlement of insurance cases under it shall be sent from the organization for the formation and maintenance of the database.

Requirements for the procedure and content of notifications on the conclusion of a compulsory liability insurance contract of vehicle owners and settlement of insured cases under it shall be determined by the authorized body.

4. When concluding a contract of compulsory liability insurance of vehicle owners through the exchange of electronic information resources, the insurance contract shall be considered concluded from the date of payment by the policyholder of the insurance premium (the first insurance premium in the case of payment by the insured - a legal entity of the insurance premium in installments), unless otherwise provided by the compulsory insurance contract liability of vehicle owners.

5. When concluding a contract of compulsory liability insurance of vehicle owners through the exchange of electronic information resources, the policyholder pays the insurance premium after familiarizing himself with the insurance conditions provided for by this Law, thereby confirming his consent to enter into an accession contract on the terms proposed to him.

6. The insurer provides the possibility to conclude a contract of compulsory liability insurance of vehicle owners and settle insurance cases under it using the insurer's Internet resource around the clock.

7. The activity of insurance agents in concluding compulsory liability insurance contracts of vehicle owners shall not be allowed.

Footnote. Chapter 3 has been supplemented by Article 12-1 in accordance with the Law of the Republic of Kazakhstan dated 02.07.2018 № 166-VI (shall be enforced from 01.01.2019); dated 12.07.2022 № 138-VII (shall be enforced from 01.01.2024).

Article 13. Force of compulsory liability insurance contract of the vehicle owners

1. Compulsory liability insurance contract of vehicle owners shall be valid in respect of all the persons recognized as affected persons in accordance with the Law, including those being in the vehicle of an insurant (insured person) being guilty in causing harm, except for:

1) a person operating this vehicle by virtue of fulfilling official or employment duties with an insurant (insured person), as well as on the basis of employment or other contract with the vehicle owner or in the presence of the insurant (insured person) on the basis of his (her) will without written form of transaction;

2) passengers, if an insurer (insured person) is a carrier to whom the requirements of the legislative act of the Republic of Kazakhstan regulating compulsory insurance of civil liability of the carrier before passengers is applied;

3) employees of an insurant (insured person) if the insurant (insured person) as an employee is imposed by the obligation to insure the employee from accidents upon fulfilling employment (official) duties by him (her).

2. Compulsory liability insurance contract of vehicle owners shall be enforced and become compulsory for the parties from the date established by the compulsory liability insurance contract of vehicle owners.

3. Compulsory liability insurance contract of vehicle owners shall be concluded for a period of twelve months from the date of its enforcement.

The compulsory liability insurance contract of vehicle owners must be concluded at the time of:

1) crossing the State border of the Republic of Kazakhstan by vehicles that are in international traffic on the territory of the Republic of Kazakhstan;

2) the occurrence of the right of ownership of a vehicle by an individual or legal entity, but no later than ten working days from the date of state registration (re-registration) of this vehicle in the territorial divisions of the authorized body for road safety.

4. Conclusion of compulsory liability insurance contract of vehicle owners shall be allowed for the term being otherwise than it is provided by paragraph 3 of the Article:

1) upon seasonal operation of the vehicle, but not less than six months;

2) Excluded by the Law of the Republic of Kazakhstan dated 12.07.2022 № 138-VII (shall enter into force upon expiry of sixty calendar days after the day of its first official publication).

3) in the cases provided by subparagraph 3) of paragraph 1 of Article 5 of the Law for the term preceding the state registration of the vehicle, but not less than five calendar days;

4) in case of temporary entry of the vehicle into the territory of the Republic of Kazakhstan for the entire period of temporary entry, but not less than five calendar days.

5. Is excluded by the Law of the Republic of Kazakhstan dated 30.12.2009 № 234-IV (order of enforcement see Article 2).

6. Force of compulsory liability insurance contract of vehicle owners shall be limited by the territory of the Republic of Kazakhstan, unless otherwise provided by international treaty concluded by the Republic of Kazakhstan.

Footnote. Article 13 as amended by the Laws of the Republic of Kazakhstan dated 20.02.2006 № 128 (order of enforcement see Article 2); dated 30.12.2009 № 234-IV (order of enforcement see Article 2); From 17.04.2014 № 195-V (shall be enforced after six months after day of its first official publication); dated 12.07.2022 № 138-VII (shall enter into force upon expiry of sixty calendar days after the day of its first official publication); dated

30.12.2022 № 177-VII (shall be enforced ten calendar days after the date of its first official publication).

Article 14. Termination of compulsory liability insurance contract of vehicle owners

1. Compulsory liability insurance contract of vehicle owners shall be considered as terminated in the following cases:

- 1) expiration of force of contract;
- 2) early termination of contract;
- 3) shall be excluded by the Law of the Republic of Kazakhstan dated 02.07.2018 № 166-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).

2. A contract of compulsory insurance of liability of vehicle owners does not terminate when the insurance payment is made.

When making an insurance payment, the insurer within one working day informs the organization on the formation and maintenance of the database.

Footnote. Article 14 as amended by the Law of the Republic of Kazakhstan dated 20 February, 2006 № 128 (order of enforcement see Article 2; dated 02.07.2018 № 166-VI (shall be enforced upon expiration of ten calendar days after the day of its first official publication); dated 02.04.2019 № 241-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication)).

Article 15. Early termination of compulsory liability insurance contract of vehicle owners

1. Compulsory liability insurance contract of vehicle owners shall be early terminated in the cases established by the Civil Code of the Republic of Kazakhstan.

2. For early termination of compulsory liability insurance contract of vehicle owners an insurant (in case of death of the insurant – his (her) successor (successors) shall submit a written application to the insurer.

3. In case of early termination of the contract of compulsory motor third party liability insurance and conclusion of a new contract of compulsory motor third party liability insurance with the same insurer, the insurer shall have the right to withhold a part of the insurance premium calculated according to the following formula:

$PIP = IP * n / N$, wherein:

PIP – insurance premium amount retained by an insurer (in tenge);

SP - insurance premium amount being paid under compulsory liability insurance contract of the vehicle owners (in tenge);

n - a period elapsed from the date of enforcement of compulsory liability insurance contract of vehicle owners until the date of its early termination (in days), including the date of application;

N – a term of conclusion of compulsory liability insurance contract of vehicle owners (in days).

4. In case of failure to comply with the condition stipulated in Paragraph 3 of this Article, the insurer shall have the right to withhold a part of the insurance premium in case of early termination of the compulsory motor third party liability insurance contract in the following amounts:

№ r/n	The period that has passed since the entry into force of the agreement of compulsory liability insurance for vehicle owners until its early termination (as a percentage of the period for which the agreement of compulsory liability insurance for vehicle owners shall be concluded)	Amount of insurance premium withheld by the insurer (as a percentage of the insurance premium paid under the agreement of compulsory liability insurance for vehicle owners)
1	2	3
1	until 4 (not including 4)	15
2	from 4 to 8 (not including 8)	20
3	from 8 to 17 (not including 17)	30
4	or 17 to 25 (not including 25)	40
5	from to до 33 (not including 33)	50
6	from 33 to 42 (not including 42)	60
7	from 42 to 50 (not including 50)	70
8	from 50 to 58 (not including 58)	75
9	from 58 to 67 (not including 67)	80
10	from 67 to 75 (not including 75)	85
11	from 75 to 83 (not including 83)	90
12	from 83 to 92 (not including 92)	95
13	from 92 or above	100

Footnote. Article 15 is in the wording of the Law of the Republic of Kazakhstan dated 30.12.2009 № 234-IV (order of enforcement see Article 2); with the changes made by the Law of the Republic of Kazakhstan dated 02.07.2018 № 166-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 12.07.2022 № 138-VII (shall enter into force upon expiry of sixty calendar days after the day of its first official publication).

