

On Licensing

Invalidated Unofficial translation

The Law of the Republic of Kazakhstan dated 11 January, 2007 No. 214.

U n o f f i c i a l t r a n s l a t i o n

Footnote. The Law of the Republic of Kazakhstan dated May 16, 2014 No. 202-V (enacted upon expiration of six months after the day of its first official publication) has
l o s t f o r c e .

The word “single registrator” shall be respectively considered as the word “registrator” in accordance with the Law of the Republic of Kazakhstan dated No. 524-IV from 01.01.2013.

Chapter 1. GENERAL PROVISIONS

1. Relation, regulated by this Law

1. This Law shall regulate relations, linked with licensing of particular types of activity.

2. This Law shall not regulate the relations, linked with issue of licences within the licence agreement, concluded between individuals and (or) legal entities.

2. The legislation of the Republic of Kazakhstan on licensing

1. The legislation of the Republic of Kazakhstan on licensing shall be based on the Constitution of the Republic of Kazakhstan and consist of this Law and other regulatory legal acts of the Republic of Kazakhstan.

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

3. Basic definitions, used in this Law

The following basic definitions shall be used in this Law:

1) qualified requirements – collect of quantitative and qualitative standards and indices, specifying the possibility of an applicant or a licensee to engage in particular licenceable type of activity and (or) licenceable subtype of activity;

2) unified engineering process – the series of technologically interlinked and sequential actions (operations), performed in the course of production within one licenceable type of activity;

3) automatic licensing of import of individual commodities – a measure, established with the purpose of monitoring by issue of a licence;

3-1) electronic copy of a document – an electronic document, fully reproducing type and information of original paper document in the digimatic form, certified by digital signature of an applicant, licensee or a person, having the powers on certification of this document, or an authorized employee of public service centre;

3-2) a competent (sectorial) agency – a government body, carrying out management of the relevant branch (sphere) of the state administration, to which the licenceable type of activity belongs;

4) a licensor – a government body, carrying out a licensing in accordance with this Law;

4-1) electronic register of a licensor – the inherent section of the state electronic register of licenses, containing information on the issued, reissued, suspended, reestablished and terminated licences, introduced by a licensor.

5) a licensee – an individual or a legal entity, having a licence;

6) a licence – a permission, issued by a relevant licensor to individual or legal entity for engaging in particular type of activity;

7) licenceable type of activity (hereinafter – type of activity) – type of activity (certain action (operation, class of insurance), for engagement of which, issue of a licence shall be required in accordance with this Law;

8) licenceable subtype of activity (hereinafter – subtype of activity) – specification of the relevant type of activity within one licence;

8-1) register of licences – the database containing information on the issued, reissued, suspended, reestablished and terminated licenses, as well as branches, representatives (objects, offices, fields) of a licensee, carrying out the licenceable type (subtype) of activity;

9) *is excluded by the Law of the Republic of Kazakhstan dated 15.07.2010 No. 337 -IV (the order of enforcement See Article 2);*

9-1) state electronic register of licences – the information system, containing information on the issued, reissued, suspended, reestablished and terminated licences, as well as branches, representatives (objects, offices, fields) of a licensee, carrying out the licenceable type of activity (subtype of activity), that centrally generates identification number of licences, issued by licensors;

9-2) identification number of licences – unique number, generated in the state electronic register of licences in accordance with the standards of uniform number system and coding of administrative documents;

10) licensing – a set of actions, linked with issue and reissuance of licences, monitoring of compliance, carried by licensors, with the relevant requirements, suspension and renewal of validity of licences, forfeit of licences by licensees;

11) licensing supervision – activity of a licensor, aimed to conform the inspection of an applicant or a licensee to the qualifying requirements before issue of a licence

and (or) appendix to licence, as well as securing the compliance with the legislation of the Republic of Kazakhstan on licensing after its grant by licensees;

11-1) electronic form of a licence – a licence in the form of electronic document, formed and issued with use of information technologies that is equal to licence in hard copy;

12) an applicant – individual or legal entity, applied to the relevant licensor with an application on issue of a licence and (or) appendix to licence;

13) an authorized body – a government body, carrying out development and conducting the state policy and coordinating the actions of other government bodies in the scope of licensing;

14) an electronic licence – a licence in the form of electronic document, that shall be executed and issued with the use of the information technologies, equal to the licence in hard copy.

Footnote. Article 3 as amended by the Laws of the Republic of Kazakhstan dated 15.07.2010 No. 337-IV (the order of enforcement See Article 2); dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012); dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication).

4. Basic principles of licensing

1. Issue of licences shall be carried out on the equal grounds and equal conditions for all the persons, meeting requirements for this type of activity.

2. Introduction of licensing order on particular types of activity shall be established for the purpose of the national security, administration of justice, protection of environment, property, life and health of citizens.

3. This Law shall determine the full list of types of activity and subtype of activity.

4. During inclusion of new types of activity and (or) subtype of activity into this Law, their licensing shall be carried out after adoption of the relevant regulatory legal acts, establishing the qualifying requirements.

Qualifying requirements, presented to particular types of activity (subtype of activity), approved by the regulatory legal acts, and the list of documents, certifying the conformance to qualifying requirements, as well as the list of individual commodities, the export and import of which shall be subject to licensing, may not be enforced upon expiry of twenty one days after official publication of these acts.

5. Licensing of particular types of activity shall be established in cases, if the requirements to production, provided by the Laws of the Republic of Kazakhstan, requirements on the obligatory confirmation of compliance of particular types of production, processes are insufficiently for achievement of goals of the state administration.

6. Licence shall be unalienable and may not be transferred by a licensee to other individual or legal entity.

7. Validity of licences shall be extended to the whole territory of the Republic of Kazakhstan with the exclusion of cases, provided by the Laws of the Republic of Kazakhstan.

8. Types of activity, included into unified engineering process and (or) that are the required element of carrying out the type of activity, shall not subject to licensing.

Conclusion on inclusion of the type of activity into unified engineering process and (or) its reference to required element of carrying out the type of activity shall be presented by a competent (sectorial) body upon request of a licenser, on the basis of application of an application.

9. Carrying out of particular types of activity or commission of certain actions (operations), requiring licensing shall be allowed only in existence of a licence, with the exclusion of activity, carried out by government bodies, autonomous organizations of education and their organizations, as well as by foreign legal entities, introducing and (or) realizing educational programs in the mentioned organizations, as well as by Development Bank of Kazakhstan, within the powers, established by the Republic of Kazakhstan.

Carrying out of particular types of activity in financial sector and activity, linked with concentration of financial resources shall be allowed only in existence of a licence, with the exception of activity, conducted by a credit partnership, central depository, single registrar, credit bureau with state participation, fraternal societies, payment gateway operator of “electronic government”, as well as the National operator of postal service within the powers, established by the Laws of the Republic of Kazakhstan.

Footnote. Article 4 as amended by the Laws of the Republic of Kazakhstan dated 15.07.2010 No. 337-IV (the order of enforcement See Article 2); dated 19.01.2011 No. 395-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012); dated 28.12.2011 No. 524-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Chapter 2. STATE LICENSING SYSTEM

5. Structure of the state licensing system

State licensing system shall include:

- 1) the Government of the Republic of Kazakhstan;
- 2) an authorized body;
- 3) licensers.

6. Competence of the Government of the Republic of Kazakhstan

Competence of the Government of the Republic of Kazakhstan shall include:

1) development of the basic directions of the state policy in the scope of licensing, strategic and tactical measures on its carrying out;

2) determination of licensers;

3) approval of qualifying requirements and list of documents, confirming their conformance to them, with the exception of qualifying requirements, approved by the National Bank of the Republic of Kazakhstan in accordance with the Laws of the Republic of Kazakhstan, as well as qualifying requirements to the types of activity in the scope of gambling industry;

4) *is excluded by the Law of the Republic of Kazakhstan date 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012);*

5) approval of the form of application for issue of a licence and (or) attachment to licence, with the exception of the form of application, approved by the National Bank of the Republic of Kazakhstan in accordance with the Laws of the Republic of Kazakhstan;

6) approval of the list of poisons, the production, processing, transportation, acquisition, storage, sale, use and destruction of which shall be subject to licensing;

7) *is excluded by the Law of the Republic of Kazakhstan dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012);*

8) determination of government bodies, that carry out the coordination of issuing a licence in a part of compliance of an applicant with requirements of the legislation of the Republic of Kazakhstan;

9) approval of the rules of conducting the state electronic register of licences;

9-1) approval of the rules of attesting the electronic copies of documents by employees of public service centres;

10) performance of other functions, assigned on it by the Constitution, this Law, other Laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan.

Footnote. Article 6 as amended by the Laws of the Republic of Kazakhstan dated 15.07.2010 No. 337-IV (the order of enforcement See Article 2); dated 06.01.2011 No. 378-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 05.07.2011 No. 452-IV (shall be enforced from 13.10.2011); dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012); dated 05.07.2012 No. 30-V (shall be enforced upon expiry of ten calendar days after its first official publication) ; dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication).

7. Competence of an authorized body

Competence of an authorized body shall contain:

1) formation of the state policy in the scope of licensing;

2) management of developmental process, establishment of access rights, support of functioning of the state electronic register of licenses;

2-1) making the rules of attestation of electronic copies of documents by employees of public service centres;

3) making the rules of maintenance of the state electronic register of licences;

4) development of the forms of licences and attachments to licences, with the exception of the forms of licences on carrying out activity in financial sector and activity, linked with concentration of financial resources;

5) exercise of other powers, provided by this Law, other Laws of the Republic of Kazakhstan, acts of the President of the Republic of Kazakhstan and Government of the Republic of Kazakhstan.

