

On Support of the Use of Renewable Energy Sources

Unofficial translation

The Law of the Republic of Kazakhstan dated 4 July 2009 № 165-IV.

Unofficial translation

Information for users!

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This Law determines the goals, forms and directions of support for the use of renewable energy sources, and also regulates the mechanism for supporting the energy recycling of waste and the use of secondary energy resources.

Footnote. Preamble as amended by the Laws of the Republic of Kazakhstan dated 09.11.2020 № 373-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 01.04.2021 № 26-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Chapter 1. GENERAL PROVISIONS Article 1. The basic definitions used in this Law

The following basic definitions shall be used in this Law:

1) auction price - the price for the purchase of electrical energy produced by a facility for the use of renewable energy sources, the facility for energy waste disposal, determined on the auction results and not exceeding the level of the corresponding maximum auction price by the single electric energy buyer;

1-1) auction trading - a process organized and conducted by the organizer of auction trading in an electronic system based on an auction and aimed at selecting projects for the construction of new facilities for the use of renewable energy sources, including those equipped with electrical energy storage systems, taking into account the plan for the placement of these facilities, facilities for the energy utilization of waste and the determination of auction prices for electrical energy produced by facilities for the use of renewable energy sources, facilities for the energy utilization of waste;

1-2) organizer of auction sales is a legal entity, determined by the authorized body, carrying out organization and conduct of auction sales in accordance with the procedure provided for by this Law;

1-3) qualified consumers - a person or a group of persons, which includes direct consumers and (or) industrial complexes, energy producing organizations using fossil fuels to generate electricity, and (or) energy producing organizations that own or have other legal

grounds for operating (commissioned after January 1, 2018 and not included by the authorized body in the list of energy producing organizations using renewable energy sources) facilities for the use of renewable energy sources and (or) operating (commissioned after January 1, 2021, including after the reconstruction of retired electrical capacities not taken into account in the approved forecast balance of electricity and capacity for the upcoming seven-year period), facilities for the use of secondary energy resources, the generated electricity from which is fully consumed by this person or group of persons or is sold to a single purchaser of electricity at centralized auctions;

1-4) renewable energy sources - energy sources continuously renewable due to naturally occurring natural processes, including the following types: solar radiation energy, wind energy, hydrodynamic water energy; geothermal energy: heat of soil, surface and underground water bodies; as well as anthropogenic sources of primary energy resources: consumption waste, biomass, biogas and other fuel from consumption waste used for the production of electric and (or) thermal energy;

2) excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 № 223-VII (effective from 01.07.2023);

3) excluded by the Law of the Republic of Kazakhstan dated 08.07.2024 № 121-VIII (comes into force sixty calendar days after the date of its first official publication);

4) settlement and financial center for support of renewable energy sources (hereinafter - the settlement and financial center) - a legal entity determined by the authorized body, which is a party to contracts for the purchase and sale of electrical energy produced by facilities for the use of renewable energy sources and facilities for waste-to-energy disposal, in accordance with the legislation of the Republic of Kazakhstan that was in effect before the date of this Law enforcement;

4-1) a small-scale facility for the use of renewable energy sources (hereinafter referred to as a small-scale facility) - technical devices with a total installed capacity of up to two hundred kilowatts (inclusive), intended for the production of electric and (or) thermal energy using renewable energy sources, and the structures and infrastructure interconnected with them that are technologically necessary for the operation of a small-scale facility;

5) an energy producing organization using renewable energy sources - a legal entity engaged in the production of electric and (or) thermal energy using renewable energy sources, with the exception of net consumers;

5-1) excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 № 223-VII (effective from 01.07.2023);

6) costs of supporting the use of renewable energy sources - costs of a single purchaser for the purchase of electricity produced by renewable energy facilities, waste energy disposal facilities, minus costs attributable to consumers of green energy, the corresponding costs of services for organizing the balancing of production and consumption of electricity, costs incurred in the balancing market of electricity (minus income), costs of forming a reserve

fund and costs associated with the implementation of its activities, determined in the manner established by the authorized body;

7) excluded by the Law of the Republic of Kazakhstan dated 08.07.2024 № 121-VIII (comes into force sixty calendar days after the date of its first official publication);

7-1) installation using renewable energy sources - technological and auxiliary equipment using renewable energy sources, intended for the generation of electric energy;

8) facility for the use of renewable energy sources - technical devices intended for the production of electric energy using renewable energy sources, and the structures and infrastructure interconnected with them, technologically necessary for the operation of a facility for the use of renewable energy sources and located on the balance sheet of the owner of the facility for the use of renewable energy sources;

8-1) target indicators for the development of the renewable energy sector - the planned indicator of the share of electric energy generated by facilities using renewable energy sources in the total volume of electric energy production, as well as indicators of the total installed capacity of facilities using renewable energy sources, including by type;

9) excluded by the Law of the Republic of Kazakhstan dated 19.06.2024 № 96-VIII (comes into force ten calendar days after the day of its first official publication);

9-1) excluded by the Law of the Republic of Kazakhstan dated 19.06.2024 № 96-VIII (comes into force ten calendar days after the day of its first official publication);

9-2) secondary energy resources - energy resources formed as complementary product in the process of industrial production in relation of using ferroalloy, coke and blast-furnace gases used for the production of electrical energy;

9-3) an energy producing organization using secondary energy resources - a legal entity that produces electrical energy using secondary energy resources;

9-4) an object for the use of secondary energy resources - technical devices intended for the production of electrical energy using secondary energy resources, and structures and infrastructure interconnected with them, technologically necessary for the operation of an object for the use of secondary energy resources and being on the balance sheet of the owner of the object for the use of secondary energy resources;

9-5) an energy producing organization using energy waste disposal - a legal entity that produces energy received from energy waste disposal in accordance with this Law and the environmental legislation of the Republic of Kazakhstan;

9-6) reserve fund - a fund formed by a single purchaser of electric energy, the money of which is kept in a special bank account and is used only to cover cash gaps and debts of a single purchaser of electric energy to energy producing organizations using renewable energy sources, arising as a result of non-payment or delayed payment by entities of the wholesale electric energy market;

9-7) excluded by the Law of the Republic of Kazakhstan dated 08.07.2024 № 121-VIII (comes into force sixty calendar days after the date of its first official publication);

9-8) direct consumers - wholesale consumers provided with electrical energy from energy-producing organizations that are part of the same group of persons, in accordance with concluded bilateral agreements;

10) fixed tariff – a tariff on purchase of electric energy produced by objects on use of renewable energy sources by accounting and finance centre according to the procedure established by this Law;

10-1) industrial complex - wholesale consumers provided with electrical energy from the generating sources available in their composition on the right of ownership, lease or other property right;

11) authorized body - the central executive body that carries out management and intersectoral coordination in the field of support for the use of renewable energy sources;

11-1) maximum auction price is the maximum value of the auction price for electricity;

12) Excluded by the Law of the Republic of Kazakhstan dated 19.06.2024 № 96-VIII (comes into force ten calendar days after the date of its first official publication).