Article 16. Rights and obligations of the insured (insured)

Footnote. The title of Article 16 is as amended by the Law of the Republic of Kazakhstan dated 12.07.2022 № 138-VII (shall enter into force upon expiry of sixty calendar days after the day of its first official publication).

1. The insured (insured) shall be entitled to:

1) require the insurer to clarify the conditions for compulsory liability insurance of vehicle owners, its rights and obligations under the agreement of compulsory liability insurance for vehicle owners;

2) request information from the organization on the formation and maintenance of the database on the presence in the database of information on the agreement of compulsory liability insurance for vehicle owners and the insurance event (transport accident) under it (this right also applies to the beneficiary in terms of requesting information on the insurance event (transport accident));

3) familiarize yourself with the results of determining the amount of damage caused by the insurer and the insurance payment made by the insurer, including through the insurer's online resource;

4) prematurely terminate the agreement of compulsory liability insurance of vehicle owners (this right applies only to the insured);

5) apply to the insurer, taking into account the specifics provided for by Article 29-1 of this Law, or to the insurance ombudsman or to the court to resolve issues arising from the agreement of compulsory liability insurance for vehicle owners;

6) send the application and attached documents to the insurance ombudsman (directly to the insurance ombudsman, including through its Internet resource, or through the insurer, including its branch, representative office, other separate structural subdivision, Internet resource);

7) to receive insurance payment in cases stipulated by this Law.

The agreement of compulsory liability insurance of vehicle owners may also provide for other rights of the insured (insured) that do not contradict the Laws of the Republic of Kazakhstan.

2. Insurant shall be obliged to:

1) when concluding an agreement of compulsory liability insurance for vehicle owners, provide the insurer with information about themselves, each insured person included in the insurance policy, transport (vehicles), double insurance, seasonal operation of the vehicle, temporary entry into the territory of the Republic of Kazakhstan and the right to reduce the amount of the insurance premium and other information necessary for inclusion in the application, and copies of documents confirming the information specified in the application, in the manner provided for by this Law;

2) pay insurance premiums in amount, manner and terms established by the compulsory liability insurance contract of vehicle owners;

3) immediately, but no later than five working days, as he became aware of the occurrence of a traffic accident, shall notify the insurer with whom the agreement of compulsory liability insurance for vehicle owners has been concluded in writing (either on purpose or by exchanging electronic information resources). In cases where the insured and the insured shall not be the same individual, the obligation to inform the insurer about the occurrence of the insured event shall be assigned to the insured. If the insured (insured) for good reasons did not have the opportunity to perform the specified actions, he must document this;

4) when committing a traffic accident, inform the victims and employees of the authorized road safety body of the name of the insurer with whom the agreement of compulsory liability insurance for vehicle owners shall be concluded;

5) upon commission of traffic accident to take reasonable and available measures under the circumstances to prevent or reduce potential losses, including the measures to save property and provide assistance to affected persons;

6) inform the relevant bodies and organizations, on the basis of their competence (subdivisions of authorized body on traffic safety, bodies of the state fire-fighting service, ambulance service, emergency services), about the traffic accident and affected persons;

6-1) upon commission of the traffic accident immediately, but not later than two hours after receipt of the written direction of the authorized official to undergo a medical examination for establishment of the fact of psychoactive substance and intoxication in accordance with the requirements of the legislation of the Republic of Kazakhstan;

7) Excluded by the Law of the Republic of Kazakhstan dated 12.07.2022 № 138-VII (put into force sixty calendar days after the day of its first official publication).

8) ensure transfer of the right of contribution to a person being responsible for occurrence of the insured event to an insurer.

Compulsory liability insurance contract of vehicle owners may provide the other obligations of an insurant that are not inconsistent with the Laws of the Republic of Kazakhstan.

3. The obligations of the insured specified in subclauses 4), 5), 6) and 6-1) of the first paragraph 2 of this Article shall be assigned to the person directly driving the vehicle at the time of the accident.

Footnote. Article 16 as amended by the Laws of the Republic of Kazakhstan dated 20.02.2006 № 128 (order of enforcement see Article 2); dated 07.05.2007 № 244; dated 26.05.2008 № 34-IV (order of enforcement see Article 2); dated 30.12.2009 № 234-IV (order of enforcement see Article 2); dated 15.07.2010 № 338-IV (shall be enforced from 01.01.2011); from 17.04.2014 № 195-V (shall be enforced after six months after day of its first official publication); dated 02.07.2018 № 166-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 10.01.2018 № 134-VI (shall be enforced upon the expiration of six months after the day of its first official publication); dated 12.07.2022 № 138-VII (shall enter into force upon expiry of sixty calendar days after the day of its first official publication).

Article 17. Rights and obligation of insurer

1. Insurer shall have the right to:

1) when concluding an agreement of compulsory liability insurance for vehicle owners, except for the information provided for by the Civil Code of the Republic of Kazakhstan,

require the insured to submit the information necessary for entering into such an agreement in accordance with this Law;

2) request from the relevant state bodies and organizations, based on their competence, documents confirming the fact of the occurrence of an insured event (a traffic accident) and the amount of harm caused to the victims;

3) establish the reasons and other circumstances of the traffic accident;

4) **(is excluded – dated 7 May, 2007 № 244);**

5) upon notification of a traffic accident committed during the period of insurance protection under the compulsory liability insurance agreement for vehicle owners, immediately register it and submit information on this traffic accident to the organization for the formation and maintenance of the database in accordance with the regulatory legal act of the authorized body;

6) refuse implementation of insurance payment as well as compensation of caused harm in the order provided by article 26-1 of this Law, in whole or in part on the bases provided by article 29 of this Law.

Compulsory liability insurance contract of vehicle owners may provide the other rights of an insurer that are not inconsistent with the civil legislation of the Republic of Kazakhstan.