Footnote. Article 7 is in the wording of the Law of the Republic of Kazakhstan dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012); as amended by the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 8. The competence of the government bodies

Competence of licensers shall include:

1) development and coordination of the projects of qualifying requirements with an authorized body, presented to particular types of activity (subtype of activity), and list of documents, certifying their conformance.

In the case, if a licenser is a local executive body, the development of projects of qualifying requirements, presented to particular types of activity (subtype of activity), and list of documents, certifying their conformance shall be carried out by central government bodies within their competence;

2) establishment of conformance of an applicant to the qualifying requirements;

3) licensing;

4) carrying out licensing supervision;

5) maintenance and monthly placement of the register of licences on a website, with the exception of licences on acquisition of civil and service weapon and its ammunition, civil pyrotechnic substances and items with their application.

The following information shall be stated in electronic register of a licenser and in the state electronic register of licences:

name of a licenser;

date of issue and number of a licence and (or) attachment to licence;

last name, first name and patronymic (in its existence), as well as the number and date of issue of certificate in case of the state registration of individual in capacity of individual entrepreneur – for individual entrepreneur;

name, location area of legal entity – for legal entity;
type of activity and (or) subtype of activity;
the validity of a licence;
number of payment commission and the date of payment of a licence fee;
the individual identification number;
the business identification number;
the grounds and date of reissuance of a licence and (or) attachment to licence;
the grounds and dates of suspension, restoration of validity of a licence;
the ground and date of termination of validity of a licence;

information on branches, representatives, objects, offices, fields of a licensee, carrying out the licenceable type of activity (subtype of activity) (in their existence);

6) the forwarding request on coordination of issuing a licence to government bodies in a part of conformity of an applicant to requirements of the legislation of the Republic of Kazakhstan;

7) provision of electronic services with the use of the information systems in accordance with the legislation of the Republic of Kazakhstan on informatization;

8) placement of information on the issued, reissued, suspended, reestablished and terminated licences on owned website;

9) the exercise of other powers in behalf of a local state administration, assigned on local executive bodies by the legislation of the Republic of Kazakhstan.

In case of establishment of a branch (representative, object, office, field) in changing its location, a licensee shall be obliged to direct a letter to licensor with attachment of copies of the documents, certifying its conformance to qualifying requirements within ten business days, in case if a licensor is a local executive body, – at location of a branch (representative, object, office, field). A licensor shall establish conformance of an applicant to qualifying requirements, presented to the relevant type of activity (subtype of activity) within ten business days from the date of receiving a letter (notification) of a licensee. In case of his (her) conformity to the qualifying requirements, a licensor shall introduce the relevant data into register of licences.

In the financial sector and activity, linked with concentration of financial resources, the introduction of data on formation of the branch (representative, office), changing its location, shall be carried out by a licensor within ten business days from the date of receiving the documents from a licensee, established by the legislation of the Republic of Kazakhstan.

Footnote. Article 8 as amended by the Laws of the Republic of Kazakhstan dated 15.07.2010 No. 337-IV (the order of enforcement See Article 2); dated 06.01.2011 No. 378-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012); dated 05.07.2011 No. 452-IV (shall be enforced from 13.10.2011); dated 12.01.2012 No. 538

-IV (the order of enforcement See Article 2); dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 24.12.2012 No. 60-V (shall be enforced upon expiry of ten calendar days after its first official publication).

9. Types and validity of licences

Licences shall be divided by on the following characteristics:

1. On subjects:

1) issued to individuals and legal entities of the Republic of Kazakhstan;
2) issued to foreign persons, stateless persons, foreign legal entities and international organizations.

2. On scope of activity: 1) general – for engaging in particular types of activity, issued without limitation of validity;

2) individual – for engaging in particular type of activity within permitted term, scope, weight and quantity (in natural or monetary terms), as well as for engaging in the types of activity in the scope of gambling industry within the term, established by the Law of the Republic of Kazakhstan “On gambling industry” and for engaging in activity on construction management of residential buildings on account of fund raising of interest holders within the volume, established by the Law of the Republic of Kazakhstan “On participatory share participation in housing construction”;

3) operating – for engaging in the bank operations, classes in insurance activity (insurance classes).

3. In the scope of export and import of commodities:

1) general licence – a licence, issued to participant of the foreign trade activity on the basis of decision of a custom union member-state and issued the right to export and (or) import of particular type of commodity in certain amount, determined by a licence;

2) exclusive licence – a licence, issuing the right to export and (or) import of particular type of commodity to participant of the foreign trade;

3) individual licence – a licence, issued to participant of the foreign trade on the basis of foreign trade agreement (contract) and issuing the right to export and (or) import of licenceable commodity in certain amount.

Footnote. Article 9 is in the wording of the Law of the Republic of Kazakhstan dated 26.01.2011 No. 400-IV (shall be enforced upon expiry of thirty calendar days after its first official publication); as amended by the Law of the Republic of Kazakhstan dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012).

9-1. Special conditions of validity of licences

Special conditions of validity of licences shall be introduced into licences for indication of:

the category of a licensee during licensing of activity in the scope of architecture, urban construction and construction in accordance with the Law of the Republic of

Kazakhstan “On architectural, urban planning and building activity in the Republic of Kazakhstan”;

the branches, in which the licenceable type of activity shall be carried out in during licensing of activity in the scope of industry.

Footnote. Chapter 2 is supplemented by Article 9-1 in accordance with the Law of the Republic of Kazakhstan dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012).

10. The form of a licence and attachment to licence

The form of a licence and its attachment shall be established by the Government of the Republic of Kazakhstan.

The attachment to licence that shall include the subtype of activity, shall be an essential part of a licence.

The form of a licence for carrying out activity, linked with concentration of financial resources, provided by Article 32 of this Law, shall be established by the National Bank of the Republic of Kazakhstan.

A licence and (or) attachment to licence shall be issued in the electronic form. In case of application of an applicant or a licensee for issuing a licence in hard copy, a licence and (or) attachment to licence shall be executed in the non-legible form, printed and verified by the seal and sign of administrator of a body – a licensor.

In the absence of possibility to issue a licence and (or) attachment to licence in the non-legible form, a licence and (or) an attachment to licence shall be issued in hard copy.

Footnote. Article 10 as amended by the Laws of the Republic of Kazakhstan dated 04.07.2009 No. 167-IV (the order of enforcement See Article 2); dated 05.07.2012 No. 30-V (shall be enforced upon expiry of ten calendar days from its first official publication); dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days from its first official publication).

11. The spheres of licensing

Particular types of activity shall be subject to licensing in the following spheres:

- 1) industry;
- 2) use of nuclear energy;
- 3) recycle of poisonous substances;
- 4) *is excluded by the Law of the Republic of Kazakhstan dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012);*
- 5) transport;
- 6) recycle of narcotic drugs, psychotropic substances, precursors;
- 7) organization of information security;
- 8) special technical equipment, intended for conducting the special investigation activity;

- 9) recycle of arms inventory, military technologies and particular types of weapon, explosive substances and items with their appliance;
- 10) use of cosmic space;
- 11) informational support and communication;
- 12) education;
- 13) mass media;
- 14) agricultural economy;
- 15) health care;
- 16) service of individuals and legal entities;
- 17) gambling industry;
- 18) veterinary medicine;
- 19) forensic expert sphere in recognition of provisions of the Law of the Republic of Kazakhstan “On forensic expert activity in the Republic of Kazakhstan”;
- 20) culture;
- 21) financial sector and activity, linked with concentration of financial resources;
- 22) architecture, urban construction and construction;
- 23) production of the state symbols of the Republic of Kazakhstan;
- 24) *is excluded by the Law of the Republic of Kazakhstan dated 30.06.2010 No. 297-IV (shall be enforced from 01.07.2010);*
- 25) production and recycle of ethyl alcohol and alcoholic products, production of tobacco products;
- 26) *is excluded by the Law of the Republic of Kazakhstan dated 04.07.2009 No. 167-IV (the order of enforcement See Article 2);*
- 27) export and import of commodities;
- 28) goods exchanges;

Footnote. Article 11 as amended by the Laws of the Republic of Kazakhstan dated 04.05.2009 No. 156-IV (shall be enforced from 08.11.2009); dated 20.01.2010 No. 241-IV; dated 30.06.2010 No. 297-IV (shall be enforced from 01.07.2010); dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012); dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication) ; dated 21.06.2013 No. 107-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Chapter 3. TYPES OF ACTIVITY

12. Licensing of activity in the scope of industry

The existence of a licence shall be required for engagement in the following types of activity:

1) designing (technological) and (or) operation of mining (prospecting, mining operations), oil and gas, chemical productions, designing (technological) of oil and gas refining productions, operation of gas-main pipelines, oil pipelines, oil-products pipeline.