12-1) electric energy storage system - a technical device with an automated control system designed to accumulate, store and release electric energy, and the structures and infrastructure interconnected with it that are technologically necessary for its operation in accordance with the legislation of the Republic of Kazakhstan;

13) net consumer of electric energy (hereinafter referred to as the net consumer) - an individual or legal entity that fully or partially ensures its own consumption of electric energy and (or) thermal energy from a small-scale facility owned by it or under other property rights, connected to the distribution electric network and equipped with systems for separate metering of the volumes of electric energy consumption from the network and the volumes of supply to it, including combined installations of renewable energy sources;

14) excluded by the Law of the Republic of Kazakhstan dated 08.07.2024 № 121-VIII (comes into force sixty calendar days after the date of its first official publication).

Footnote. Article 1 is in the wording of the Law of the Republic of Kazakhstan dated 04.07.2013 № 128-V (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by the Laws of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 28.04.2016 № 506-V (shall be enforced upon expiry of sixty calendar days after the day its first official publication); dated 11.07.2017 № 89-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication) ;dated 26.12.2017 № 124-VI (shall be enforced dated 01.01.2018); dated 09.11.2020 № 373-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 07.12.2020 № 380-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 02.01.2021 № 401-VI (shall be enforced from 01.07.2021); dated 01.04.2021 № 26-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 27.12.2021 № 87-VII (shall be enforced upon expiry of

ten calendar days after the date of its first official publication); dated 06.02.2023 № 194-VII (shall come into effect from 01.04.2023; dated 19.04.2023 № 223-VII (effective from 01.07.2023); dated 19.06.2024 № 96-VIII (comes into force ten calendar days after the date of its first official publication); dated 08.07.2024 № 121-VIII (comes into force sixty calendar days after the date of its first official publication); dated 09.04.2025 № 179-VIII (shall enter into force upon expiry of sixty calendar days after its first official publication).

Article 2. The legislation of the Republic of Kazakhstan in the field of support of the use of renewable energy sources

1. The legislation of the Republic of Kazakhstan in the field of support of the use of renewable energy sources is based on the Constitution of the Republic of Kazakhstan, consist of this Law and other regulatory legal acts of the Republic of Kazakhstan.

2. Social relations arising in the field of manufacturing and turnover of biofuel shall be regulated by the legislation of the Republic of Kazakhstan on the state regulation of manufacturing and turnover of biofuel.

3. Social relations arising in the process of production, transmission and consumption of electric and (or) heat energy and that are not regulated by this Law, shall be regulated by the legislation of the Republic of Kazakhstan on electric power industry.

3-1. The provisions of this Law regulating the procedure for application of fixed tariffs and auction prices for the purchase of electricity produced by renewable energy sources do not apply to:

energy producing organizations having facilities for the use of renewable energy sources which operating term exceeded the payback period established in the feasibility study approved and agreed with the authorized body or local executive body;

hydroelectric power stations with installations located in one hydroelectric complex, with a total capacity of over thirty five megawatts and (or) reservoirs providing more than a daily period of regulation, with the exception of those commissioned after January 1st , 2016.

3-2. The provisions of this Law relating to qualified consumers shall apply to a group of persons if one of such persons has established control over another person, as well as if such persons are under the control of one person.

Control is understood as the possibility of an individual or a legal entity, directly or indirectly (through a legal entity or through several legal entities) to determine decisions taken by another legal entity through one or more of the following actions:

1) disposal of more than fifty percent of voting shares (stakes in the authorized capital, units) of a legal entity.

For national companies, control of at least forty percent of the voting shares (shares in the authorized capital, units) of a legal entity;

2) exercising the functions of the executive body of the legal entity.

The ability of an individual or legal entity to indirectly determine decisions taken by another legal entity, in accordance with subparagraph 1) of part two of this paragraph, shall be understood as the control by each subsequent legal entity of more than fifty percent of the voting shares (shares in the authorized capital, units) of another legal entity; for national companies, control by each subsequent legal entity of at least forty percent of the voting shares (shares in the authorized capital, units) of another legal entity.

A group of persons shall be considered as a single qualified consumer.

4. If an international treaty ratified by the Republic of Kazakhstan establishes rules other than those contained in this Law, then the rules of an international treaty shall be applied.

Footnote. Article 2 as amended by the Laws of the Republic of Kazakhstan dated 04.07.2013 № 128-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 28.04.2016 № 506-V (shall be enforced upon expiry of sixty calendar days after the day its first official publication); dated 11.07.2017 № 89-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 03.01.2022 № 101-VII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication); dated 08.07.2024 № 121-VIII (comes into force sixty calendar days after the date of its first official publication).

Chapter 2. STATE REGULATION IN THE FIELD OF SUPPORT OF THE USE OF RENEWABLE ENERGY SOURCES

Article 3. Objectives and forms of state regulation in the field of support of the use of renewable energy sources

1. State regulation in the field of support for the use of renewable energy sources is carried out in order to create favorable conditions for the production of electricity using renewable energy sources in order to reduce the energy intensity of the economy and the impact of the electricity and heat production sector on the environment and to increase the share of renewable energy sources in the production of electricity.

2. State regulation in the field of support for the use of renewable energy sources for the production of electricity includes:

1) approval and implementation of the plan of placement facilities for the use of renewable energy sources, taking into account the targets indicators for the development of renewable energy sector;

1-1) establishment of fixed tariffs and marginal auction prices;

1-2) provision of support measures to net consumers;

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

3) is excluded by the Law of the Republic of Kazakhstan dated 03.07.2013 № 124-V (shall be enforced upon expiry of ten calendar days after its first official publication);

4) creating conditions for training and education of Kazakhstani personnel and conducting of scientific research in the field of use of renewable energy sources;

5) technical regulation;

6) adoption of regulatory legal acts in the field of use of renewable energy sources.