2. Insurer shall be obliged to:

1) familiarise the policyholder (insured) with the terms and conditions of the compulsory motor third party liability insurance, including the rights and obligations of the parties arising from the contract of compulsory motor third party liability insurance;

2) upon entry into the compulsory motor third party liability insurance contract, to issue an insurance policy to the policyholder (insured person);

3) **is excluded by the Law of the Republic of Kazakhstan dated 30.12.2009 № 234-IV (order of enforcement see Article 2);**

4) provide allowance on a payment of insurance premium to the persons mentioned in a part one of paragraph 1 of Article 20 of the Law;

5) register the traffic accident immediately upon receipt of notification about it;

5-1) within a working day from the date of receipt of a written request from the victim or a person who is entitled under the laws of the Republic of Kazakhstan to compensation for damages in connection with the death of the victim, to submit in writing information on the conclusion of the contract of compulsory insurance of liability of vehicle owners (surname, first name, patronymic (if it is specified in the identity document) of the insured, state registration number of the vehicle, number and date of conclusion) by the insurer who is the culprit of the vehicle;

6) within the terms and procedure established by this Law, upon an application for determination of the amount of damage caused to property, the insured or the injured (beneficiary) or their representatives, to calculate the amount of damage caused to property and submit a report on the amount of damage for familiarization to the beneficiary;

6-1) in case of insufficiency of the documents confirming the fact of occurrence of the insured event and the amount of the damage to be compensated by the insurer, within three working days from the date of their receipt to inform the applicant about it with indication of the full list of missing and (or) incorrectly executed documents;

7) make an insurance payment in the amount, manner and terms established by the Law upon occurrence of the insured event;

7-1) when applying in writing with a request for compensation for the damage caused in accordance with the procedure provided for by Article 26-1 of this Law, make compensation for the damage caused in the amount, procedure and terms established by this Law;

7-2) upon receipt from the insured (victim, beneficiary) of an application for consideration of the dispute arising from the agreement of compulsory liability insurance of vehicle owners, consider the claims of the insured (victim, beneficiary) and provide a written response indicating the further procedure for resolving the dispute within five working days;

7-3) upon receipt of the application from the policyholder (victim, beneficiary), sent to the insurance ombudsman, to redirect this application, as well as the attached documents to the insurance ombudsman within three working days from the date of receipt;

7-4) upon receipt of the information provided for in paragraph 5 of Article 9 of this Law, take measures to resolve the insured event in accordance with the procedure established by the regulatory legal act of the authorized body;

8) reimburse for expenses to an insurant (insured person) incurred by him (her) for the purpose of prevention or reduction of losses upon insured event;

9) ensure the secrecy of insurance.

Compulsory liability insurance contract of vehicle owners may provide the other obligations of an insurer that are not inconsistent with the Laws of the Republic of Kazakhstan.

Footnote. Article 17 as amended by the Laws of the Republic of Kazakhstan dated 20.02.2006 № 128 (order of enforcement see Article 2); dated 07.05.2007 № 244; dated 30.12.2009 № 234-IV (order of enforcement see Article 2); from 24.11.2015 № 422-V (shall be enforced from 01.01.2016) ; dated 02.07.2018 № 166-VI (shall be enforced upon the expiration of ten calendar days after the date of its first official publication); dated 10.01.2018 № 134-VI (shall be enforced upon the expiration of six months after the date of its first official publication); dated 12.07.2022 № 138-VII (shall enter into force upon expiry of sixty calendar days after the day of its first official publication).

Article 18. Rights of the affected person

1. Affected person shall have the right to:

1) inform an insurer on the traffic accident, in the result of which he (she) is inflicted by harm by an insurant (insured person);

2) carry out collection of documents instead of an insurant (insured person) being necessary for making insurance payment, and represent them to their insurer;

3) shall be excluded by the Law of the Republic of Kazakhstan dated 10.01.2018 № 134-VI (shall be enforced upon the expiration of six months after the date of its first official publication);

3-1) use the services of any health care provider;

4) get acquainted with the results of the determination of the amount of damage and insurance payment made by the insurer;

4-1) apply in writing to the insurer of the person guilty of causing harm to life, health and (or) property of the victim to confirm the information on the existence of the contract of compulsory insurance of liability of owners of vehicles (surname, name, patronymic (if it is specified in the identity document) of the insured, state registration number of the vehicle, number and date of conclusion) of the given person in the order provided by subparagraph 5-1) of Article 17 of this Law;

4-2) apply in writing to the organization on formation and maintenance of the database on provision of information on availability or absence of the contract of compulsory motor third party liability insurance (surname, name, patronymic (if it is specified in the identity document) of the policyholder, state registration number of the motor vehicle, number and date of conclusion) of the person guilty of causing harm to the life, health and (or) property of the victim, in the presence of the document confirming the insured event;

5) receive insurance payment as well as compensation of the caused harm in the order provided by article 26-1 of this Law;

5-1) apply to an insurer taking into account the peculiarities provided for in Article 29-1 of this Law, or to an insurance ombudsman or a court for settlement of issues arising from the contract of compulsory motor third party liability insurance;

6) send an application and attached documents to the insurance ombudsman (directly to the insurance ombudsman, including his Internet resource, or through the insurer, its branch, representative office);

7) submit requirement on compensation for inflicted harm to the vehicle owner in amount exceeding the sum of inflicted harm over received insurance payments.

2. In cases provided by the Law, the rights of the affected person established by paragraph 1 of this Article shall be transferred to other persons acting as beneficiaries.

Footnote. Article 18 as amended by the Laws of the Republic of Kazakhstan dated 07.05.2007 № 244; dated 30.12.2009 № 234-IV (order of enforcement see Article 2); from 24.11.2015 № 422-V (shall be enforced from 01.01.2016); dated 02.07.2018 № 166-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 10.01.2018 № 134-VI (shall be enforced upon the expiration of six months after the day of its first official publication).

Article 18-1. Rules of accreditation of the independent expert

Footnote. Article 18-1 is excluded by the Law of the Republic of Kazakhstan from 24.11.2015 № 422-V (shall be enforced from 01.01.2016).

Chapter 4. Insurance premiums

Article 19. Insurance premium amount

1. For the calculation of annual insurance premium being subject to payment upon conclusion of compulsory liability insurance contract of vehicle owners, the basic insurance premium to which the rates established by paragraphs 3-10 of this Article shall apply depending on the place of registration of vehicle, type of transport vehicle, age and driving experience of an insurant (insured person), term of operation of vehicle and existence or absence of insured events due to the fault of persons the civil liability of which is insured (“bonus-malus” system) shall be used.

Decrease or increase of insurance premium amount on other grounds not provided by the Law shall not be allowed.

2. Basic insurance premium shall be established in amount of 1,9 of monthly calculation index.

3. Coefficients for the territory of vehicle registration shall be set as follows:

№ s/p	Name of the region, city of republican significance, capital	The size of the coefficient for the territory of vehicle registration (for the capital, cities of republican and regional significance)
1	2	3
1	Almaty region	1.78
2.	Turkestan region	1.01
3.	East Kazakhstan region	1.96
4.	Kostanay region	1.95
5.	Karaganda region	1.39
6.	North-Kazakhstan region	1.33
7.	Akmola region	1.32
8	Pavlodar region	1.63
9	Zhambyl region	1.00
10	Aktobe region	1.35
11.	West-Kazakhstan region	1.17
12.	Kyzylorda region	1.09
13.	Atyrau region	2.69
14.	Mangystau region	1.15
15.	Almaty	2.96
16.	Astana	2.2
17.	Shymkent	1.01

3-1. Correction coefficients shall be additionally applied to the coefficients for the territory of registration of the vehicle specified in paragraph 3 of this Article for calculating the insurance premium.

The calculation of correction coefficients shall be carried out by the organization for the formation and maintenance of the database, taking into account the indicators of unprofitability in the territory of registration of the vehicle, targeted unprofitability and the reliability factor in the manner determined by the regulatory legal act of the authorized body.

