

On state regulation of the production and turnover of ethyl alcohol and alcohol products

Unofficial translation

Law of the Republic of Kazakhstan of July 16, 1999 № 429.

Unofficial translation

This Law governs the relations arising in the process of production and turnover of ethyl alcohol and alcohol products, state regulation and implementation of the activity of entities involved in the production and turnover of ethyl alcohol and alcohol products.

Article 1. Basic concepts used in this Law

The following basic concepts are used in this Law:

- 1) turnover - export, import, purchase, storage, wholesale and retail sales;
- 2) alcoholic products - food products made without or with the use of ethyl alcohol produced from food raw materials, and (or) alcohol-containing food products with a volume fraction of ethyl alcohol of more than 0.5 percent, with the exception of products that are not subject to the requirements of the technical regulation of the Eurasian Economic Union (hereinafter – the technical regulation);
- 3) retail sale of alcoholic products - sale of alcoholic products for their further consumption or non-commercial use, carried out in stationary premises equipped with a trading floor, and in the territories of restaurants, bars and cafes, as well as on passenger aircraft, passenger ships of sea transport, in restaurant cars of passenger trains equipped with a cash register with fiscal memory;
- 4) wholesale sales of alcohol products – the release of alcohol products from storage facilities at the address specified in a license, without limitation of volumes;
- 4-1) personal identification number - code - identification number assigned to produced and imported ethyl alcohol and alcoholic products (except for brewing products);
- 5) relocation – the change of the location of ethyl alcohol and (or) alcohol products in space, except for the change of location inside fixed production and (or) storage facilities located at one and the same address;
- 6) combined polymer packaging - consumer packaging made from combined polymeric materials, the inner surface of which is made of food-grade polymeric material;
- 7) control metering devices - devices equipped with uninterruptible power supplies providing automated transmission through the operator of data from control metering devices in the production of ethyl alcohol and alcoholic products to the authorized body and its territorial subdivisions in real-time of data on the volume of production of ethyl alcohol and alcoholic products, the concentration of ethyl alcohol in it (except for wine products), the

residues of ethyl alcohol (except for brewing products), identification of accounting and control marks and the volume of electricity consumed in the production of vodkas, special vodkas, and vodkas with a protected designation of origin of the produced alcoholic products subject to labeling with accounting and control marks, and volumes of electricity consumed in the production of vodkas, special vodkas, and vodkas with a protected designation of the place of goods origin;

7-1) identifiers of inventory-control stamps – software-based devices identifying inventory-control stamps for alcohol products and transmitting identification data to the authorized body and its territorial divisions online, with access to information resources of the authorized body;

8) accounting and control stamp - a special one-time label with the necessary security elements of the established form and content, containing information intended to identify alcoholic products (except for bulk wine (wine material), beer and beer drink) for the purpose of accounting and control over its turnover (except export);

9) Is excluded by the Law of the Republic of Kazakhstan dated 30.12.2020 № 397-VI (shall be enforced from 01.01.2024);

10) tin containers - consumer packaging of special tin, the inner surface of which consists of food material;

11) warehouses - specialized stationary premises and (or) sites (for storing ethyl alcohol) intended for storing, receiving, and releasing ethyl alcohol and (or) alcoholic products that meet the qualification requirements;

12) Is excluded by the Law of the Republic of Kazakhstan dated 30.12.2020 № 397-VI (shall be enforced from 01.01.2024);

13) production passport - the main document regulating the use of existing equipment, observance of the production process, establishing the norms of consumption of main raw materials, ingredients, auxiliary materials and the yield of finished products, by-products, as well as the norms of production losses;

14) plastic container - consumer packaging on the basis of polyethylene, polystyrene and other polymeric material;

15) storage - placement (storage) of ethyl alcohol and (or) alcohol products for further wholesale or retail sale;

16) identification - a procedure ensuring unambiguous recognition, establishment of full compliance of certain products among similar ones by distinctive properties and characteristics in the field of production and turnover, use;

17) stationary premises - capital buildings, structures or their part, provided with water supply, energy supply and sewerage systems, having a foundation, and the movement of which is impossible without damaging their supporting structure. In this Law, passenger aircraft, passenger ships of sea transport, restaurant cars of passenger trains are equated to stationary premises;

18) anhydrous alcohol – 100% alcohol or absolute alcohol not containing water, used as a conventional term in calculations;

18-1) bottling of brewing products - a method of retail sale of brewing products that does not involve its transportation and storage;

19) marking – a text, symbol and drawings that carry information for the consumer and are printed on labels, back labels, bottle collars and packaging;

19-1) an accompanying waybill for goods - a document designed to control the movement of ethyl alcohol and (or) alcoholic products;

20) consumer packaging - packaging that the consumer gets together with alcohol products and does not perform the function of transport packaging and made of materials allowed for use by the authorized body in the field of healthcare;

21) specialized company shop – fixed premises with a trading hall having a cash register with fiscal memory and intended for retail sale of own-produced alcohol products;