Footnote. Article 3 as amended by the Law of the Republic of Kazakhstan dated 15.07.2011 No 461-IV (shall be enforced from 30.01.2012); dated 03.07.2013 No 124-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2013 No 128-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 28.04.2016 No 506-V (shall be enforced upon expiry of sixty calendar days after the day its first official publication); dated 11.07.2017 No 89-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 19.06.2024 No 96-VIII (comes into force ten calendar days after the date of its first official publication). dated 08.07.2024 No 121-VIII (comes into force sixty calendar days after the date of its first official publication).

Article 4. Objectives and principles of state regulation in the field of support for the use of renewable energy sources

Footnote. The title of Article 4 as amended by the Law of the Republic of Kazakhstan dated 19.06.2024 No 96-VIII (comes into force ten calendar days after the date of its first official publication).

1. The objectives of state regulation in the field of support for the use of renewable energy sources are:

1) creation of favourable conditions for construction and operation of objects on use of renewable energy sources;

2) stimulation of energy production using renewable energy sources;

3) provision of investment preferences to legal entities that carry out the design, construction and operation of objects for the use of renewable energy sources, in accordance with the Entrepreneurial Code of the Republic of Kazakhstan;

4) creation of favourable conditions for effective integration of objects on use of renewable energy sources into unified electric energy system and heat system and market of electric and heat energy;

5) assistance in performance of international obligations of the Republic of Kazakhstan on reducing emission of greenhouse gases.

2. The principles of state regulation in the field of support for the use of renewable energy sources are:

1) energy and environmental safety;

2) safety of life and health of people, environmental protection when using renewable energy sources;

3) balance of interests of entities in the field of support for the use of renewable energy sources;

4) achievement of obligations to develop the share of renewable energy sources in the generation structure;

5) investment attractiveness of the use of renewable energy sources.

Footnote. Article 4 as amended by the Law of the Republic of Kazakhstan dated 04.07.2013 № 128-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 29.10.2015 № 376-V (shall be enforced from 01.01.2016); dated 28.04.2016 № 506-V (shall be enforced upon expiry of sixty calendar days after the day its first official publication); dated 19.06.2024 № 96-VIII (enters into force ten calendar days after the date of its first official publication). dated 08.07.2024 № 121-VIII (enters into force sixty calendar days after the date of its first official publication).

Article 5. Competence of the Government of the Republic of Kazakhstan

The Government of the Republic of Kazakhstan shall:

1) develop principal directions of state policy in the field of use of renewable energy sources;

2) is excluded by the Law of the Republic of Kazakhstan dated 03.07.2013 № 124-V (shall be enforced upon expiry of ten calendar days after its first official publication);

3) - 7) is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication);

7-1) Excluded by the Law of the Republic of Kazakhstan dated 05.07.2024 № 115-VIII (comes into force ten calendar days after the day of its first official publication);

7-2) Excluded by the Law of the Republic of Kazakhstan dated 05.07.2024 № 115-VIII (comes into force ten calendar days after the day of its first official publication);

7-3) is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication);

8) is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication);

8-1) provides state financial support to a single purchaser of electric energy in the event of its inability to fulfill obligations to energy producing organizations using renewable energy sources due to insufficient income from the sale of electricity;

8-2) approves the rules for providing state financial support to a single purchaser of electric energy;

8-3) performs other functions assigned to it by the Constitution of the Republic of Kazakhstan, laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan;

9) excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 № 223-VII (effective ten calendar days after the date of its first official publication).

Footnote. Article 5 as amended by the Law of the Republic of Kazakhstan dated 05.07.2011 No 452-IV (shall be enforced from 13.10.2011); as amended by the Laws of the Republic of Kazakhstan dated 03.07.2013 № 124-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2013 № 128-V (shall be enforced

upon expiry of ten calendar days after its first official publication); dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 11.07.2017 № 89-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 07.12.2020 № 380-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 19.04.2023 № 223-VII (effective ten calendar days after the date of its first official publication); dated 05.07.2024 № 115-VIII (enters into force ten calendar days after the date of its first official publication). dated 08.07.2024 № 121-VIII (enters into force sixty calendar days after the date of its first official publication).

Article 6. Competence of the authorised body

The authorised body shall:

- 1) form and implement state policy in supporting the use of renewable energy sources;
- 2) is excluded by the Law of the Republic of Kazakhstan dated 03.07.2013 № 124-V (shall be enforced upon expiry of ten calendar days after its first official publication);
- 3) develops and approves technical regulations in the field of the use of renewable energy sources and makes proposals for the improvement of national standards in the field of design, construction, operation and safety of objects for the use of renewable energy sources for production of electrical and (or) thermal energy;
- 4) develops and approves normative legal acts in the field of use of renewable energy sources;
- 5) approves the plan of placement facilities for the use of renewable energy sources, taking into account the target indicators for the development of the renewable energy sector;
 - 5-1) excluded by the Law of the Republic of Kazakhstan dated 19.06.2024 № 96-VIII (comes into force ten calendar days after the date of its first official publication);
 - 5-2) excluded by the Law of the Republic of Kazakhstan dated 19.06.2024 № 96-VIII (comes into force ten calendar days after the date of its first official publication);
 - 5-3) develops and approves the procedure for recalculation and redistribution by a single purchaser of electric energy of the corresponding share of electric energy to a qualified consumer based on the results of a calendar year;
 - 5-4) agrees with qualified consumers upon the type of renewable energy sources, the volume of capacity and the location of the facility for the use of renewable energy sources in accordance with the plan for the placement of facilities for the use of renewable energy sources and the technical capabilities of the unified electric power system of the Republic of Kazakhstan;
 - 5-5) excluded by the Law of the Republic of Kazakhstan dated 19.06.2024 № 96-VIII (enters into force ten calendar days after the date of its first official publication);
 - 5-6) determines the organizer of the auction sales;

5-7) excluded by the Law of the Republic of Kazakhstan dated 19.06.2024 № 96-VIII (enters into force ten calendar days after the date of its first official publication);

5-8) approves the marginal auction prices;