Targeted loss ratio, reliability factor and correction coefficients shall be approved by the authorized body and published on the Internet resource of the authorized body within the time limits established by the regulatory legal act of the authorized body.

The value of the target loss ratio should be in the range from sixty to eighty percent.

The insurer shall have the right to increase or decrease correction coefficients by no more than ten percent of the values calculated in accordance with part two of this paragraph, in the manner determined by the regulatory legal act of the authorized body.

4. For other cities and settlements in the areas specified in paragraph 3 of this Article, an adjustment factor of 0.8 shall be additionally used to calculate the annual insurance premium.

5. In case of temporary entrance of the vehicle on the territory of the Republic of Kazakhstan the coefficient across the territory of registration in the amount of 4,4 shall be applied.

Rates in the territory of registration of the vehicle shall not apply to the cases provided by subparagraph 3) of paragraph 1 of Article 5 of the Law.

6. Rates by a type of the vehicle shall be established in the following amounts:

№	Type of vehicle	Classification in accordance with the regulatory legal act of the Ministry of internal affairs of the Republic of Kazakhstan	Amount of rate on a type of the vehicle
1	2	3	4
1.	Motor cars	"B" - cars, the gross weight of which does not exceed 3500 kg and the number of seats of which does not exceed 8 besides a seat of a driver	2,09
2.	Buses up to 16 passenger seats inclusively	"D" - cars, intended for the carriage of passengers and having more than 8 seats besides a seat of a driver	3,26
3.	Buses over 16 passenger seats	"D" - cars, intended for the carriage of passengers and having more than 8 seats besides a seat of a driver	3,45

4.	Freighter	"C" - trucks, the gross weight of which exceeds 3500 kg	3,98
5.	Trolleybuses, trams	Trolleybuses, trams	2,33
6.	Motorcycle transport	"A" - Motorcycles, scooters and other motorcycle transport vehicles	1,00
7.	Trailers (semi-trailers)	"E" - combinations of vehicles with tractors, related to the categories of the vehicles "B", "C" or "D"	1,00

7. Rates depending on the age and driving experience shall be established for individuals in the following amounts:

№	Age and driving experience	Amount of rate depending on the age and driving experience
1	2	3
1.	Less than 25 years/driving experience less than 2 years	1,10
2.	Less than 25 years/driving experience more than 2 years	1,05
3.	25 years and older/driving experience less than 2 years	1,05
4.	25 years and older/driving experience more than 2 years	1,00

8. For legal entities, the rate provided by paragraph 7 of this Article shall be equal to 1,2.

9. Rates depending on the term of operating the vehicle shall be established in the following amounts:

№	Term of operating the vehicle	Amount of rate depending on the term of operating the vehicle
1	2	3
1.	Up to 7 years inclusively	1,00
2.	More than 7 years	1,10

10. The procedure for calculating and applying the bonus-malus factor shall be determined by the regulatory legal act of the authorized body.

11. As excluded by the Law of the Republic of Kazakhstan dated 12.07.2022 № 138-VII (shall enter into force upon expiry of sixty calendar days after the day of its first official publication).

12. As excluded by the Law of the Republic of Kazakhstan dated 12.07.2022 № 138-VII (shall enter into force upon expiry of sixty calendar days after the day of its first official publication).

13. As excluded by the Law of the Republic of Kazakhstan dated 12.07.2022 № 138-VII (

shall enter into force upon expiry of sixty calendar days after the day of its first official publication).

14. Upon conclusion of compulsory liability insurance contract of vehicle owners for a period of less than twelve months, except for cases of temporary entrance on the territory of the Republic of Kazakhstan, the amounts of insurance premiums on the vehicle unit shall be calculated using the following formula:

In case of temporary entrance on the territory of the Republic of Kazakhstan the amount of an insurance premium on unit of the vehicles shall be calculated by the following formula:

$JV = JF * C$, where:

JV – the size of an insurance premium under the compulsory liability insurance contract of vehicle owners concluded for the period of less than twelve months (in tenge), in case of temporary entrance on the territory of the Republic of Kazakhstan;

C – the correction coefficient depending on stay term in the territory of the Republic of Kazakhstan specified in paragraph 14-1 of this article.

14-1. Upon conclusion of compulsory liability insurance contract of vehicle owners for temporary entrance on the territory of the Republic of Kazakhstan the following coefficients shall be established:

№	Insurance term at implementation of compulsory insurance civil liability of owners of the vehicles registered in the foreign states and temporarily used in the territory of the Republic of Kazakhstan	coefficient
1	up to 15 days (inclusive)	0,2
2	from 16 days to month	0,3
3	two months	0,4
4	three months	0,5
5	four months	0,6
6	five months	0,65
7	six months	0,7
8	seven months	0,8
9	eight months	0,9
10	nine months	0,95
11	ten months and more	1

15. Under the package contract, the insurance premium shall be paid for one unit of the vehicle, by this the insurance premium amount shall be determined as equal to the greatest value of the insurance premium amounts established for the vehicles mentioned in the insurance policy.

16. According to the standard contract, insurance premium shall be calculated for each insured person and be subject to payment by an insurant in amount being equal to the greatest value of the insurance premium amounts calculated for each insured person.

Footnote. Article 19 is in the wording of the Law of the Republic of Kazakhstan dated 30.12.2009 № 234-IV (order of enforcement see Article 2); from 24.11.2015 № 422-V (shall be enforced from 01.01.2016); dated 02.07.2018 №. 166-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 28.12.2018 № 210-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 27.12. 2019 № 291-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 12.07.2022 № 138-VII (the order of enforcement see Art. 2); dated 05.11.2022 № 157-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

Article 20. Reduced of insurance premiums

Owners of vehicles - participants of the Great Patriotic War and individuals equated with benefits to participants of the Great Patriotic War, veterans of hostilities in other states, persons with disabilities of the first and second groups, pensioners when concluding a standard contract shall pay insurance premiums in the amount of fifty percent of the insurance premium payable, calculated in accordance with Article 19 of this Law.

If the vehicle is also operated by other owners not belonging to the category of persons specified in the first part of this paragraph, then compulsory liability insurance of vehicle owners shall be carried out without providing such a benefit.

Footnote. Article 20 – in the wording of the Law of the Republic of Kazakhstan dated 12.07.2022 № 138-VII (shall enter into force upon expiry of sixty calendar days after the day of its first official publication).

Article 20-1. Additional services provided by an insurer

In existence of the agreement of an insurant, insurer shall have the right to provide additional paid services linked the provision of assistance in case of the traffic accident, including provision of the vehicle to an insurant (insured person) for a period of repair of the damaged vehicle, provision of services for collecting the documents required for making insurance payment, leaving to the place of traffic accident of a representative of the insurer (average commissioner) for rendering of assistance to the insurant.

Footnote. The Law is supplemented by Article 20-1 is accordance with the Law of the Republic of Kazakhstan dated 7 May, 2007 № 244.

Article 21. Order of payment of insurance premiums

1. If the compulsory liability insurance contract of vehicle owners does not provide otherwise, the premium shall be paid by the lump sum payment by an insurant.