This type of activity shall include the following subtype of activity:

designing (technological) and (or) operation of mining practice;

designing of extraction of the hard courts (with the exception of popular mineral resources), oil and gas, oil and gas condensate;

planning of projects and standard operating procedures on development of the mine fields of hard courts, oil and gas fields;

mining of the hard courts (with the exception of popular mineral resources), oil and gas, oil and gas condensate;

opening and development of the mine fields of hard courts by open-cut and ground methods;

conduct of technological operations on the mine fields;

performance of blasting operations for the mining of mineral products;

abandonment operations on the closure of mining plants and pits;

logging operations in the oil, gas wells;

perforating-explosive operations in the oil, gas wells;

oil and gas wells drilling, as well as at the sea and inland waters;

wire line and capital repair operations of well sites; disassembly of equipment and aggregates; installation of the elevation of well sites;

repair test of well sites;

wash, carburation, test and development of the wells;

oil recovery improvement and enhanced recovery;

operations on prevention and liquidation of oil spills on land and at the sea, flowing oil wells, oil and gas bursts (with the exception of well-kill operations), suspension of wells;

designing (technological) and (or) operation of oil and gas, chemical productions;

composition of feasibility study of the projects on development of oil and gas fields

;

operation of gas-main pipelines, oil pipelines, oil-products pipelines;

2) purchase of electric energy for the purpose of energy delivery;

3) picking (stock), storage, recycling and selling the scrap and wastes of the ferrous and nonferrous metals by legal entities, with the exception of activity on disposal of scrap and wastes of ferrous and nonferrous metals, formed by legal entities in the course of own production and in a result of acquisition of property complex that includes the scrap and (or) wastes of ferrous and (or) nonferrous metals to licensees.

Footnote. Article 12 is in the wording of the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication).

13. Licensing of activity in the scope of nuclear energy use

Existence of a licence shall be required for engagement in the following types of activity:

1) performance of works, linked with the stages of vital rhythm of the objects of nuclear energy use.

This type of activity shall include the following subtype of activity:
construction of nuclear installations, radioactive waste storages;
operation of nuclear installations, radioactive waste storages;
decommissioning of nuclear installations, radioactive waste storages;
management of the works and projects in arrangement, construction, decommissioning of nuclear installations;

2) handling with nuclear materials.

This type of activity shall include the following subtype of activity:

sale of nuclear materials;
use of nuclear materials;
storage of nuclear materials;

3) handling with nuclear substances, instruments and installations, containing nuclear substances.

This type of activity shall include the following subtype of activity:

production of nuclear substances, instruments and installations, containing nuclear substances;

use of nuclear substances, instruments and installations, containing nuclear substances;

storage of nuclear substances, instruments and installations, containing nuclear substances;

sale of nuclear substances, instruments and installations, containing nuclear substances;

extraction and processing of natural uranium;

4) handling with the instruments and installations, generating ionizing radiation.

This type of activity shall include the following subtype of activity:

production of instruments and installations, generating ionizing radiation;
use of instruments and installations, generating ionizing radiation;

5) rendering of services in the scope of the use of atomic energy.

This type of activity shall include the following subtype of activity:

maintenance, assembly and disassembly, charge and recharge, repair of instruments and installations, as well as medical instruments and installations, containing the radioisotope source of ionizing radiation or generating the ionizing radiation;

quality control of the sources of ionizing radiation, as well as instruments, equipment, installations, containing these sources or generating ionizing radiation;

radiation monitoring of territories, premises, official places, commodities, materials, scrap metals, transport means;

determination of the concentration of radionuclides in the food products, materials, objects of environment, determination of the concentration of radium emanation and other radioactive gases;

individual dosimetric control of employees;

6) handling with the radioactive wastes.

This type of activity shall include the following subtype of activity:

collection and sorting of radioactive wastes;

decontamination (radioactive decontamination) of premises, equipment and materials;

treatment of radioactive wastes;

storage and disposal of radioactive wastes;

radiation rehabilitation, reclamation of territories and objects;

7) transportation, including the transient, nuclear materials, nuclear substances, radioisotope sources of ionizing radiation, radioactive wastes within the territory of the Republic of Kazakhstan;

8) activity in the territories of the former testing nuclear grounds and other territories, polluted in the result of conducted nuclear tests;

9) physical protection of nuclear installations and nuclear materials.

This type of activity shall include the following subtype of activity:

designing, assembly, repair, maintenance of the systems of physical protection;

securing of the physical protection during transportation of nuclear materials and nuclear substances;

10) special personnel training, responsible for organization of nuclear and radiation security.

Footnote. Article 13 is in the wording of the Law of the Republic of Kazakhstan dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012).

14. Licensing of activity in the scope of recycle of the poisonous substance

The existence of a licence for engagement in the following types of activity:

1) production, processing, acquisition, storage, sale, use, destruction of poisons.

This type of activity shall include the following subtype of activity:

production, processing, storage, sale, destruction of poisons;

acquisition, storage, sale, use of poisons;

acquisition, storage, sale of poisons.

Activity of accredited laboratories, using poisonous substances in amount, required for conduct of the tests, researches and disinfection in accordance with the normative documents, shall be carried out without licensing and with delivery of information to licensee in the scope of recycle of the poisonous substances on annual demand in poisons and annual report on their use in the manner, prescribed by the Government of the Republic of Kazakhstan;

2) production (formulization) of pesticides (chemical pesticides), sale of pesticides (chemical pesticides), use of pesticides (chemical pesticides) by aerosolized and fumigation methods.

This type of activity shall include the following subtype of activity:

production (formulization) of pesticides (chemical pesticides);

sale of pesticides (chemical pesticides);

use of pesticides (chemical pesticides) by aerosolized and fumigation methods.

Footnote. Article 14 is in the wording of the Law of the Republic of Kazakhstan dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012).

15. Licensing of activity in the scope of safety technique

Footnote. Article 15 is excluded by the Law of the Republic of Kazakhstan dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012).

16. Licensing of activity in the scope of transport

The existence of a licence shall be required for engagement in activity on irregular transport of passengers by busses, minibuses in the inter-city inter-oblast, inter-district (inter-city intra-oblast) and international traffic, on regular transport of passengers by busses, minibuses in the international traffic, as well as for engagement in activity on transportation of goods by railway transport.

Footnote. Article 16 is in the wording of the Law of the Republic of Kazakhstan dated 04.07.2013 No. 132-V (shall be enforced upon expiry of ten calendar days after its first official publication).

17. Licensing of activity in the scope of recycle of narcotic drugs, psychotropic substances, precursors

The existence of a licence shall be required for engagement in activity, linked with recycle of narcotic drugs, psychotropic substances and precursors.

This type of activity shall include the following subtype of activity:

development, production, processing, transport, transmittal, acquisition, storage, distribution, sale, use, destruction of narcotic drugs, psychotropic substances and precursors;

cultivation, gathering, stock of plants and herbs, containing narcotic drugs and psychotropic substances;

production, transport, acquisition, storage, distribution, sale, use, destruction of narcotic drugs, psychotropic substances and precursors in a public health system.

18. Licensing of activity in the scope of organization of information security

The existence of a licence shall be required for engagement in the following types of activity:

1) *is excluded by the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication)*

2) development and sale (as well as other transfer) of data cryptographic protection facilities.

This type of activity shall include the following subtype of activity:

development of data cryptographic protection facilities;

sale (as well as other transfer) of data cryptographic protection facilities;

3) rendering of services on exposure of technical channel of information leakage and special technical facilities, intended for conduct of special investigative activity.

Footnote. Article 18 is in the wording of the Law of the Republic of Kazakhstan dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012); as amended by the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication).

19. Licensing of activity in the scope of special technical facilities, intended for conduct of special investigative activity

The existence of a licence shall be required for engagement in activity on development, production, repair and sale of the special technical facilities, intended for conduct of special investigative activity.

This type of activity shall include the following subtype of activity:

development, production of the special technical facilities, intended for conduct of special investigative activity;

repair and sale of the special technical facilities, intended for conduct of special investigative activity.

Footnote. Article 19 is in the wording of the Republic of Kazakhstan dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012).

20. Licensing of activity in the scope of recycle of arms inventory, military technologies and particular types of weapon, explosive substances and items of equipment with their appliance

The existence of a licence shall be required for engagement in the following types of activity:

1) development, production, repair, acquisition and sale of ammunition, arms inventory and military technologies, renewal parts, complementary parts and instruments to them, as well as special materials and equipment for their production,

including assembly, fettling, modernization, installation, use, storage, repair and service maintenance.

This type of activity shall include the following subtype of activity:

development, production of ammunition, arms inventory and military technologies, renewal parts, complementary parts and instruments to them, special materials, equipment for their production, including assembly, fettling, modernization, installation, use, storage, repair and service maintenance;

repair of ammunition, arms inventory and military technologies, renewal parts, complementary parts and instruments to them, special materials, equipment for their production, including assembly, fettling, modernization, installation, use, storage, repair and service maintenance;

acquisition and sale of ammunition, arms inventory and military technologies, renewal parts, complementary parts and instruments to them, special materials, equipment for their production, including assembly, fettling, modernization, installation, use, storage, repair and service maintenance;

2) development, production, acquisition and sale of explosive and pyrotechnic substances and items of equipment with their appliance.

This type of activity shall include the following subtype of activity:

development of explosive and pyrotechnic substances and items of equipment with their appliance;

production of explosive and pyrotechnic substances and items of equipment with their appliance;

acquisition and sale of explosive and pyrotechnic substances and items of equipment with their appliance;

acquisition of explosive and pyrotechnic substances and items of equipment with their appliance for own production needs;

3) liquidation (destruction, utilization, disposal) and processing of discharged ammunition, arms inventory, military technology, special features.