6) is excluded by the Law of the Republic of Kazakhstan dated 04.07.2013 № 128-V (shall be enforced upon expiry of ten calendar days after its first official publication);

7) excluded by the Law of the Republic of Kazakhstan dated 19.06.2024 № 96-VIII (enters into force ten calendar days after the date of its first official publication);

7-1) develops and approves rules for connection to electrical networks and operation of small-scale facilities;

7-2) develops and approves a standard contract for the sale and purchase of electricity from net consumers;

7-3) approves the rules for determining fixed tariffs and maximum auction prices;

7-4) approves fixed tariffs;

8) excluded by the Law of the Republic of Kazakhstan dated 19.06.2024 № 96-VIII (comes into force ten calendar days after the day of its first official publication);

8-1) is excluded by the Law of the Republic of Kazakhstan dated 13.01.2014 № 159-V (shall be enforced upon expiry of ten calendar days after the day its first official publication);

9) is excluded by the Law of the Republic of Kazakhstan dated 13.06.2013 № 102-V (shall be enforced upon expiry of ten calendar days after its first official publication);

9-1) excluded by the Law of the Republic of Kazakhstan dated 19.06.2024 № 96-VIII (comes into force ten calendar days after the day of its first official publication);

9-2) excluded by the Law of the Republic of Kazakhstan dated 19.06.2024 № 96-VIII (comes into force ten calendar days after the date of its first official publication);

10) excluded by the Law of the Republic of Kazakhstan dated 19.06.2024 № 96-VIII (comes into force upon expiry of ten calendar days after the date of its first official publication);

10-1) excluded by the Law of the Republic of Kazakhstan dated 19.06.2024 № 96-VIII (comes into force ten calendar days after the date of its first official publication);

10-2) is excluded by the Law of the Republic of Kazakhstan dated 13.01.2014 № 159-V (shall be enforced upon expiry of ten calendar days after the day its first official publication);

10-3) excluded by the Law of the Republic of Kazakhstan dated 19.06.2024 № 96-VIII (comes into force ten calendar days after the date of its first official publication);

10-4) is excluded by the Law of the Republic of Kazakhstan dated 28.04.2016 № 506-V (shall be enforced upon expiry of sixty calendar days after the day its first official publication);

10-5) excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 № 223-VII (effective from 01.07.2023);

10-6) excluded by the Law of the Republic of Kazakhstan dated 19.06.2024 № 96-VIII (comes into force ten calendar days after the date of its first official publication);

10-7) excluded by the Law of the Republic of Kazakhstan dated 19.06.2024 № 96-VIII (

comes into force ten calendar days after the date of its first official publication);

10-8) excluded by the Law of the Republic of Kazakhstan dated 19.06.2024 № 96-VIII (comes into force ten calendar days after the date of its first official publication);

10-9) determines the procedure for the purchase and sale of electric energy from net consumers;

11) coordinate the interaction of state bodies, subjects of private entrepreneurship and scientific and scientific and technical activity in relation to development and use of renewable energy sources;

12) carry out international cooperation in the field of the use of renewable energy sources;

13) carry out other powers provided by this Law, other Laws of the Republic of Kazakhstan, acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan.

Footnote. Article 6 as amended by the Laws of the Republic of Kazakhstan dated 05.07.2011 No 452-IV (shall be enforced from 13.10.2011); dated 10.07.2012 № 31-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.06.2013 № 102-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 03.07.2013 № 124-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2013 № 128-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.01.2014 № 159-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 28.04.2016 № 506-V (shall be enforced upon expiry of sixty calendar days after the day its first official publication); dated 11.07.2017 № 89-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 09.11.2020 № 373-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 07.12.2020 № 380-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 06.02.2023 № 194-VII (shall come into effect from 01.04.2023; dated 19.04.2023 № 223-VII (enforcement see Art. 3); dated 19.06.2024 № 96-VIII (for the procedure for entry into force, see 2); dated 05.07.2024 № 115-VIII (comes into force ten calendar days after the date of its first official publication). dated 08.07.2024 № 121-VIII (comes into force sixty calendar days after the date of its first official publication).

Article 6-1. Competence of the authorised body on implementation of state policy in the field of support of the use of renewable energy sources

Footnote. Chapter 2 is supplemented by Article 6-1 in accordance with the Law of the Republic of Kazakhstan dated 13.06.2013 № 102-V (shall be enforced upon expiry of ten

calendar days after its first official publication); is excluded by the Law of the Republic of Kazakhstan dated 08.07.2024 № 121-VIII (enters into force sixty calendar days after the date of its first official publication).

Article 7. Competence of local executive bodies of oblasts, cities of national importance and the capital

Footnote. Title of Article 7 with the change introduced by the Law of the Republic of Kazakhstan dated 28.12.2018 № 210-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).

Local executive bodies of regions, cities of national importance and the capital:

1) is excluded by the Law of the Republic of Kazakhstan dated 03.07.2013 № 124-V (shall be enforced upon expiry of ten calendar days after its first official publication);

2) is excluded by the Law of the Republic of Kazakhstan dated 03.07.2013 № 124-V (shall be enforced upon expiry of ten calendar days after its first official publication);

3) coordinate the projects of construction of facilities for the use of renewable energy sources located in the subordinated territory for production of thermal energy supplied to the centralized heating system;

3-1) reserves and provides land plots for the construction of facilities for the use of renewable energy sources in accordance with the land legislation of the Republic of Kazakhstan;

3-2) Excluded by the Law of the Republic of Kazakhstan dated 19.06.2024 № 96-VIII (comes into force ten calendar days after the day of its first official publication);

4) carry out other powers imposed on local executive bodies by the legislation of the Republic of Kazakhstan in behalf of local state administration.

Footnote. Article 7 as amended by the Law of the Republic of Kazakhstan dated 05.07.2011 № 452-IV (shall be enforced from 13.10.2011); dated 03.07.2013 № 124-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2013 № 128-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 29.12.2014 № 269-V (shall be enforced from 01.01.2015); dated 28.04.2016 № 506-V (shall be enforced upon expiry of sixty calendar days after the day its first official publication) ; dated 28.12.2018 № 210-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 07.12.2020 № 380-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 19.06.2024 № 96-VIII (comes into force ten calendar days after the day of its first official publication).