2. Insurer shall have the right to provide payment of insurance premium by installment in the compulsory liability insurance of vehicle owners. By this, insurer shall be liable before an insurant within the term of the whole validity period of compulsory liability insurance

contract of vehicle owners. Non-payment of the insurance premium by an insurant may not be the ground for an insurer for early termination of the compulsory liability insurance contract of vehicle owners.

2-1. The insurer provides an opportunity to pay the insurance premium by non-cash method via the insurer's Internet resource.

3. In case of untimely payment of next insurance contribution, the insurer shall be obliged to pay a penalty to an insurer in the manner and amount established by Article 353 of the Civil Code of the Republic of Kazakhstan.

Footnote. Article 21 as amended by the Law of the Republic of Kazakhstan № 166-VI dated 02.07.2018 (shall be enforced dated 01.01.2019).

Chapter 5. Determination of insured event, size of inflicted harm and insurance payment

Article 22. Definition of insured accident and the extent of the caused harm

1. Insured accident shall be considered as the fact of the approach of civil liability of insured person for compensation of caused to the life, health and (or) property of the persons recognized as affected persons, as a result of operation of the vehicle by the insured person mentioned in the compulsory liability insurance contract of vehicle owners.

2. Size of harm inflicted to life and health of the affected person shall be determined in accordance with this Law on the basis of documents issued by the relevant organizations.

3. Determination of the amount of damage caused to property shall be carried out using licensed specialized software by the insurer or the assessor engaged by it on the basis of a service agreement.

The requirements for specialized software and the procedure for determining the amount of damage caused to property shall be established by a regulatory legal act of the authorized body.

The insurer and the insured (insured, beneficiary) agree on the date, time and place of inspection of the damaged property within three working days from the date of filing an application for determining the amount of damage caused. In this case, the inspection of damaged property must be carried out within five working days from the date of submission of the specified application.

If the inspection of the damaged property was not carried out due to the fault of the insured (insured, beneficiary) or due to circumstances beyond the will of the parties, the insured (insured, beneficiary) re-appeals to the insurer with an application for determining the amount of damage caused.

Determination of the amount of damage caused to property is carried out by the insurer within five working days from the date of inspection and drawing up an act of inspection of damaged property.

3-1. If the insurer does not determine the amount of damage caused within the period established by the fifth part of paragraph 3 of this Article, then the insured (insured) or the victim (beneficiary) or their representatives can use the services of the appraiser and begin the restoration (disposal) of the property. The costs of valuer services incurred by the insured (insured) or victim (beneficiary) or their representatives shall be reimbursed by the insurer regardless of the insurance payment.

Determination of the amount of damage caused to the vehicle shall be carried out by the appraiser in accordance with the regulatory legal act of the authorized body specified in part two of paragraph 3 of this article.

The result of determination of the amount of damage caused to the vehicle, produced by the appraiser, in the case provided for by part one of this paragraph, shall be accepted by the insurer for the implementation of insurance payment to the victim (beneficiary) or his representative.

4. The insurer shall make an insurance payment in the amount of damage determined in accordance with this Article.

5. The insurer shall not have the right to withhold from the insurance payment due to the beneficiary its own expenses related to the determination of the amount of damage.

6. Intentional creation of an insured event, as well as other fraudulent actions aimed at illegally receiving an insurance payment, entail liability established by the Laws of the Republic of Kazakhstan.

Footnote. Article 22 in edition of the Law of the Republic of Kazakhstan from 24.11.2015 № 422-V (shall be enforced from 01.01.2016); with the changes made by the law of the Republic of Kazakhstan № 166-VI dd. 02.07.2018 (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); from 10.01.2018 № 134-VI (shall be enforced upon expiration of six months after the day of its first official publication); dated 03.07.2019 № 262-VI (shall be enforced from 01.01.2020); dated 12.07.2022 № 138-VII (shall enter into force upon expiry of sixty calendar days after the day of its first official publication).

Article 22-1. Actions of persons upon occurrence of the traffic accident in the absence of affected persons to whom the harm to life, health is inflicted

In the absence of the affected persons to whom the harm to life, health is inflicted upon commission of the traffic accident, its participants shall notify the insurers on the occurred traffic accident when possible.

Insurers have the right to send their representatives to the place of traffic accident.

By the mutual agreement in assessing the circumstances of occurred accident and size of harm inflicted to the property, the estimated size of which shall not exceed fifty monthly

calculation indices, participants of the traffic accident shall have the right to draw up a scheme of the accident and after signing come to the nearest post or subdivision of the internal affairs bodies for its registration.

Procedure for drawing up and standard forms of a scheme of traffic accident shall be established by the regulatory legal acts of the Ministry of Internal Affairs of the Republic of Kazakhstan in coordination with the authorized body.

Footnote. The Law is supplemented by Article 22-1 in accordance with the Law of the Republic of Kazakhstan dated 07.05.2007 № 244; as amended by the Law of the Republic of Kazakhstan dated 30.12.2009 № 234-IV (order of enforcement see Article 2).

Article 22-2. Simplified procedure for settling an insured case

1. In the absence of victims who suffered harm to life and (or) health during the commission of a transport accident, its participants shall have the right to carry out a simplified registration of the transport accident by drawing up a declaration on the simplified procedure for resolving the insured case (hereinafter - the declaration) on the terms agreed upon by them, subject to simultaneous compliance with the following requirements:

1) a transport accident occurred as a result of the interaction (collision) of two vehicles (including vehicles with trailers (semi-trailers) to them), the civil liability of the owners of which at the time of occurrence of this transport accident was insured in accordance with this Law;

2) as a result of a transport accident, damage was caused only to the vehicles specified in subparagraph 1) of this paragraph;

3) the circumstances of causing harm as a result of a transport accident, the nature and list of visible damage to vehicles, the fault of one of the participants in the transport accident shall not cause disagreement among the participants in the transport accident and be recorded in the declaration;

4) participants in a transport accident agree to the amount of insurance payment within the amount of the insurance sum for each individual insured case, established by the regulatory legal act of the authorized body;

5) registration of documents and information about a transport accident shall be carried out by participants in a transport accident by drawing up a declaration using the information system of the insurance company and the information system of the organization for the formation and maintenance of a database in the manner determined by the regulatory legal act of the authorized body.

2. Participants in a transport accident must not leave the scene of the transport accident until they receive notification from the organization for the formation and maintenance of the database that the insurer has accepted the declaration.

In the event that the photographic materials attached to the declaration by the participants of the transport accident do not allow to determine the mark, model, identification number, state registration license plate of the vehicle involved in the transport accident, as well as the

circumstances of the harm, the nature and list of visible damages to vehicles as a result of the transport accident, the insurer shall have the right to request from the participants in the traffic accident re-sending of photographic materials using the information system of the insurance company and the information system of the organization for the formation and maintenance of the database or in any other available way.

The circumstances specified in part two of this paragraph shall not be the grounds for refusal to accept the declaration by the insurer.

3. If one of the participants in a transport accident does not agree with the registration of a simplified procedure for settling an insured case, the insurance payment shall be made in accordance with Article 25 of this Law.

4. The procedure and conditions for the simplified procedure for settling an insured case, the form of declaration and the requirements for documents attached to it shall be determined by the regulatory legal act of the authorized body.