This type of activity shall include the following subtype of activity:

liquidation (destruction, utilization, disposal) and processing of discharged ammunition;

liquidation (destruction, utilization, disposal) and processing of discharged arms inventory, military technology, special features;

4) *is excluded by the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication)*

5) development, production, repair, trade, collecting, exhibiting of civil and service weapons and its ammunition;

This type of activity shall include the following subtype of activity:

development of civil and service weapon and its ammunition;
production of civil and service weapon and its ammunition;
repair of civil and service weapon and its ammunition;
trade of civil and service weapon and its ammunition;
collecting of civil and service weapon and its ammunition;
exhibiting of civil and service weapon and its ammunition;

5-1) acquisition of civil and service weapon and its ammunition;

6) development, production, trade, use of civil pyrotechnical substances and items of equipment with their appliance.

This type of activity shall include the following subtype of activity:

development of civil pyrotechnical substances and items of equipment with their appliance;

production of civil pyrotechnical substances and items of equipment with their appliance;

trade of civil pyrotechnical substances and items of equipment with their appliance;

use of civil pyrotechnical substances and items of equipment with their appliance;

7) acquisition of civil pyrotechnical substances and items of equipment with their appliance;

Footnote. Article 20 as amended by the Laws of the Republic of Kazakhstan dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012); dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication)

21. Licensing of activity in the scope of space application

The existence of a licence shall be required for engagement in all types of activity, linked with space application, including constructing, production, operation, repair and modernization of rocket-and-space technology, use of ground infrastructure for support of its operations (firing area, command and measurement complex, hold-down base and others).

22. Licensing of activity in the scope of informational support and communication

1. The existence of a licence shall be required for engagement in activity on rendering of services in the scope of communication.

This type of activity shall include the following subtype of activity:

the long-distance telephony;

the international telephony;

the satellite mobile communication;

the cellular communication (specifying the name of the standard).

2. The grant of a licence shall not be required for carrying out the activity:

1) by individuals and legal entities, that don't have their own or rented network or crossconnect equipment and that offer the services of other communications service providers for users, acting on the basis of the relevant licences.

Relations between these person and communications service provider shall be regulated by concluded agreements, the structure of which shall be coordinated with a licensor. The mediators shall be obliged to render services under the trademark of communications service provider, with whom the agreement is concluded. By this, the communications service providers shall bear the liability for quality of rendered services to the consumers and compliance with conditions of validity of a licence.

2) on creation and operation of the networks, intended for management of internal activity and technical processes, including the use of radio spectrum without rendering of communication services to third parties, as well as without use of communication services, rendered in the territory of the Republic of Kazakhstan by the communications service providers - non-residents of the Republic of Kazakhstan;

3) on creation and operation of the networks of mobile telecommunication (as well as mobile radio (radiotelephony), trunking and pager communication), that don't have connection in the telecommunication network of common use and intended for implementation of the basic activity that is not linked with rendering of communication services.

Permit to use of radio spectrum shall be given by an authorized body in the scope of communication for use of frequency ranges, radio frequencies (radio frequency channel) in cases, provided by subparagraphs 2), 3) of this paragraph, in accordance with the legislation of the Republic of Kazakhstan in the scope of communication.

Footnote. Article 22 as amended by the Laws of the Republic of Kazakhstan dated 21.11.2008 No. 89-IV (the order of enforcement See Article 2); dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012); dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication).

23. Licensing of activity in the scope of education

The existence of a licence shall be required for engagement in educational activity.

This type of activity shall include the following subtype of activity:

general educational programs of basic, main secondary and general secondary education;

professional programs of technical and professional education, as well as on professions and specialties;

professional programs of the post-secondary, higher, postgraduate education, including on specialties;

ecclesiastical educational programs.

Footnote. Article 23 is in the wording of the Law of the Republic of Kazakhstan dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012).

24. Licensing of activity in the scope of television and radio broadcasting

The existence of a licence shall be required for engagement of activity on propagation of television and radio channels.

Footnote. Article 24 is in the wording of the Law of the Republic of Kazakhstan dated 18.01.2012 No. 546-IV (shall be enforced upon expiry of thirty calendar days after its first official publication).

25. Licensing of activity in the scope of agricultural economy

Footnote. The title is in the wording of the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication).

The existence of a licence shall be required for engagement of the following types of activity:

1) *is excluded by the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication)*

;

2) rendering of services on storage activity with the delivery of grain receipts;

3) rendering of services on storage activity with the delivery of cotton receipts;

4) *is excluded by the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication)*

;

Footnote. Article 25 is in the wording of the Law of the Republic of Kazakhstan dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012); as amended by the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication).

26. Licensing of activity in the scope of public health

The existence of a licence shall be required for engagement in the following types of activity:

1) medical activity.

This type of activity shall include the following subtype of activity:

primary medical care: prehospital, qualified, emergency medical service;

diagnostic;

pathologic anatomy;

clinical laboratory diagnostic;

provision, preservation, processing, storage and disposal of blood and its components;

diagnostic centre and (or) hospital care for adult and (or) childish population – by specialties:

tocology and gynecology;

pediatry and therapy: general, neuropathology, cardiology, rheumatology, gastroenterology, nephrology, pulmonology, hemadenology, allergologia (immunology), hematology, occupational pathology, family physician; germ diseases; phthisiology;

surgery: general, transplantology, cardiosurgery, angiosurgery, anaplastic surgery, oral surgery, neurosurgery, otorhinolaryngology, oculistics, transfusion medicine, urinology, traumatology, orthopedics; anesthesiology and emergency medicine;

dermatovenereology (dermatocosmetology);

mental medicine: general, narcology, mental healing, sexopathology, medical psychology;

cancerology;

dentistry;

standard practice medicine: homeopathic medicine, hirudinization, manual therapy, reflexotherapy;

medical recreation therapy;

forensic medical, forensic psychiatric and drug dependency examination;

temporary disability examination and assessment of the occupational capacity;

sanitary and hygienic and antiepidemic medical activity: production, proceeding and selling of the medications and equipment of decontaminating, disinfestation, deraturation, as well as the types of works and services, linked with their appliance;

2) pharmaceutical activity.

This type of activity shall include the following subtype of activity:

production of medicinal preparations;

production of health products;

production of medical devices;

drug production;

manufacturing of health products;

wholesale trade of medicinal preparations;

retail trade of medicinal preparations.

Footnote. Article 26 is in the wording of the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication).

27. Licensing of activity in the scope of service sector of individuals and legal entities

The existence of a licence shall be required for engagement in the following types of activity:

1) advocacy;

2) notarial activity;

3) assessment of property (with the exception of objects of intellectual property, intangible assets);

4) assessment of intellectual property, intangible assets;

- 5) audit activity;
- 6) performance of works and rendering of services in the scope of environmental defence.

This type of activity shall include the following subtype of activity:
environmental designing, norming for the I category of economic and other activity

;

ecological audit for the I category of economic and other activity;

- 7) organization and conducting of lottery;
- 8) carrying out of security guard activity by legal entities;
- 9) tour operator activity;
- 10) activity of private enforcement agents.

Footnote. Article 27 is in the wording of the Law of the Republic of Kazakhstan dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012); as amended by the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication).

28. Licensing of activity in the scope of gambling industry

The existence of a licence shall be required for engagement in the following types of activity:

- 1) activity of casino;
- 2) activity of slot machine halls;
- 3) activity of bookmaker's offices;
- 4) activity of totalizator.

29. Licensing of activity in the scope of veterinary medicine

The existence of a licence shall be required for engagement in activity in the scope of veterinary medicine.

This type of activity shall include the following subtype of activity:

production of veterinary preparations;

veterinary and sanitary examination of products and raw materials of animal origin.

Footnote. Article 29 as amended by the Law of the Republic of Kazakhstan dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012).

30. Licensing of activity in the forensic expert sphere

The existence of a licence shall be required for engagement in forensic expert activity.

31. Licensing of activity in the scope of culture

The existence of a licence shall be required for engagement in archeological and (or) scientific and restoration works on historical and cultural monuments.