Article 7-1. Obligations of participants in the production, transmission and purchase of electrical energy produced by facilities for the use of renewable energy sources and secondary energy resources, facilities for energy waste disposal

Footnote. The heading of Article 7-1 as amended by the Law of the Republic of Kazakhstan dated 09.11. 2020 № 373-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); as amended by the Law of the Republic of Kazakhstan dated 01.04.2021 № 26-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

1. Energy transmission organizations to whose networks facilities using renewable energy sources and secondary energy resources, and waste energy utilization facilities are connected, are obliged to submit monthly to the single purchaser of electric energy the information on the volumes of electric energy supplied by facilities using renewable energy sources and secondary energy resources, and waste energy utilization facilities in their network, determined on the basis of readings from commercial electricity metering devices.

2. Excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 № 223-VII (effective from 01.07.2023).

2-1. Qualified consumers bear the obligations stipulated by subparagraphs 2) and 3) of paragraph 2, as well as paragraphs 6, 6-1, 6-2, and 8 of this article.

Qualified consumers are obliged to annually conclude contracts in accordance with the standard form with the single purchaser of electric energy for the purchase of electric energy generated by energy producing organizations using renewable energy sources, and waste energy utilization facilities.

When constructing a facility for the use of secondary energy resources, qualified conditional consumers, no later than three hundred and sixty-five days before the facility is put into operation, notify the authorized body and the system operator about the construction of a facility for the use of secondary energy resources, indicating the type of secondary energy resources, capacity and location.

3. The single purchaser of electrical energy shall:

1) purchase, in the manner established by this Law, from energy producing organizations using renewable energy sources and waste- energy disposal, the planned electricity volume:

under purchase and sale agreements between the settlement and financial center and the energy producing organization - at a fixed tariff in effect on the date of conclusion of the agreement, taking into account the indexation provided for in paragraph 2 of Article 8-1 of this Law;

under sales and purchase agreements concluded by it or the settlement and financial center with an energy-producing organization - at auction prices determined on the auction results, taking into account the indexation provided for in paragraph 2 of Article 8-1 of this Law;

2) pay for the electrical energy purchased in accordance with subparagraph 1) of this paragraph in the manner prescribed by the Law of the Republic of Kazakhstan “On Electric Power Industry”.

4. The single electrical energy purchaser shall enter into contracts for the purchase and sale of electrical energy with energy-producing organizations using renewable energy sources

, which are supported in accordance with this Law, and included by the authorized body in the list of energy-producing organizations using renewable energy sources, and purchase electrical energy within fifteen years from the date of commencement of comprehensive tests, during which the electrical energy was supplied to the unified electric power system of the Republic of Kazakhstan, or from the expiration date of the submission of the act of acceptance of the facility into operation in accordance with the purchase and sale agreement, whichever comes first.

4-1. The single purchaser of electrical energy shall enter into contracts for the purchase and sale of electrical energy with energy-producing organizations that use waste-to energy recycling, supported in accordance with this Law and the environmental legislation of the Republic of Kazakhstan, and included in the register of auction winners, and purchases electrical energy within fifteen years from the date of commencement of comprehensive tests, during which electrical energy was supplied to the unified electrical power system of the Republic of Kazakhstan.

4-2. Based on the auction results, the single electrical energy purchaser shall enter into contracts for the purchase and sale of electrical energy with energy-producing organizations using renewable energy sources, supported in accordance with this Law, and included by the authorized body in the list of energy-producing organizations using renewable energy sources , and purchase the electrical energy for a period of twenty years from the date of commencement of comprehensive tests, during which the electrical energy was supplied to the unified electric power system of the Republic of Kazakhstan, or from the expiration date of the submission of the act of acceptance of the facility into operation in accordance with the purchase and sale agreement, whichever comes first.

4-3. Excluded by the Law of the Republic of Kazakhstan dated 08.07.2024 № 121-VIII (comes into force sixty calendar days after the date of its first official publication).

5. The single purchaser of electric energy is obliged to conduct an audit of the annual financial statements in accordance with the Law of the Republic of Kazakhstan "On Auditing Activity" and submit its results to the authorized body.

6. Energy-producing organizations using renewable energy sources, secondary energy resources, waste-to- energy disposal, including energy-producing organizations that are part of a qualified consumer, shall:

1) monthly provide the single electrical energy purchaser with information on the actual daily generation and supply volumes in the electrical energy network no later than the fifth day of the month following the month of supply;

2) annually, by the twentieth of December, send information to the single electrical energy purchaser on the forecast generation and supply volumes to the electrical energy network for the coming year, broken down by month;

3) submit to the regional power grid company and (or) the system operator daily and monthly (ten calendar days before the start of the month) schedules for the electrical energy supply;

4) ensure compliance with daily schedules for the production of electrical energy in accordance with the legislation of the Republic of Kazakhstan.

6-1. Along with the obligations specified in paragraph 6 of this article, energy-producing organizations using renewable energy sources, secondary energy resources, energy waste disposal with an installed capacity of at least one megawatt, are required to comply with the operating modes of the power plant generating installations specified by the system operator in accordance with the legislation of the Republic of Kazakhstan.

6-2. Hydroelectric power plants equipped with reservoirs shall be obliged to carry out intra-day regulation of electric power generation in accordance with the orders of the system operator when carrying out centralized operational dispatch control of the unified electric power system of the Republic of Kazakhstan within the framework of the water regime approved by the authorized body in the field of protection and use of the water fund.

6-3. After the commissioning of a facility for the use of secondary energy resources, for ten years between the energy producing organization using secondary energy resources, or an energy producing organization that is part of the same group of persons and is located in the same region, and the system operator, an agreement is concluded annually for the provision of services for the regulation of electric capacity at a price equal to the average weighted contractual price of the acquisition by the system operator of these services for the calendar year preceding the year of the conclusion of the agreement, in a regulation range of at least twenty percent of the installed electric capacity of the facility for the use of secondary energy resources for an increase or decrease.

7. Energy-producing organizations using renewable energy sources shall file an application for concluding a purchase and sale agreement with a single electrical energy purchaser for the purchase of electrical energy produced by facilities using renewable energy sources within sixty calendar days after their inclusion in the list of energy-producing organizations using renewable energy sources.

To the application for concluding the purchase and sale contract for the of electrical energy produced by facilities using renewable energy sources, the energy producing organization using renewable energy sources shall attach the following materials and documents:

1) copies of title documents;

2) information on the supplied electrical energy volumes.