5. A simplified procedure for settling an insured case may be carried out through direct settlement in the manner prescribed by Article 26-1 of this Law, in the absence of disagreements between the participants in the transport accident regarding the insured case, about which a corresponding note shall be made in the declaration.

6. The insurer shall have the right to inspect the vehicles of participants in a transport accident to establish the fact and circumstances of the insured case and calculate the amount of damage.

Participants in a transport accident, at the request of the insurer, shall be obliged to provide vehicles for inspection and keep the damaged property in the same condition as it was after the transport accident until the insurance payment is made or the insurer sends a reasoned refusal.

The procedure, conditions, and terms of inspection by the insurer of vehicles under the simplified procedure for settling an insured event shall be determined by the regulatory legal act of the authorized body.

7. Insurance payment under the simplified procedure for settling an insured event shall be carried out by the insurer in the manner and within the time limits determined by the regulatory legal act of the authorized body.

After making an insurance payment in accordance with this Article, the insurer's obligation to make an insurance payment shall be considered duly fulfilled, and the beneficiary does not have the right to make additional claims to the insurer for damages in excess of the maximum amount of the insured sum for each individual insured case under a simplified procedure for settling the insured case.

8. The insurer shall have the right to refuse to make insurance payment in cases established by this Law and (or) other laws of the Republic of Kazakhstan.

9. An insurer that has made an insurance payment in accordance with the simplified procedure for settling an insured case shall have the right to claim back against the

policyholder (the insured) within the limits of the amount paid in accordance with Article 28 of this Law.

10. In case of disagreement with the procedure and consequences of the simplified procedure for resolving an insured case, the policyholder (the victim, the beneficiary) shall have the right to resolve the dispute in accordance with Article 29-1 of this Law.

Footnote. Chapter 5 has been supplemented by Article 22-2 in accordance with the Law of the Republic of Kazakhstan dated 12.07.2022 № 138-VII (shall be enforced from 01.01.2024).

Article 23. Special conditions of determining size of inflicted harm

(is excluded by the Law of the Republic of Kazakhstan dated 7 May, 2007 № 244).

Article 24. Limits of liability of the insurer

Footnote. Article 24 heading in edition of the Law of the Republic of Kazakhstan from 24.11.2015 № 422-V (shall be enforced from 01.01.2016).

1. Maximal volume of the insurer's liability for one insured event (the insured amount) shall be (in monthly calculation indices):

1) for the harm caused to the life or health of each victim and resulting in it:

death - 2000;

determination of disability:

the first group - 1600;

the second group - 1200;

the third group - 500;

a child with a disability - 1,000;

injury, trauma or other health damage without establishing disability - in the amount of actual expenses for outpatient and (or) inpatient treatment, but not more than 300;

2) for harm inflicted to the property of one affected person - in amount of inflicted harm, but not more than 600;

3) for harm inflicted to the property of two or more affected persons at the same time - in amount of inflicted harm, but no more than 600 to each affected person. By this the total amount of insurance payments to all the affected persons may not exceed 2000. In case of exceeding the size of harm over the limiting volume of the insurer's liability, insurance payment to each affected person shall be carried out in proportion to the degree of harm inflicted to his (her) property.

2. Insurance payment for the harm inflicted to life and health of the affected person entailing death or establishment of disability shall be carried out in amount of limiting volume of the insurer's liability established by paragraph 1 of this Article.

3. The monthly calculation index, established in accordance with the legislative act of the Republic of Kazakhstan on the date of making the insurance payment shall be used for calculating the size of the insurance payment.

4. Costs incurred by the policyholder (insured) in order to prevent or reduce losses shall be compensated by the insurer if such costs were necessary or were incurred in order to comply with the insurer's instructions, even if the respective measures were unsuccessful.

Such expenses shall be compensated in the actual amounts, while the total amount of insurance indemnity and compensation of expenses shall not exceed the maximum amount of liability established by the contract of compulsory motor third party liability insurance. If the costs have arisen as a result of the execution by the policyholder of the insurer's instructions, they shall be indemnified in full irrespective of the maximum extent of liability.

The said costs shall be indemnified by the insurer directly to the person who has incurred them.

5. In case of insufficiency of the maximum amount of liability for full compensation of the caused damage, the policyholder shall compensate the difference between the sum insured and the actual amount of damage to the victim;

6. In case of death of an affected person, a person carrying out the burial of the affected person shall be compensated for expenses on burial in amount of one hundred monthly calculation indices by an insurer.

Footnote, Article 24 as amended by the Laws of the Republic of Kazakhstan dated 20.02.2006 № 128 (order of enforcement see Article 2); dated 07.05.2007 № 244; dated 30.12.2009 № 234-IV (order of enforcement see Article 2); from 24.11.2015 № 422-V (shall be enforced from 01.01.2016); dated 02.07.2018 № 166-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 27.06.2022 № 129-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

Article 25. General conditions of making insurance payment

1. The claim for insurance payment to the insurer shall be made by the insured (insured) or other person who is the beneficiary, including through the insurer's Internet resource in accordance with the regulatory legal act of the authorized body, indicating the place of residence, contact numbers of the beneficiary, bank details (if necessary), the procedure for receiving the insurance payment - in cash or by transferring to a bank account with the documents required for the insurance payment.

At the request of the insurer, the applicant shall be obliged to submit to the insurer the original documents necessary for the implementation of the insurance payment, with the exception of documents available in electronic form in databases and (or) information systems of state bodies, which the insurer has access to.

2. Application on insurance payment shall be accompanied by the following documents:

1) shall be excluded by the Law of the Republic of Kazakhstan dated 02.07.2018 № 166-VI (shall be enforced upon expiration of ten calendar days after the day of its first official publication);

2) a document confirming the fact of occurrence of the insured event and the amount of harm caused to affected person;

3) copy of the certificate of health care organizations on the term of temporary disability of an affected person in case of the fact of inflicting the harm to life and health of the affected person or certificate of specialized agencies on establishment of disability of the affected person - in case of its establishment;

4) a copy of the certificate or notice of the death of the victim;

4-1) document confirming the right of a beneficiary to compensation for harm (copy);

4-2) statement on determination of the amount of damage in the case stipulated by paragraph 3 of Article 22 of this Law;

5) it is excluded by the Law of the Republic of Kazakhstan from 24.11.2015 № 422-V (shall be enforced from 01.01.2016);

6) copy of identity certificate of a beneficiary (for an individual) or original power of attorney issued to a representative of a legal entity;

7) documents confirming the expenses incurred by an insurant (insured person) in order to prevent or reduce losses upon occurrence of insurance event – upon availability;

8) it is excluded by the Law of the Republic of Kazakhstan from 24.11.2015 № 422-V (shall be enforced from 01.01.2016).

It shall not be allowed for the insurer to claim additional documents and (or) documents accessible through information systems and services from the insured or the injured.

3. The insurer, who has accepted the documents, shall be obliged to make a certificate in two copies indicating the full list of documents submitted by the applicant and the date of their adoption.

If the policyholder (insured, beneficiary) sends an application for the insurance benefit electronically, the insurer may submit this certificate in electronic form.

In case of personal appeal of the applicant to the insurer, one copy of the certificate shall be issued to the applicant, the second copy with the applicant's mark in its receipt shall remain with the insurer.