32. Licensing of activity in financial sector and activity, linked with concentration of financial resources

The existence of a licence shall be required for engagement in the following types of activity:

1) bank operations:

the deposit taking, opening and maintenance of bank accounts for individuals;

the deposit taking, opening and maintenance of bank accounts for legal entities;

the opening and maintenance of correspondent accounts in the banks and organizations, carrying out particular types of bank operations;

the opening and maintenance of metal accounts of individuals and legal entities by banks, on which the physical amount of refined precious metals and coins made of precious metals, belonging to this person shall be reflected;

cash operations: the receipt and disbursement of cash money by banks and the National post operator, including their change, exchange, conversion, assortment, wrapping and keeping;

transfer operations: the execution of commissions on payments and transfer of money of individuals and legal entities. The licence on performance of remittance operation shall be issued only to the banks and legal entities, mentioned in paragraph 6 -1 of Article 30 of the Law of the Republic of Kazakhstan “On banks and banking operations in the Republic of Kazakhstan”;

accounting operation: the discounting (discount) of bills and other debt commitments of individuals and legal entities;

banking borrowing operation: the extending credits in the scope of agribusiness industry in the monetary form by bank, mortgage organization or branch organizations of a national administrative holding company, on conditions of serviceability, urgency and recoverability;

the organization of swaps with foreign currency;

the collection of banknotes, coins and values;

the acceptance of payment documents on a collection basis (with the exception of bills);

the opening (issue) and acceptance of a letter of credit and fulfillment of obligations on it;

the issue of performance bonds by banks, providing execution in the monetary form;

the issue of bank guarantees by banks and other obligations for third parties, providing the execution in the monetary form;

2) other operations, carrying out by banks.

the purchase, acceptance in gage, registration, storage and selling of refined precious metals (gold, silver, platinum, platinum group metal) in ingots, coins made from precious metals;

the purchase, acceptance in gage, registration, storage and selling of jewellery, containing precious metals and gem stones;

the operations with bills: acceptance of bills on a collection basis, rendering of services on a payment of bills by a payer, as well as payment of domicile bill, acceptance of bills in order of mediation;

the carrying out of leasing activity;

the issue of own securities (with the exception of stocks);

factoring transactions: the acquisition of incorporeal rights of payments from a customer of commodities (works, services) with assumption of risk of non-payment;

forfeiting transactions (forfeiting): the payment of a debt commitment of a customer of commodities (works, services) by purchasing of the bill without recourse to seller;

trust operations: the management of money, incorporeal rights on real-estate loans and refined precious metals in behalf and under commission of a grantor;

safe deposit transactions: the services on a storage of securities, issued in hard copy, documents and values of clients, including the leasing of safe deposits, safe boxes and strong rooms;

2-1) bank operations, carrying out by Islamic banks:

the non-interest deposits taking before claiming of individual and legal entities, opening and maintenance of bank accounts of individuals and legal entities;

the investment deposits taking of individuals and legal entities;

banking borrowing operations: the extending credit by Islamic bank in the monetary form on conditions of urgency, recoverability and without recovery of rewards;

the financing of entrepreneurial activity in the form of:

financing of trading activity in the capacity of commercial broker with extending the commercial credit;

financing of productive and trading activity by participation in the charter capitals of legal entities and (or) on conditions of partnership;

investing activity on conditions of leasing (lease);

the agent's activity during conduct of bank operations of Islamic banks;

3) on a branch "life insurance" within the following classes of insurance:

life insurance;

annuity insurance;

4) on a branch "general insurance" within the following classes of insurance:

accident insurance;

illness insurance;

motorcar insurance;

rail transport insurance;

air transport insurance;
waterborne transport insurance;
insurance of goods;

insurance for property damage, with the exception of classes, mentioned in subparagraphs four-eight of this subparagraph;

insurance of civil responsibility of owners of road transport;
insurance of civil responsibility of owners of an air transport;

insurance of civil responsibility of owners of a waterborne transport;

insurance of civil responsibility, with the exception of classes, mentioned in subparagraphs 10-12 of this subparagraph;

loan insurance;

mortgage insurance;

insurance of guarantees and commissions;

loss insurance of financial organizations, with the exception of classes, mentioned in subparagraphs fourteen, fifteen, sixteen and eighteen of this subparagraph;

insurance against other financial losses;

insurance of court fees;

title insurance;

5) types of mandatory insurance, established by the Laws of the Republic of Kazakhstan and that are particular classes of insurance:

mandatory insurance of civil responsibility of transport's owners;

mandatory insurance of civil responsibility of a shipper to the passengers;

mandatory insurance of civil responsibility of private notaries;

mandatory insurance of civil responsibility of auditing firms;

mandatory insurance of civil responsibility of a tour operator and tour agent;

mandatory insurance in the plant production;

mandatory insurance of civil responsibility of the owners of the objects, the activity of which is linked with danger of infliction of harm to third parties;

mandatory insurance of employee against infelicitous occasions during fulfillment of employment (official) duties by him (her);

mandatory environmental insurance;

6) the activity on reinsurance.

An insurance organization, that has a licence on a branch "general insurance", shall have the right to obtain a licence and carry out the activity on reinsurance on all classes of insurance, exceptionally in the branch "general insurance".

An insurance organization, that has a licence on a branch "life insurance", shall have the right to obtain a licence and carry out the activity on reinsurance on all classes of insurance, exceptionally in the branch "life insurance".

A reinsurance organization, carrying out the reinsurance as exceptional type of activity on the basis of a licence on reinsurance, shall have the right to carry out the reinsurance on all classes of insurance in the branches “life insurance” and “general insurance”;

7) the activity of insurance broker;

8) the actuarial activity on the insurance market, with the exception of activity of persons, carrying out activity in the capacity of independent actuary and being the members of international association of actuaries, the list and requirements of which are established by an authorized government body on regulation and supervisory of financial market and financial organizations;

9) the broker activity;

10) the dealer activity;

11) *is excluded by the Law of the Republic of Kazakhstan dated 28.12.2011 No. 524-IV (shall be enforced from 01.01.2013);*

12) the activity on management of investment portfolio.

This type of activity shall include the following subtype of activity:

activity on management of investment portfolio with the right of attracting voluntary pension contributions (voluntary pension savings fund);

activity on management of investment portfolio without the right of attracting voluntary pension contributions;

13) *is excluded by the Law of the Republic of Kazakhstan dated 21.06.2013 No. 106-V (the order of enforcement See subparagraph 1) of paragraph 1 of Article 2);*

14) custodian activity;

15) transfer agent activity;

16) the activity on organization of trade with securities and other financial instruments;

16-1) the clearing activity on transactions with financial instruments;

17) *is excluded by the Law of the Republic of Kazakhstan dated 21.06.2013 No. 106-V (the order of enforcement See subparagraph 1) of paragraph 1 of Article 2);*

18) the activity of a credit bureau, with the exception of activity of a credit bureau with the state participation.

Footnote. Article 32 as amended by the Laws of the Republic of Kazakhstan dated 12.02.2009 No. 133-IV (the order of enforcement See Article 2); dated 13.02.2009 No. 135-IV (the order of enforcement see Article 3); dated 11.07.2009 No. 185-IV (shall be enforced from 30.08.2009); dated 30.12.2009 No. 234-IV (shall be enforced from 09.08.2010); dated 15.07.2010 No. 338-IV (the order of enforcement See Article 2); dated 28.12.2011 No. 524-IV (the order of enforcement See Article 2); dated 21.06.2013 No. 106-V (the order of enforcement See subparagraph 1) of paragraph 1 of Article 2).

33. Licensing of activity in the scope of architecture, urban construction and construction

The existence of licences shall be required for engagement in the following types of activity:

1) the prospecting activity.

This type of activity shall include the following subtype of activity:

the engineer geodetic works, including:

the construction and laying of geodetic centres;

the production of plan and high-altitude survey networks;

the topographic works for designing and construction (surveys on a scale from 1:10000 to 1:200, as well as surveys of the underground utility systems and facilities, the tracking and mapping of ground line infrastructures and their elements);

the geodetic works, linked with transmission of geophysical and other locations of surveys, in kind with reference of engineering-geological manufactures;

the engineering-geological and hydrogeological works, including:

the geophysical investigations, reconnaissance surveys and surveys;

the field studies of ground coats;

the hydrogeological investigations;

2) the project activity;

This type of activity shall include the following subtype of activity:

the urban designing (with the rights of designing for town-planning rehabilitation of the districts of historical development, with the exception of science and restoration works on the monuments of history and culture) and planning, as well as the development:

of the planning documentation (complex diagrams of urban planning of the territories – regional projects, general plans of inhabited localities, detailed projects and development projects of the districts, micro-districts, quarters and particular fields) ;

of the development pattern of transportation infrastructure of the inhabited localities (road networks and objects of intercity and external transport, located within the boundaries of inhabited localities) and inter-settlement areas (objects and communications of external transport, located outside the road networks of inhabited localities);

the heat supply plans of inhabited localities with arrangement of objects on production and transportation of heat energy in development system, as well as heat supply system of the manufacturing complexes, located on the inter-settlement areas;

the water supply plans of inhabited localities with arrangement of sources of domestic and (or) process water and tracking of water tunnels, as well as water supply plans of manufacturing complexes, located on inter-settlement areas;

the plans of waste water disposal systems of inhabited localities and manufacturing complexes, including centralized system of collection and disposal of domestic, manufacturing and rainfall wastewaters, arrangement of general pollution control facilities, evaporation sources and objects on waste water reclamation;

the plans of gas supply of inhabited localities and manufacturing complexes, located on inter-settlement areas;

the plans of electric supply of inhabited localities with arrangement of objects on production and transportation of electrical energy in the system of development, as well as electric supply of manufacturing complexes, located on inter-settlement areas;

the plans of telecommunication and communication for inhabited localities with arrangement of infrastructure objects and information sources;

the architectural designing for buildings and facilities (with the right of designing for architectural and restoration works, with the exception of science and restoration works on the monuments of history and culture), including:

the general plans of objects, land use engineering, landscape and organization of a relief;

the structural designing (with the right of designing for capital repair and (or) reconstruction of buildings and facilities, as well as enforcement of structures for each of works listed below) and detailing, including:

the sub-bases and ground works;

the concrete and reinforced, masonry and reinforced masonry structures;

the metal (steel, aluminum and made of alloy) structures;

the designing of engineering systems and networks, including:

internal heating system (including electric heating), ventilation, conditioning, cold supply, gasification (supply of low-pressure gas), as well as their external networks with support objects;