7-1. Energy-producing organizations using waste-to- energy disposal shall file an application to conclude a purchase and sale agreement with a single purchaser of electrical energy for the purchase of electrical energy produced by waste-to- energy disposal facilities within sixty calendar days after their inclusion in the register of auction winners.

To the application for concluding a contract for the purchase and sale of electrical energy produced by waste-to-energy disposal facilities, the energy-producing organization using waste-to-energy disposal shall attach the following materials and documents:

- 1) copies of title documents;
- 2) information on the supplied electrical energy volumes.

8. All energy producing organizations using renewable energy sources, secondary energy resources, energy waste recycling, including energy producing organizations that are part of a qualified consumer, are required to have an automated commercial metering system at their facility for the use of renewable energy sources and secondary energy resources, or energy waste recycling facility. The automated commercial metering system must have the ability to remotely transmit data to regional dispatch centers.

9. The legislation of the Republic of Kazakhstan on public procurement shall not apply to legal relations related to the purchase of electrical energy by a settlement and financial centre.

Footnote. Chapter 2 is supplemented by Article 7-1 in accordance with the Law of the Republic of Kazakhstan dated 04.07.2013 № 128-V (shall be enforced upon expiry of six months after its first official publication); as amended by the Laws of the Republic of Kazakhstan dated 28.04.2016 № 506-V (shall be enforced upon expiry of sixty calendar days after the day its first official publication); dated 11.07.2017 № 89-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 09.11.2020 № 373-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 07.12.2020 № 380-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 01.04.2021 № 26-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication); as amended by the Law of the Republic of Kazakhstan dated 30.12.2022 № 177-VII (shall come into effect ten calendar days after the day of its first official publication); dated 06.02.2023 № 194-VII (shall come into effect from 01.04.2023; dated 19.04.2023 № 223-VII (shall come into effect from 01.07.2023); dated 08.07.2024 № 121-VIII (comes into force sixty calendar days after the date of its first official publication); dated 09.04.2025 № 179-VIII (shall enter into force upon expiry of sixty calendar days after its first official publication).

Chapter 3. SUPPORT OF THE USE OF RENEWABLE ENERGY SOURCES Article 8. Support during designing and construction of objects on use of renewable energy sources

Footnote. Article 8 is excluded by the Law of the Republic of Kazakhstan dated 03.07.2013 № 124-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 8-1. Fixed rate and auction price

Footnote. The title of Article 8-1 in the new wording of the Law of the Republic of Kazakhstan dated 11.07.2017 № 89-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication).

1. Fixed tariffs stipulated by the contracts of sale and purchase of the financial settlement center with energy producing organizations using renewable energy sources, energy waste utilization, shall be applied until the termination of the contracts concluded before the entry into force of this Law, but not more than fifteen years from the date of conclusion of the contracts.

2. Fixed tariffs stipulated by the contracts of sale and purchase of the financial settlement center with energy producing organizations using renewable energy sources, energy waste utilization, and auction prices shall be indexed annually in the manner determined by the Government of the Republic of Kazakhstan.

At the same time, fixed tariffs, depending on the type of renewable energy sources, support for which is provided for by the documents of the State Planning System of the Republic of Kazakhstan, the structure of project financing and economic feasibility, are subject to annual indexation taking into account the change in the exchange rate of the national currency to foreign currencies in the manner determined by the Government of the Republic of Kazakhstan.

3. Excluded by the Law of the Republic of Kazakhstan dated 08.07.2024 № 121-VIII (comes into force sixty calendar days after the date of its first official publication).

Footnote. Chapter 3 is supplemented by Article 8-1 in accordance with the Law of the Republic of Kazakhstan dated 04.07.2013 № 128-V (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by the Laws of the Republic of Kazakhstan dated 28.04.2016 № 506-V (shall be enforced upon expiry of sixty calendar days after the day its first official publication); dated 11.07.2017 № 89-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 08.07.2024 № 121-VIII (comes into force sixty calendar days after the date of its first official publication).

Article 9. Support for the sale of electrical and (or) thermal energy produced by facilities for the use of renewable energy sources and secondary energy resources, facilities for energy waste disposal

Footnote. The heading of Article 9 as amended by the Law of the Republic of Kazakhstan dated 09.11. 2020 № 373-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); as amended by the Law of the Republic of Kazakhstan dated 01.04.2021 № 26-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

1. An energy producing organisation that uses renewable energy sources, shall have the right to sell produced electric energy at its discretion by one of the following options:

1) to the single electrical energy purchaser at a fixed tariff effective as of the date of conclusion of the purchase and sale agreement between it and the financial settlement center, or at the auction price determined on the auction results, taking into account the indexation provided for in paragraph 2 of Article 8-1 of this Law ;

2) to consumers at contractual prices in accordance with concluded bilateral agreements and to energy supply organizations at maximum tariffs in accordance with the requirements of the legislation of the Republic of Kazakhstan on electric power industry.

An energy producing organisation that uses renewable energy sources and carries out activity in accordance with subparagraph 2) of part one of this paragraph, shall not have the right to change to sale of produced electric energy by option provided by subparagraph 1) of part one of this paragraph.

2. Costs for supporting the use of renewable energy sources shall be distributed by the single electricity purchaser in accordance with the procedure established by the authorized body, between direct consumers, industrial complexes, conditional consumers and wholesale electricity market entities included in the list of the wholesale electricity market entities formed by the system operator who has entered into a contract for the purchase and sale of electrical energy with a single purchaser of electrical energy (hereinafter referred to as the total costs).

The costs of supporting the use of renewable energy sources attributable to direct consumers and industrial complexes shall be determined as the corresponding share of their planned electrical energy consumption in the total volume of planned national consumption (hereinafter referred to as the costs of direct consumers and industrial complexes).

Costs for supporting the use of renewable energy sources attributable to wholesale electricity market entities included in the list of the wholesale electricity market entities formed by the system operator, defined as the difference in total costs and costs of direct consumers and industrial complexes, shall be distributed between them in proportion to the share of their planned purchase of electrical energy from a single electrical energy purchaser.

At the same time, the costs of supporting the use of renewable energy sources are not distributed by a single electrical energy purchaser to a qualified consumer, except for the cases provided for in paragraphs 2-1 and 2-2 of this article.