4. Beneficiary shall be the affected person (in case of his (her) death - a person having the right to compensation for harm due to death of the affected person according to the Laws of the Republic of Kazakhstan), as well as an insurant (insured person) or other person that compensated for inflicted harm to the affected person (to a person having the right to compensation for harm) within the volume of the insurer's liability established by the Law, and receiving the right to an insurance payment.

Upon infliction of harm to property the property, the affected person shall be recognized as the owner of the property, and in case of his (her) death – persons having the right to compensation for harm.

5. Upon the application of an affected person, drawn up in written form, or upon the notarized power of attorney, insurance payment may be made directly to a person that rendered (rendering) the services to him (her) on rehabilitation of health and (or) property.

6. Insurance payment for harm inflicted to life and health of an affected person shall be carried out independently from the sums due and owing to him (her) (persons having the right to compensation for harm) under any other insurance contracts.

7. Upon making insurance payment an insurer shall not have the right to require acceptance of the conditions from a beneficiary restricting his (her) right to claim to an insurer.

8. Insurer shall have the right to the property or its remnants in case of making insurance payment by him (her) in amount of market price of the property on the date of occurrence of insured event.

9. The insurer has the right to carry out insurance payment on the basis of the report on infringement of traffic rules with the scheme of accident, issued by internal affairs bodies, in the absence of the fact of infliction of harm to life and health of the victim.

Footnote. Article 25 as amended by the Laws of the Republic of Kazakhstan dated 20.02.2006 № 128 (order of enforcement see Article 2); dated 07.05.2007 № 244; dated 30.12.2009 № 234-IV (order of enforcement see Article 2); From 29.12.2014 № 269-V (shall be enforced from 01.01.2015); from 24.11.2015 №. 422-V (shall be enforced from 01.01.2016); dated 02.07.2018 № 166-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 10.01.2018 № 134-VI (shall be enforced upon the expiration of six months after the day of its first official publication); dated 12.07.2022 № 138-VII (shall enter into force upon expiry of sixty calendar days after the day of its first official publication); dated 14.07.2022 № 141-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

Article 26. Procedure for making insurance payment

1. Insurance payment shall be made by an insurer within fifteen business days from the date of receipt of the documents provided by Article 25 of the Law.

2. (is excluded – dated 7 May, 2007 № 244)

2-1. In case of inflicting harm to the property of several affected persons, the insurer shall be obliged to begin insurance payment within seven business days from the date of receipt of the documents of all the affected persons, but not later than 15 calendar days from the date of receiving the documents from the affected person, firstly submitted documents to the insurer, independently from the submission of the documents by other insured.

3. If in the result of event that led to occurrence of insured event the health of an affected person is deteriorated (disability or a higher degree of disability shall be established) or it causes death, the insurer shall be obliged to make recalculation of the insurance payment amount in the manner and amount established by the Law on the basis of the application received from the affected person (beneficiary) and the relevant documents. By this, insurance payments amounts shall be taken in payment of the previously paid sums upon recalculation.

4. Upon making untimely insurance payment, an insurer shall be obliged to pay a penalty to a beneficiary in the manner and amount established by Article 353 of the Civil Code of the Republic of Kazakhstan.

Footnote. Article 26 as amended by the Laws of the Republic of Kazakhstan dated 20.02.2006 № 128 (order of enforcement see Article 2); dated 07.05.2007 № 244; dated 30.12.2009 № 234-IV (order of enforcement see Article 2).

Article 26-1. Direct settlement

1. In the event of a transport accident, the victim or an individual who, according to the Laws of the Republic of Kazakhstan, shall have the right to compensation for damage in connection with the death of the victim, in order to receive compensation for the damage caused, shall have the right to contact the insurer who insured the liability of the victim under the agreement of compulsory liability insurance for vehicle owners, provided that the individual who caused the accident shall have an agreement compulsory liability insurance for vehicle owners.

2. The insurer shall indemnify for the damage caused within seven working days from the date of receipt of the documents stipulated in subparagraphs 1), 2), 3), 4), 4), 4-1), 4-2) and 6) paragraph 2 of Article 25 of this Law.

Compensation to harm, caused to life, health and (or) property of the victim, carried out by the insurer within direct settlement, shall not be the obligations for him under the compulsory liability insurance contract of civil responsibility of vehicle owners concluded with the affected person and insurance payment.

3. The insurance company of the person, due to the fault of which the insured event is occurred shall compensate actually paid sum to the insurer who settled insured accident.

4. The procedure and conditions for direct regulation shall be established by this Law and regulations of the authorized body.

Footnote. The law is supplemented with article 26-1 according to the Law of the Republic of Kazakhstan from 07.05.2007 № 244; in edition of the Law of the Republic of Kazakhstan from 24.11.2015 № 422-V (shall be enforced from 01.01.2016); as amended by the Law of the Republic of Kazakhstan dated 10.01.2018 № 134-VI (shall be enforced upon the expiration of six months after the day of its first official publication); dated 02.07.2018 № 166-VI (shall be enforced ten calendar days after the day of its first official publication);

dated 12.07.2022 № 138-VII (shall enter into force upon expiry of sixty calendar days after the day of its first official publication).

Article 27. Insurance payment upon inflicting harm by several persons

Upon infliction of harm to a person by several vehicles owners of which have compulsory liability insurance contracts of vehicle owners, a beneficiary shall have the right to receive an insurance payment separately for each of them. Each insurer shall make insurance payment within the volume of liability established by the Law, and in proportion to the size of the insurer's responsibility. By this, the total amount of insurance payment made by all insurers shall not exceed the amount of actual harm inflicted to an affected person, and limiting volume of liability provided for each insurer.

Article 28. Right of contribution to a person inflicting the harm

1. Insurer that made insurance payment shall have the right of contribution to an insurant (insured person) within the amount paid in the cases if:

1) civil liability of an insurant (insured person) is occurred as a result of his (her) intentional actions oriented to occurrence of the insured event or contributing to its occurrence, with the exception of actions committed in a state of necessary defense and emergency;

2) civil liability of an insurant (insured person) is occurred due to operation of the vehicle by him (her) in a state of alcoholic, narcotic or toxic intoxication;

3) a person operating the vehicle at the time of commission of the traffic accident didn't have the right to operate it;

4) in the course of judicial proceeding it was established that the insured event is occurred due to technical malfunctions of the vehicle on which an insurant (insured person) knew or should have known;

5) the vehicle is used for the purposes other than its inherent technical purpose;

6) an insurant (insured person) intentionally did not take measures for reducing the losses from the insured event;

7) the person driving the vehicle left the scene of the transport accident to which it was a participant, except if this fact was related to the provision of medical assistance to the victim;

8) a person operating the vehicle and directed for examination to establish the fact of consumption of psychoactive substance and intoxication didn't come for such examination without reasonable excuses.

2. If, in the cases listed in paragraph 1 of this Article, the perpetrator of the harm shall be the person specified in paragraphs 1) and 2) of paragraph 5 of Article 11 of this Law, the insurer has the right to reverse the claim against the insurer (insured).