internal systems of water supply (hot and cold water) and waste water disposal system, as well as their external networks with support objects;

internal systems of low current devices (telephone systems, fire and security alarm), as well as their external networks;

the systems of internal and external electric lighting, electric supply to 0,4 kW and to 10 kW;

electric supply to 35 kW, to 110 kW and more;

the main pipelines, oil-products pipelines, gas pipelines (gas supply of medium and high pressure);

the operating design (development of engineering aspect of a building projects) of buildings and facilities of civilian designation, including:

for pre-primary education, general and special education, foster homes, institution on staff training, scientific and research, cultural and educational and spectacular

institutions, trade enterprises (including pharmacies), public health system (medical treatment and disease prevention, rehabilitation and sanatorium therapy), food services and domestic services, health and fitness and sporting activity, leisure and tourism, as well as other multiuse buildings and complexes with premises of different public purposes;

for transportation infrastructure (intended for direct service to public) and municipal economy (except for buildings and facilities for transport service, as well as other production and economic purpose);

the operating design (development of engineering aspect of a building projects) of industrial purpose objects, including:

for electric power industry;

for processing industry, including light and food industry;

for heavy engineering industry;

for medical, microbiological and pharmaceutical industry;

the dams, dikes, other water development facilities;

the tower-and mast-base structures;

for lift-and-carry transfer mechanisms and elevators;

the operating design (development of engineering aspect of building projects) of transport manufacture objects, connection and communication, as well as on service:

of intercity and external transport, including road, electric, railway and any rail, air, water types of the transport;

of local communication lines, radio-telecommunications;

of general and international communication lines (including satellite communication lines) and other types of telecommunications;

the operating design (development of engineering aspect of a transport construction projects), including:

communication routes of railway transport;

auto-roads of all categories;

road networks of urban electric transport;

bridges and bridge crossings, including transport elevated roads and multi-level interchanges;

the operating design (development of engineering aspect of projects) of construction of the agricultural economy objects, with the exception of enterprises of processing industries;

3) the construction and assembly operations.

This type of activity shall include the following subtype of activity:

the special work with ground coat, including:

bottoming;

drilling activity with ground coat;

underwater technical operations and work on the sea shelf;
installation of the supporting and (or) enclosing building structures and facilities (including the bridges, transport elevated roads, tunnels and overpass bridges, other artificial constructions), including the capital repair and reconstruction of objects, including:

- assembly of the steel frame structures;
- assembly of the building structures of tower-and mast-base type, smoke pipes;
- assembly of the supporting structures of bridges and bridge crossings;
- water development facilities and mud structures, dams, dikes;
- the smoke pipes, silo constructions, cooling towers, mine headgears;
- the shaft-sinking and tunneling operations, establishment of sealing curtains;
- assembly of the building structures of ascensional facilities (elevators, escalators, mine headgears and hoist towers, cable railroads and other structures of ascensional facilities);

- installation of monolithic, as well as assembly of precast and precast concrete structures, the bond of the single-piece elements of walls and dividing walls and filling openings;

- the roofing works;

- the special building and assembly works on laying of line infrastructures, containing capital repair and reconstruction, including:

- the steel tanks (storage cantilevering), business at the pressure or intended for storage of fire explosive or other danger (harmful) liquid or gaseous substances;

- commercial and main networks of oil pipelines, gas pipelines, as well as main networks of oil-products pipelines;

- the main power lines with voltage up to 35 kV and up to 110 kV and above;

- the general republican and international communication and telecommunication lines;

- the installation of utility networks and systems, including capital repair and reconstruction, including:

- the electrical networks of railway communication routes, electrical networks and electric lighting of the enterprises of air transport;

- the gas supply system of high and medium pressure, domestic and manufacturing gas supply of low pressure, internal gas supply system;

- the networks of cold and hot water supply, heat supply system, centralized canalization of domestic, manufacturing and rainfall wastewaters, the installation of internal water supply system, heating system and canalization;

- the electrical networks and installation of external electric lighting, systems of internal electric lighting and electric heating;

the construction of auto-roads and rail roads, including the capital repair and reconstruction, including:

the bases and superstructures of railway lines;

the bases and surfaces, protective shelters and furniture of auto-roads of the I and II technical categories, as well as of the intercity main roads of fast vehicular and controlled traffic, carriage way of the primary distributor roads of municipal significance of the constant and controlled traffic;

the bases and surfaces, protective shelters and furniture of the motor ways of the III, IV and V technical categories, as well as of the carriage way of the streets in inhabited localities that are not main;

the bases and surfaces of flight strips on the airdromes and helicopter platforms;

the assembly of manufacturing equipment, commissioning works linked with:

water development facilities and reclamation structures;

production of construction materials, products and structures;

the objects of theatrically entertaining, educational, sporting intention;

connection, crash protection system, control and warning system, block system on a transport, electric-power industry and water supply facilities, other life sustaining facilities, as well as metering and control instruments of the manufacturing purpose;

4) the activity on construction management of residential buildings on account of interest holder's fund raising.

Footnote. Article 33 is in the wording of the Law of the Republic of Kazakhstan dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012); as amended by the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication).

34. Licensing of activity in the scope of production of the national symbols of the Republic of Kazakhstan

The existence of a licence shall be required for production of the State Flag of the Republic of Kazakhstan and State Emblem of the Republic of Kazakhstan.

Footnote. Article 34 as amended by the Laws of the Republic of Kazakhstan dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012); dated 28.06.2012 No. 24-V (shall be enforced upon expiry of ten calendar days after its first official publication)

35. Licensing of activity in the scope of customs procedures

Footnote. Article 35 is excluded by the Law of the Republic of Kazakhstan dated 30.06.2010 No. 297-IV (shall be enforced from 01.07.2010).

36. Licensing of activity in the scope of production and turnover of ethyl alcohol and alcoholic products, production of tobacco products

The existence of a licence shall be required for engagement in the following types of activity:

- 1) production of ethyl alcohol;
- 2) production of alcoholic products.

This type of activity shall include the following subtype of activity:

- production of vodkas and special vodkas;
- production of liqueurs and spirits;
- production of wine materials;
- production of wines;
- production of cognacs;
- production of brandy;
- production of beer;

3) storage, wholesale and (or) retail trade of alcohol products, with the exception of activity on the storage, wholesale and (or) retail trade of alcohol products in the territory of its production;

4) *is excluded by the Law of the Republic of Kazakhstan dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012);*

- 5) production of tobacco products.

Footnote. Article 36 as amended by the Law of the Republic of Kazakhstan dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012).

37. Licensing of activity, linked with the use of currency valuable

Footnote. Article 37 is excluded by the Law of the Republic of Kazakhstan dated 04.07.2009 No. 167-IV (the order of enforcement See Article 2).

37-1. Licensing of activity in the scope of goods exchange

The existence of a licence shall be required for engagement in the following types of activity:

- 1) the activity of goods exchange;
- 2) the activity of stock brokers and dealers.

Footnote. The Law is supplemented by Article 37-1 in accordance with the Law of the Republic of Kazakhstan dated 04.05.2009 No. 156-IV (shall be enforced from 08.11.2009).

Chapter 4. LICENSING IN THE SCOPE OF EXPORT AND IMPORT OF COMMODITIES

38. General provisions

1. A list of commodities, export and (or) import of which shall be subject to licensing, shall be established by the Government of the Republic of Kazakhstan on the basis of unified list of commodities, to which the proscriptions and restrictions to

export and import shall be applied by the member states of custom union within the Eurasian economic community in a trade with third states, approved by the decision of Customs Union Commission.

Licensing of export and (or) import of commodities shall not carry the restrictive or distorting impacts on export or import of commodities, than the purposes in fulfillment of which, these restrictions were imposed.

2. A licence shall be issued for every commodity, classified in accordance with the Customs Union Commodity Classification of foreign economic activity, in respect of which the licensing is imposed.

A licensor shall issue the following types of licences:

individual;

general;

exclusive.

The issue of general and exclusive licences shall be carried out by a licensor in the cases, provided by decision of the Customs Union Commission.

3. Owners of general and exclusive licences shall be obliged to file a report on progress in implementing of a licence in the form of electronic document to authorized body on a quarterly basis up to fifteenth of the month, next to financial quarter.

Owners of individual licences shall be obliged to deliver information on fulfillment of a licence in the form of electronic document to authorized body within fifteen calendar days upon expiry of validity of a licence.

4. Validity of an individual licence may not exceed one year from the date of its beginning. The validity of individual licence may be restricted by validity of foreign trade agreement (contract) or validity of the document that is the basis for grant of a licence.

For commodities, in respect of which the quantitative restrictions are imposed, the validity of a licence shall be terminated in a calendar year, on which the quota is established.

Validity of a general licence may not exceed one year from the date of its beginning, and for commodities, in respect of which the quantitative restrictions are imposed shall be terminated in a calendar year, on which the quota is established, unless otherwise provided by decision of the Customs Union Commission.

Validity of an exclusive licence shall be established by decision of the Customs Union Commission in the each individual case.

Footnote. Article 38 is in the wording of the Law of the Republic of Kazakhstan dated 26.01.2011 No. 400-IV (shall be enforced upon expiry of thirty calendar days after its first official publication); as amended by the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication).

39. Licensing of export of individual commodities

Footnote. Article 39 is excluded by the Law of the Republic of Kazakhstan dated 26.01.2011 No. 400-IV (shall be enforced upon expiry of thirty calendar days after its first official publication).