2-1. The single electrical energy purchaser, in the manner approved by the authorized body, shall recalculate and redistribute the appropriate share of costs to support the use of renewable energy sources to a qualified consumer if the ratio of the annual volume of electrical energy generation (or the volume for a shorter period when generating electrical energy is less than one calendar year) by facilities for the use of renewable energy sources and secondary energy resources, put into operation by a qualified consumer, to the volume of electrical energy consumed by him is less than one of the two indicators listed below:

1) the actual share of the volume of electrical energy generated by facilities for the use of renewable energy sources and secondary energy resources in the total volume of electrical energy production in the accounting year in the Republic of Kazakhstan;

2) the target indicator provided for by the documents of the State Planning System of the Republic of Kazakhstan, the effect of which extends to the accounting year.

Note!

Paragraph 2-2 is in the wording of the Law of the Republic of Kazakhstan dated 08.07.2024 № 121-VIII (effective from 01.07.2025).

2-2. In the event that a qualified conditional consumer puts into operation a facility for the use of secondary energy resources, its share of electric energy is calculated in accordance with paragraph 2-1 of this article, but cannot be lower than the minimum value equal to that actually acquired by the qualified conditional consumer and conditional consumers, included in the structure of the qualified conditional consumer, the volume of electricity from the settlement and financial center in 2020 for the period of validity of the purchase and sale agreements of the settlement and financial center with energy-producing organizations using renewable energy sources, for facilities for the use of renewable energy sources that sold electricity to the settlement and financial center in 2020.

At the same time, the minimum amount of electrical energy to be purchased from the settlement and financial center, specified in part one of this paragraph, is proportionally reduced by the corresponding amount of electric energy as the sale and purchase agreements of the settlement and financial center with energy-producing organizations using renewable energy sources terminate, specified in part one of this paragraph, in the manner approved by the authorized body.

2-3. A qualified consumer independently distributes the costs attributable to him for supporting the use of renewable energy sources between direct consumers and industrial complexes included in its composition, once a year in the manner established by the authorized body.

3. Excluded by the Law of the Republic of Kazakhstan dated 08.07.2024 № 121-VIII (comes into force sixty calendar days after the date of its first official publication).

4. Excluded by the Law of the Republic of Kazakhstan dated 08.07.2024 № 121-VIII (comes into force sixty calendar days after the date of its first official publication).

4-1. Excluded by the Law of the Republic of Kazakhstan dated 08.07.2024 № 121-VIII (comes into force sixty calendar days after the date of its first official publication).

4-2. Excluded by the Law of the Republic of Kazakhstan dated 08.07.2024 № 121-VIII (comes into force sixty calendar days after the date of its first official publication).

4-3. Entities of business activity shall notify the authorized body, the single purchaser of electric energy and the system operator of the planned commissioning of a facility for the use

of renewable energy sources and (or) secondary energy resources, indicating the type of renewable energy sources and (or) secondary energy resources, the volume of capacity and its location no later than three hundred sixty-five calendar days in advance.

In case of exceeding the deadlines for the planned commissioning of a facility for the use of renewable energy sources and (or) secondary energy resources specified in the notification of entrepreneurs, the authorized body shall adjust the deadlines based on the application of this entity.

5. Sale and purchase contracts of heat energy produced by energy producing organisations that use renewable energy sources shall be concluded for the period of no less than the payback period of construction project on use of renewable energy sources, determined in technical and economic justification of construction project on use of renewable energy sources.

6. Excluded by the Law of the Republic of Kazakhstan dated 08.07.2024 № 121-VIII (comes into force sixty calendar days after the date of its first official publication).

7. Energy transmission organizations are obliged to provide free access to transmission via networks to energy producing organizations using renewable energy sources and secondary energy resources, as well as net consumers in accordance with the legislation of the Republic of Kazakhstan.

Energy producing organizations using renewable energy sources, selling the produced electric energy in accordance with subparagraph 1) of part one of paragraph 1 of this article, as well as net consumers are exempt from paying for the services of energy transmission organizations for the transmission of electric energy.

Note!

Article 9 is to be supplemented with paragraph 7-1 in accordance with the Law of the Republic of Kazakhstan dated 08.07.2024 № 121-VIII (effective from 01.07.2025).

8. The single electrical energy purchaser and energy-producing organizations using renewable energy sources, energy-producing organizations using secondary energy resources, and energy-producing organizations using waste to energy disposal, included in the list of the wholesale electricity market entities, formed by the system operator, shall participate in the balancing electric energy market in accordance with the Law of the Republic of Kazakhstan “On Electric Power Industry”.

9. Excluded by the Law of the Republic of Kazakhstan dated 19.06.2024 № 96-VIII (enters into force ten calendar days after the date of its first official publication).

10. Excluded by the Law of the Republic of Kazakhstan dated 19.06.2024 № 96-VIII (enters into force ten calendar days after the date of its first official publication).

11. Excluded by the Law of the Republic of Kazakhstan dated 19.06.2024 № 96-VIII (enters into force ten calendar days after the date of its first official publication).

Footnote. Article 9 is in the wording of the Law of the Republic of Kazakhstan dated 04.07.2013 № 128-V (shall be enforced upon expiry of ten calendar days after its first official

publication); as amended by the Laws of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 28.04.2016 № 506-V (shall be enforced upon expiry of sixty calendar days after the day its first official publication); dated 28.12.2016 № 34-VI (shall be enforced from 01.01.2017); dated 11.07.2017 № 89-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 09.11.2020 № 373-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 07.12.2020 № 380-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 01.04.2021 № 26-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 27.12.2021 № 87-VII (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 19.04.2023 № 223-VII (shall come into effect from 01.07.2023); dated 19.06.2024 № 96-VIII (enters into force ten calendar days after the date of its first official publication); dated 08.07.2024 № 121-VIII (enters into force sixty calendar days after the date of its first official publication).

Article 9-1. Conditions for connecting net consumers to the networks of energy transmission organizations and selling electric energy to energy supply organizations

1. The energy supply organization is obliged to conclude a standard contract for the purchase and sale of electric energy with the net consumer when connecting it to the networks of the energy transmission organization as a consumer.

2. The energy transmission organization is obliged to ensure unimpeded connection of the net consumer to the electric network of the energy transmission organization at a point located on its side before the division of the boundaries of a small-scale facility belonging to the net consumer.