3. The right of contribution shall be transferred to an insurer that made insurance payment within the sum paid by him (her) that an insurant (insured person) has against a person being responsible for the losses compensated by the insurer as a result of insurance. By this, if it is established that the insured event is occurred due to road conditions caused by poor maintenance of roads and structures on them, the right to claim shall be transferred to an insurer that made the insurance payment that the vehicle owner has to a person being is guilty in creation of such conditions.

Footnote. Article 28 as amended by the Laws of the Republic of Kazakhstan dated 07.05.2007 № 244; dated 30.12.2009 № 234-IV (order of enforcement see Article 2); dated 12.07.2022 № 138-VII (shall enter into force upon expiry of sixty calendar days after the day of its first official publication).

Article 29. Grounds for release of an insurer from making of insurance payment

1. Insurer shall have the right to refuse in insurance payment in full or in part, if the insured event is occurred due to:

1) intentional actions of a beneficiary oriented to occurrence of the insured event or contributing to its occurrence, with the exception of actions committed in a state of necessary defense and emergency;

2) the actions of the beneficiary, as intentional crime or administrative infractions being in a causal connection with the insured event in the manner established by the legislative acts of the Republic of Kazakhstan.

2. The ground for refusal of an insurer from making insurance payment may be also as follows:

1) obtaining the relevant compensation for loss from a person being guilty in inflicting the harm by a beneficiary;

2) is excluded by the Law of the Republic of Kazakhstan dated 30.12.2009 № 234-IV (order of enforcement see Article 2);

3) use of the vehicle in competitions, tests or during driving instruction in specially designated areas by an insurant (insured person);

4) inflicting the harm upon loading or unloading of the vehicle;

5) inflicting the harm to the property of an affected person in the form of money, securities, gold, silverware, jewelry, garnish, works of art and other valuables;

6) violation by the victim of the requirements of part three of paragraph 3 of Article 22, part two of paragraph 6 of Article 22-2 of this Law.

7) non-compliance of documents and information on the simplified procedure for settling an insured case with the requirements established by this Law and the regulatory legal act of the authorized body.

3. If there are grounds for refusal to make an insurance payment, the insurer shall, within seven working days from the date of receipt of the application and all documents provided for

in paragraph 2 of Article 25 of this Law, send to the applicant a corresponding decision on the full or partial refusal of the insurance payment in writing with a reasoned justification of the reasons for the refusal and notification of the right of the insurer (insured, beneficiary) contact the insurance ombudsman to resolve disagreements taking into account the peculiarities of the legislation of the Republic of Kazakhstan.

4. Is excluded by the Law of the Republic of Kazakhstan dated 30.12.2009 № 234-IV (order of enforcement see Article 2).

5. Insurer shall be released from making insurance payment, if the insured event is occurred due to:

- 1) the impact of a nuclear explosion, radiation or radioactive contamination;
- 2) military actions;
- 3) civil war, civil unrest of any kind, riots or strikes.

5-1. Insurance payment shall not be made for the damaged vehicle, mentioned in the insurance policy.

6. Insurer may not refuse in insurance payment based on the grounds that are not provided by this Article.

Footnote. Article 29, as amended by the Laws of the Republic of Kazakhstan dated 20.02.2006 № 128 (order of enforcement see Article 2); dated 07.05.2007 № 244; dated 30.12.2009 № 234-IV (order of enforcement see Article 2); from 03.07.2014 № 227-V (shall be enforced from 01.01.2015); from 24.11.2015 № 422-V (shall be enforced from 01.01.2016); dated 12.07.2022 № 138-VII (the order of enforcement see Art. 2).

Article 29-1. Peculiarities of settlement of disputes on compulsory civil liability insurance of vehicle owners

1. If there is a dispute arising from the agreement of compulsory liability insurance of vehicle owners, the insured (victim, beneficiary) may in writing:

send an application to the insurer (including through a branch office, representative office, other separate structural subdivision, the insurer's Internet resource) indicating the requirements and attaching documents confirming its requirements, or

send an application to the insurance ombudsman (directly to the insurance ombudsman, including through its Internet resource, or through the insurer, including through its branch, representative office, other separate structural subdivision, Internet resource) or to the court to settle disputes arising from the agreement of compulsory liability insurance for vehicle owners, taking into account the peculiarities provided for by the Law of the Republic of Kazakhstan "On insurance activities."

2. The insurer, upon receipt of the application from the policyholder (victim, beneficiary), shall consider and provide a written response indicating the further procedure of dispute settlement within five working days.

3. In case of appeal of the policyholder (victim, beneficiary) to the insurance ombudsman, the insurer shall be obliged, upon request of the policyholder, victim (beneficiary), insurance ombudsman, to submit the documents related to consideration and resolution of the dispute within three working days from the date of receipt of the request.

Footnote. Chapter 5 is supplemented by Article 29-1 in accordance with the Law of the Republic of Kazakhstan dated 02.07.2018 № 166-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 12.07.2022 № 138-VII (shall enter into force upon expiry of sixty calendar days after the day of its first official publication).

Chapter 6. Final provisions

Article 30. Procedure for settlement of disputes

Disputes arising from the compulsory liability insurance contract of vehicle owners shall be considered in the manner established by the legislation of the Republic of Kazakhstan.

Article 30-1 Insurance ombudsman, his (her) status and election

A footnote. The Law is supplemented by Article 30-1 in accordance with the Law of the Republic of Kazakhstan dated 07.05.2007 № 244; excluded by the Law of the Republic of Kazakhstan dated 02.07.2018 № 166-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).

Article 30-2. Requirements to insurance ombudsman

A footnote. The Law is supplemented by Article 30-2 in accordance with the Law of the Republic of Kazakhstan dated 07.05.2007 № 244; excluded by the Law of the Republic of Kazakhstan dated 02.07.2018 № 166-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).

Article 30-3. Procedure for adoption of decisions by insurance ombudsman

A footnote. The Law is supplemented by Article 30-3 in accordance with the Law of the Republic of Kazakhstan dated 07.05.2007 № 244; excluded by the Law of the Republic of Kazakhstan dated 02.07.2018 № 166-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).

Article 30-4. Activity of insurance ombudsman

A footnote. The Law is supplemented by Article 30-4 in accordance with the Law of the Republic of Kazakhstan dated 07.05.2007 № 244; excluded by the Law of the Republic of

Kazakhstan dated 02.07.2018 № 166-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).

Article 31. Responsibility for the breach of the legislation of the Republic of Kazakhstan on compulsory liability insurance of vehicle owners

Persons being guilty in the breach of the legislation of the Republic of Kazakhstan on compulsory liability insurance of vehicle owners shall bear responsibility provided by the Laws of the Republic of Kazakhstan.

Article 32. International systems of compulsory insurance of civil liability of vehicle owners

For the purpose of provision of compensation for harm to third parties inflicted by vehicle owners participated in the trans-border movement, as well as simplification of the movement regime of vehicle owners across the state borders, the participation of the Republic of Kazakhstan in the international systems of compulsory insurance of civil liability of vehicle owners shall be allowed in the manner provided by the legislation of the Republic of Kazakhstan.

Footnote. The Law is supplemented by Article 32 in accordance with the Law of the Republic of Kazakhstan dated 30.12.2009 № 234-IV (order of enforcement see Article 2).

The President of the Republic of Kazakhstan