40. Licensing of import of individual commodities

Footnote. Article 40 is excluded by the Law of the Republic of Kazakhstan dated 26.01.2011 No. 400-IV (shall be enforced upon expiry of thirty calendar days after its first official publication).

41. Automatic licensing of import of individual commodities

During automatic licensing of import of individual commodities, the approval of application shall be given in all cases. By this, any person that carries out legal requirements of importing country for carrying out import transactions, equally shall have the right to appeal and receipt a licence for import. The application for receipt of a licence may be filed on any business day before clearance of commodities. Licence shall be issued within ten business days in case of presentation of the application for receiving a licence and required documents in due and full form.

The list of commodities that shall be subject to automatic licensing of import shall be approved by the Government of the Republic of Kazakhstan.

Footnote. Article 41 as amended by the Law of the Republic of Kazakhstan dated 26.01.2011 No. 400-IV (shall be enforced upon expiry of thirty calendar days after its first official publication).

Chapter 5. CONDITIONS AND ORDER OF ISSUE OF A LICENCE AND (OR) ATTACHMENT TO LICENCE

42. Conditions of issue of a licence and (or) attachment to licence

1. Licence and (or) attachment to licence shall be issued at the place of registration of individual or legal entity, if a licensor is a local executive body or territorial bodies of the centralized government body.

Organizations, carrying out acceptance of applications and documents and issue of licences and (or) attachments to licences, with the exception of licences and (or) attachments to them for the right to engage in activity in financial sector and activity, linked with concentration of financial resources, issued by the National Bank of the Republic of Kazakhstan, shall be determined by the Government of the Republic of Kazakhstan.

2. For receipt of a licence and (or) attachment to licence (in case of existence of subtypes of activity) the following documents shall be presented:

- 1) an application;

2) the copy of charter (notarized in case of failure to present original for verification) and certificate on the state registration (reregistration) of legal entity of an applicant – for legal entity;

3) the copy of the document, certifying identity – for individual;

4) the copy of the applicant's state registration certificate in the capacity of individual entrepreneur (notarized in case of failure to present original for verification) – for individual entrepreneur;

5) the copy of the applicant's certificate on registration with a tax authority (notarized in case of failure to present original for verification);

6) the copy of the document, confirming the payment to the budget of a licence fee for the right to engage in particular types of activity, with the exception of cases of payment through the payment gateway of “electronic government”;

7) information and documents in accordance with qualifying requirements.

The requirement of subparagraph 2) of the first part of this paragraph in the part of presentation of the charter's copy (notarized in case of failure to present original for verification) shall be applied to legal entities, carrying out activity in the financial sector and activity, linked with concentration of financial resources.

Presentation of documents provided by subparagraphs 2), 3), 4) and 5) of the first part of this paragraph shall not be required in existence of possibility to receive information, contained therein from the state informational systems and (or) from the form of information.

During submission of the documents through the web-portal of “electronic government” or public service centre, the documents shall be presented in the electronic form.

By this, in case of existence of requirement in the legislation of the Republic of Kazakhstan on submitting of the notarized copy or original of the document for verification, these documents shall be submitted in the form of electronic copy of the document, certified by electronic seal of employee of the public service centre.

The liability for credibility of certified documents shall be borne by an applicant or licensee, presented them.

Additional requirements to the list of documents, during issue of a licence for the right to engage in the financial sector and activity, linked with concentration of financial resources, may be also established by the National Bank of the Republic of Kazakhstan in accordance with the Laws of the Republic of Kazakhstan.

2-1. Operation of paragraph 2 of this Article shall not apply to the cases of issue of a licence in the manner, provided by Article 73 of the Law of the Republic of Kazakhstan “On pension benefits in the Republic of Kazakhstan”.

3. For receipt of attachment to licence within the type of activity, on which there is a licence, the following documents shall be required:

- 1) an application;
- 2) information and documents in accordance with the qualifying requirements to subtype of activity.

4. Licensor shall be obliged to check the completeness of presented documents within two business days from the date of receipt of the applicant's (licensor's) documents. In case of establishment of the fact of diminution of presented documents, a licensor shall give the written motivated refusal in the following consideration of application within the mentioned terms.

5. For receipt of coordinations of government bodies on the item of applicant's conformity to requirements of the legislation of the Republic of Kazakhstan, a licensor shall send request to the relevant government bodies at location of carrying out of the licenceable type of activity by an applicant within two business days from the date of registration of the applicant's documents for receipt of a licence and (or) attachment to licence.

Government bodies shall send a reply to the relevant licensor on conformity or non-conformity to the applicant's submitted requirements on the basis of request of a licensor within ten business days.

In case of failure to present a reply by government bodies within the prescribed terms by this Law, the issue of a licence shall be considered as coordinated.

6. Order and conditions of issuing licences, refusal to issue licence, suspension, termination of validity of licences for the right to engage in the financial sector and activity, linked with concentration of financial resources, shall be established by the National Bank of the Republic of Kazakhstan in accordance with the Laws of the Republic of Kazakhstan.

Conditions and order of issuing licences for the right to engage in the scope of gambling industry shall be determined by the Law of the Republic of Kazakhstan "On gambling industry".

Conditions and order of issuing licences on activity on construction management of residential buildings on account of interest holder's fund raising shall be determined by the Law of the Republic of Kazakhstan "On participatory share participation in housing construction".

The special conditions of issuing licence as engagement in the scope of architecture, urban construction and construction shall be determined by the Law of the Republic of Kazakhstan "On architectural, town-planning and building activity in the Republic of Kazakhstan".

7. All the documents, presented to the relevant licensor or public service centre for issue of a licence and (or) attachment to licence shall be accepted as per checklist, the copy of which shall be sent (handed) to applicant with a mark on the date of accepting the documents by the mentioned body.

Footnote. Article 42 is in the wording of the Law of the Republic of Kazakhstan dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012); as amended by the Laws of the Republic of Kazakhstan dated 05.07.2012 No. 30-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 24.12.2012 No. 60-V (Shall be enforced upon expiry of ten calendar days after its first official publication); dated 21.06.2013 No. 106-V (the order of enforcement See subparagraph 1) of paragraph 1 of Article 2).

43. Terms for consideration of an application on issuing licences and (or) attachment to licences

1. Licence and (or) attachment to licence shall be issued by a licensor not later than fifteen business days, with the exception of licensors in the scope of use of nuclear energy, in the financial sector and activity, linked with concentration of financial resources, import and export of production that shall be subject to export control that shall issue a licence and (or) attachment to licence not later than thirty business days from the date of presentation of an application with the relevant documents, established by this Law.

2. In case, if a licensor doesn't issue a licence and (or) attachment to licence to applicant or doesn't give motivated refuse in the issue of a licence and (or) attachment to licence within terms, prescribed by this Law, a licence and (or) attachment to licence shall be considered as issued from the date of expiration of their issuance.

A licensor shall be obliged to issue the relevant licence and (or) attachment to licence to applicant not later than five business days from the date of expiration of the issue of a licence and (or) attachment to licence.

In case of non-issue of a licence and (or) attachment to licence by a licensor upon expiry of five business days, a licence and (or) attachment to licence shall be considered as obtained. The confirmation of legality of carrying out the licenceable type of activity before receipt of a licence shall be received notification on acceptance of an application by an applicant.

Footnote. Article 43 is in the wording of the Law of the Republic of Kazakhstan dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012); as amended by the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 21.06.2013 No. 107-V (shall be enforced upon expiry of thirty calendar days after its first official publication).

44. Licence fee for the right to engage in particular types of activity

A licence fee for the right to engage in particular types of activity shall be collected during issue (reissue) of licences (copy of licences) in accordance with the Tax Code of the Republic of Kazakhstan.

Bids of a licence fee for the right to engage in particular types of activity shall be established by the Tax Code of the Republic of Kazakhstan.

During issue of attachments to licence (copies of attachments to licence), a licence fee shall not be collected.

During issue of licences and (or) attachments to licences in cases, provided by Article 47-1 of this Law, a licence fee shall not be collected.

Footnote. Article 44 as amended by the Laws of the Republic of Kazakhstan dated 10.12.2008 No. 101-IV (shall be enforced from 01.01.2009); dated 16.11.2009 No. 200-IV (shall be enforced from 01.01.2010); dated 06.03.2013 No. 81-V (shall be enforced upon expiry of ten calendar days after its first official publication).

45. Refusal to issue a licence and (or) attachment to licence

1. Refusal to issue a licence and (or) attachment to licence shall be carried out in the cases, if:

1) engagement in the type of activity is prohibited by the Laws of the Republic of Kazakhstan for this category of subjects;

2) *is excluded by the Law of the Republic of Kazakhstan dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012);*

3) a licence fee is not contributed for the right to engage in particular types of activity in case of filing the application on issue of a licence on the type of activity;

4) an applicant is not conform to qualifying requirements;

4-1) issue of a licence to applicant is not coordinated by conformal government body;

5) in respect of an applicant, there is enforced decret of a court, prohibiting him (her) to engage in particular type of activity;

6) on the basis of presentation of enforcement agent, the issue of a licence by an applicant is prohibited by court.

Additional requirements for refusal to issue licences for engagement in activity of financial sector and activity, linked with concentration of financial resources, may be established by the National Bank of the Republic of Kazakhstan in accordance with the Laws of the Republic of Kazakhstan.