3. The net consumer pays the energy supply organization servicing it at its current tariff for the volume of electric energy consumed by it from the electric network during the billing period, minus the volume supplied by it to the electric network during the same period.

If the volume of electric energy supplied by a net consumer to the electric grid during the billing period exceeds the volume of electric energy consumed by it during the same period from the electric grid, the servicing energy supply organization shall pay the net consumer for the above-mentioned excess volume at its maximum price (without differentiation by consumer groups).

The purchase and sale of electric energy from net consumers by the energy supply organization is carried out in accordance with the rules for the purchase and sale of electric energy from net consumers.

Footnote. Chapter 3 is supplemented with Article 9-1 in accordance with the Law of the Republic of Kazakhstan dated 19.06.2024 № 96-VIII (comes into force sixty calendar days after the date of its first official publication).

Article 10. Support during connection of objects on use of renewable energy sources to electric or heat networks of energy transmitting organisation and transmission of electric and (or) heat energy

1. Newly constructed facilities for the use of renewable energy sources, as well as reconstructed facilities, irrespective of the commissioning period, are connected to the nearest point of the electric or thermal grids of energy transmission organization, corresponding to the voltage class or the coolant parameters in the common heat supply network.

1-1. An energy producing organization planning the creation (expansion, reconstruction) of new or existing facilities for the use of renewable energy sources, and an energy transmission organization, to which electrical grids the facilities for the use of renewable energy sources are directly connected, are obliged to conclude a standard agreement on connection of facilities for the use of renewable energy sources in the manner and within the terms specified by the authorized body for implementation of the state policy in the field of supporting the use of renewable energy sources jointly with the authorized body in the electric power industry. At the same time, the concluded contract provides for the responsibility of the energy producing organization that plans to create (expand, reconstruct) new or existing facilities for the use of renewable energy sources and the energy transmission organization, to which electrical grids the renewable energy facilities are directly connected, for failure to fulfill or improperly fulfill its conditions .

2. Energy transmitting organisations shall provide unimpeded and non-discriminatory determination of the closest access point of electric or heat networks that corresponds to the voltage class or parameters of the coolant in the common heat supply network, and connection of objects on use of renewable energy sources.

3. In the case of limiting the capacity of electric networks of energy transmission organizations, the priority should be given to the transmission of electrical energy produced by an energy producing organization using renewable energy sources. This requirement does not apply to the periods of liquidation of emergency violations in the unified power system of the Republic of Kazakhstan by the system operator.

4. When forming daily dispatch schedules for the supply and consumption of electrical energy to the electric grids of the unified electric power system of the Republic of Kazakhstan , supplies from facilities for the use of renewable energy sources shall be included in it in priority order.

This priority does not apply to renewable energy facilities participating in the capacity market, as well as renewable energy facilities that do not sell electrical energy to a single purchaser of electrical energy under long-term purchase and sale agreements for electrical energy concluded in accordance with the legislation of the Republic of Kazakhstan on support and development of renewable energy sources.

5. In the event of expansion and reconstruction by energy transmission organizations of existing electrical networks to connect facilities, including small-scale facilities, the relevant

costs shall be included in the tariffs of energy transmission organizations in the manner established by the legislation of the Republic of Kazakhstan on natural monopolies.

6. The costs associated with the construction of a network from the facility for the use of renewable energy sources to the point of connection to the network of the energy transmission organization, with connection to the grid, the transfer of energy from the facility for the use of renewable energy sources to the point of connection to the network of the energy transmission organization and measurement of the supplied energy are assigned on the owner of the facility for the use of renewable energy sources.

Footnote. Article 10 as amended by the Laws of the Republic of Kazakhstan dated 04.07.2013 № 128-V (shall be enforced upon expiry of six months after its first official publication); dated 28.04.2016 № 506-V (shall be enforced upon expiry of sixty calendar days after the day its first official publication); dated 28.12.2016 № 34-VI (shall be enforced from 01.01.2017); dated 19.04.2023 № 223-VII (shall come into effect from 01.07.2023); dated 19.06.2024 № 96-VIII (comes into force ten calendar days after the date of its first official publication); dated 08.07.2024 № 121-VIII (comes into force sixty calendar days after the date of its first official publication).

Chapter 4. FINAL AND TRANSITIONAL PROVISIONS

Footnote. The title of Chapter 4 in the new wording of the Law of the Republic of Kazakhstan dated 11.07.2017 № 89-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication).

Article 11. Liability for violation of the legislation of the Republic of Kazakhstan in the field of support of the use of renewable energy sources

Violation of the legislation of the Republic of Kazakhstan in the field of support of the use of renewable energy sources shall entail liability established by the Laws of the Republic of Kazakhstan.

Article 11-1. Transitional provisions

The norms of this Law regulating the procedure for application of fixed tariffs for the purchase of electricity produced by renewable energy sources are only applicable to contracts concluded by the calculation and financial center with energy producing organizations using renewable energy sources before the provisions on application of the auction prices.

Paragraph 9 of Article 7-1 of this Law shall apply to contracts concluded by the settlement and financial centre with energy-producing organizations using renewable energy sources from January 1, 2022.

Note!

Article 11-1 is to be supplemented with parts three and four in accordance with the Law

of the Republic of Kazakhstan dated 08.07.2024 № 121-VIII (enters into force on 01.07.2025).

Paragraph 8 of Article 9 of this Law shall cease to apply to energy producing organizations using renewable energy sources after the termination of their contracts for the purchase and sale of electricity with the settlement and financial center for the support of renewable energy sources.

Footnote. Chapter 4 is supplemented by Article 11-1 in accordance with the Law of the Republic of Kazakhstan dated 11.07.2017 № 89-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication); as amended by the Law of the Republic of Kazakhstan dated 30.12.2022 № 177-VII (shall come into effect ten calendar days after the day of its first official publication); dated 08.07.2024 № 121-VIII (enters into force sixty calendar days after the date of its first official publication).

Article 12. The order of the entry into force of this Law

This Law shall enter into force upon expiration of ten calendar days after the day of its first official publication.

Footnote. Article 12 as amended by the Law of the Republic of Kazakhstan dated 11.07.2017 № 89-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication).

*The President
of the Republic of Kazakhstan*

N. Nazarbayev