1-1. Operation of paragraph 1 of this Article shall not apply to the cases of receipt of a licence in the manner, provided by Article 73 of the Law of the Republic of Kazakhstan “On pension benefits in the Republic of Kazakhstan”.

2. In case of refusal to issue a licence by a licenser, an applicant shall be given by motivated reply within the terms, prescribed for issuing a licence and (or) attachment to licence.

Footnote. Article 45 as amended by the Laws of the Republic of Kazakhstan dated 04.07.2009 No. 167-IV (the order of enforcement See Article 2); dated 02.04.2010 No. 262-IV (shall be enforced from 21.10.2010); dated 15.07.2011 No. 461-IV (Shall be

enforced from 30.01.2012); dated 05.07.2012 No. 30-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 21.06.2013 No. 106-V (shall be enforced upon expiry of ten calendar days after its first official publication).

46. Appeal of refusal to issue a licence and (or) attachment to licence

If a licence and (or) attachment to licence is not issued within the term, prescribed by this Law or refusal to issue a licence and (or) attachment to licence is presented to applicant as unproven, he (she) shall have the right to appeal these actions in the manner, prescribed by the legislation of the Republic of Kazakhstan.

Chapter 6. REISSUE, ISSUE OF DUPLICATE COPIES, TERMINATION AND SUSPENSION OF VALIDITY OF A LICENCE AND (OR) ATTACHMENT TO LICENCE

47. Reissue and issue of duplicate copies of a licence and (or) attachment to licence, as well as conversion to electronic format

1. In case of loss, waste of a licence and (or) attachment to licence, a licensee shall have the right to receive the duplicate copies of a licence and (or) attachment to licence

If a licence was issued in hard copy, a licensee shall have the right to convert it to electronic format without receiving a duplicate copy upon the application.

Lost, mutilated forms of a licence and (or) attachment to licence shall be considered as invalid from the date of filing a written application by a licensee to licensor.

A licensor shall perform the issue of duplicate copies of a licence and (or) attachment to licence with the number assignment and inscription “Duplicate copy” in the upper right corner within two business days from the date of filing an application.

Duplicate copies of licences and (or) attachment to licences shall be executed in electronic form in compliance with provisions of Article 10 of this Law.

2. A licence and (or) attachment to licence shall be subject to reissue in the following cases:

- 1) change of the last name, first name, patronymic (in its existence) of individual;
- 2) change of the name and address of an individual entrepreneur during his (her) reregistration;
- 3) during reorganization of a legal entity in the form of merger, affiliation, segregation or reformation;
- 4) change of the name and (or) legal address of a legal entity.

In case of changing the name of type and (or) subtype of activity, a licensee shall have the right to file an application on reissue of a licence with the confirmation of payment to the budget of a licence fee for the right to engage in particular types of activity during reissue of licences.

Application on reissue shall be filed by a licensee within thirty calendar days attaching the documents, certifying the payment to the budget of a licence fee for the right to engage in particular types of activity during reissue of licences.

In case of non-payment of a licence fee, a licensor shall refuse to reissue licences and (or) attachment to licence.

In case of exclusion of one or more bank operations, one or more classes in insurance activity from the licenceable type of activity, a licensee shall be obliged to file an application on reissue of a licence with attachment of a licence within thirty calendar days.

In case of changing the name of type of activity, an individual or a legal entity, carrying out activity in financial sector and activity, linked with concentration of financial resources shall be obliged to file an application on reissue of a licence with attachment of the documents, certifying payment to the budget of a licence fee for the right to engage in particular types of activity during reissue of a licence within thirty calendar days, if this change doesn't entail the change of merit of the licenceable type of activity.

Reissued licences and (or) attachments to licences shall be executed in electronic form in compliance with provisions of Article 10 of this Law.

Footnote. Article 47 is in the wording of the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication).

47-1. Correction of errors in the issued licences

In case of detection of errors in the issued licence and (or) attachment to licence, a licensor shall have the right to file an application in any form on their correction.

A licensor shall introduce required changes in the register of licences and shall issue a licence and (or) attachment to licence with the relevant corrections within ten business days from the date of filing the relevant application by a licensee.

Footnote. Chapter 6 is supplemented by Article 47-1 in accordance with the Law of the Republic of Kazakhstan dated 06.03.2013 No. 81-V (shall be enforced upon expiry of ten calendar days after its first official publication).

48. Termination of validity of a licence and (or) attachment to licence

1. A licence and (or) attachment to licence shall terminate its validity in the cases of:

- 1) expiration of the period, on which a licence is issued;

- 2) commission of actions (operations) in full measure, on carrying out of which a licence is issued;
- 3) forfeit of a licence;
- 4) termination of activity of an individual, liquidation of a legal entity, liquidation of an individual, reorganization of a legal entity, with the exception of reorganization in the form of merger, affiliation, segregation or reformation;
- 5) voluntary return of a licence and (or) attachment to licence to licensor;
- 6) exclusion of particular type of activity and (or) subtype of activity from the list of licenceable types of activity;
- 7) exclusion of a licensee from the list of subjects that shall be subject to licensing;
- 8) in other cases, provided by the Laws of the Republic of Kazakhstan.

2. During termination of validity of a licence and (or) attachment to licence, a licensee shall be obliged to return licence and (or) attachment to licence to licensor within ten business days, with the exception of termination of validity of a licence on the grounds, provided by subparagraphs 6) and 7) of paragraph 1 of this Article.

Footnote. Article 48 as amended by the Laws of the Republic of Kazakhstan dated 13.02.2009 No. 135-IV (the order of enforcement See Article 3); dated 20.01.2010 No. 241-IV; dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication).

49. Suspension, forfeit of a licence

Suspension, forfeit of a licence shall be carried out in the manner, prescribed by the Laws of the Republic of Kazakhstan.

Footnote. Article 49 as amended by the Law of the Republic of Kazakhstan dated 20.01.2010 No. 241-IV.

49-1. Licensing supervision

1. Licensing supervision shall be carried out in the form of control and other forms.

2. Verification of compliance of the legislation of the Republic of Kazakhstan on licensing after issuing a licence and (or) attachment to licence by licensees shall be carried out in accordance with the Law of the Republic of Kazakhstan “On state control and supervision in the Republic of Kazakhstan”. Other forms of supervision shall be carried out in accordance with the Laws of the Republic of Kazakhstan.

3. Verification of compliance of an applicant or a licensee to qualifying requirements before issuing a licence and (or) attachment to licence shall be carried out in order of other form of supervision with the visitation of verified subject, subsequent to the results of which, the decision on conformity or non-conformity of an applicant or a licensee to the qualifying requirements shall be adopted.

The qualifying requirements that shall not be confirmed by presentation of documents, as well as authenticity of presented documents shall be subject to verification.

Footnote. Article 49-1 is in the wording of the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Chapter 7. FINAL PROVISIONS

50. Compensation for losses

Compensation for losses, occasioned by unwarranted refusal to issue a licence or violation of rights of a licensee, shall be carried out in the manner, prescribed by the legislation of the Republic of Kazakhstan.

Footnote. Article 50 as amended by the Law of the Republic of Kazakhstan dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012).

51. Breach of the legislation of the Republic of Kazakhstan on licensing

Breach of the legislation of the Republic of Kazakhstan on licensing shall entail the liability, prescribed by the Laws of the Republic of Kazakhstan.

52. The order of enforcement of this Law

1. This Law enters into force upon expiry of six months from the date of its official publication.

2. The Law of the Republic of Kazakhstan dated 17 April, 1995 “On licensing” shall be declared to be no longer in force (The Bulletin of the Supreme Soviet of the Republic of Kazakhstan, 1995 г., No. 3-4, Article 37; No. 12, Article 88; No. 14, Article 93; No. 15-16, Article 109; No. 24, Article 162; The Bulletin of the Parliament of the Republic of Kazakhstan, 1996, No. 8-9, Article 236; 1997, No. 1-2, Article 8; No. 7, Article 80; No. 11, Articles 144, 149; No. 12, Article 184; No. 13-14, Articles 195, 205; No. 22, Article 333; 1998, No. 14, Article 201; No. 16, Article 219; No. 17-18, Articles 222, 224, 225; No. 23, Article 416; No. 24, Article 452; 1999, No. 20, Articles 721, 727; No. 21, Article 787; No. 22, Article 791; No. 23, Article 931; No. 24, Article 1066; 2000, No. 10, Article 248; No. 22, Article 408; 2001, No. 1, Article 7; No. 8, Articles 52, 54; No. 13-14, articles 173, 176; No. 23, Article 321; No. 24, Article 338; 2002, No. 2, Article 17; No. 15, Article 151; No. 19-20, Article 165; 2003, No. 1-2, Article 2; No. 4, Article 25; No. 6, Article 34; No. 10, Articles 50, 51; No. 11, Article 69; No. 14, Article 107; No. 15, Articles 124, 128, 139; 2004, No. 2, Article 9; No. 5, Article 27; No. 10, Article 54; No. 14, Article 82; No. 15, Article 86; No. 16, Article 91; No. 17, Article 98; 2005, No. 7-8, Article 23; No. 11, Article 37; No. 14, Articles 55, 58; No. 23, Article 104; 2006, No. 8, Article 45; No. 13, Article 85; No. 15, Article 92; No. 16, Articles 97, 102).

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