22) is excluded by the Law of the Republic of Kazakhstan dated 05.01.2021 № 407-VI (shall be enforced from 01.01.2020);

23) ethyl alcohol - products with a strength of at least 88 percent, which is an aqueous solution of ethanol produced by the method of alcoholic fermentation of sugar- and starch-containing raw materials (except for fruit), followed by distillation and (or) bragorectification of mash or rectification of raw ethyl alcohol, containing accompanying volatile impurities, as well as those obtained from the head fraction of ethyl alcohol, made from food raw materials, and processed products formed during the production of ethyl alcohol, vodkas, and liquor products;

24) data from control metering devices in the production of ethyl alcohol and alcoholic products - data on the volume of production of ethyl alcohol and alcoholic products, the concentration of ethyl alcohol in it (except for wine and brewing products), the residues of ethyl alcohol (except for brewing products), identification of accounting and control marks and volumes of electricity consumed in the production of vodkas, special vodkas and vodkas with a protected designation of the place of goods origin;

25) The operator of data of control metering devices in the production of ethyl alcohol and alcoholic products - a legal entity determined on a competitive basis in the manner prescribed by the legislation of the Republic of Kazakhstan on public procurement, providing automated online transmission to the authorized body and its territorial subdivisions of data of control metering devices.

Footnote. Article 1 is in the wording of Law of the Republic of Kazakhstan № 210-V as of 18.06.2014 (see Art. 2 for the enactment procedure); as amended by Law of the Republic of Kazakhstan № 364-V as of 27.10.2015 (to be enacted ten calendar days after its first official publication); № 432-V as of 03.12.2015 (see Art. 15 for the enactment procedure); № 122-VI as of 25.12.2017 (to be enacted from 01.01.2018); dated 19.04.2019 № 249-VI (shall be enforced upon expiry of twenty one calendar days after the day of its first official

publication); dated 30.12.2020 № 397-VI (shall be enforced from 01.01.2024); dated 05.01.2021 № 407-VI (see Art. 2 for the order of entry into force,); dated 31.12.2021 № 100 (shall come into effect from 01.01.2022); dated 06.04.2024 № 71-VIII (shall be enforced upon expiration of sixty calendar days after the day of its first official publication).

Article 2. Legislation of the Republic of Kazakhstan on state regulation of production and turnover of ethyl alcohol and alcoholic beverages

1. The legislation of the Republic of Kazakhstan on state regulation of production and turnover of ethyl alcohol and alcoholic beverages shall consist of this Law and other regulatory legal acts of the Republic of Kazakhstan.

2. The purposes of regulation in the sphere of state regulation of production and turnover of ethyl alcohol and alcoholic beverages shall be state regulation and control of activity of subjects of production and turnover of ethyl alcohol and alcoholic beverages.

3. International treaties ratified by the Republic of Kazakhstan shall have priority over this Law. The procedure and conditions of validity on the territory of the Republic of Kazakhstan of international treaties to which the Republic of Kazakhstan shall be a party shall be determined by the legislation of the Republic of Kazakhstan.

Footnote. Article 2 in the wording of the Law of the RK dated 01.07.2024 № 107-VIII (shall enter into force upon expiry of sixty calendar days after the day of its first official publication).

Article 3. State regulation of the production and turnover of ethyl alcohol and alcohol products

1. The state regulation of the production and turnover of ethyl alcohol and alcohol products shall be understood to mean the monitoring of the production and turnover of ethyl alcohol and alcohol products established by regulatory legal acts.

1-1. Regulation in the sphere of state regulation of production and turnover of ethyl alcohol and alcoholic beverages shall be based on the following principles:

1) legality in the implementation of state regulation of production and turnover of ethyl alcohol and alcoholic beverages;

2) reasonableness in the implementation of state regulation of production and turnover of ethyl alcohol and alcoholic beverages in accordance with the legislation of the Republic of Kazakhstan, technical regulations and standards;

3) objectivity and transparency in the implementation of state regulation of production and turnover of ethyl alcohol and alcoholic beverages.

2. The objectives of state regulation of the production and turnover of ethyl alcohol and alcohol products are as follows:

1) Protection of economic interests and health of citizens of the Republic of Kazakhstan;

2) creation of conditions for improving the quality of ethyl alcohol and alcohol products produced in and imported into the Republic of Kazakhstan;

3) ensuring the compliance with legislation in the field of state regulation of the production and turnover of the specified products.

3. State regulation of the production and turnover of ethyl alcohol and alcohol products includes:

1) licensing of the activity on the production and turnover of ethyl alcohol and alcohol products;

2) regulation of the import of ethyl alcohol and alcohol products;

3) establishment of minimum retail prices for vodka and special vodka, vodka with a protected designation of origin, strong liquors, cognac and brandy;

4) establishment of rules and regulations in the field of production and turnover of ethyl alcohol and alcohol products;

5) establishing a minimum percentage of production capacity utilization and minimum production volumes for producers of ethyl alcohol and vodkas, special vodkas, vodkas with a protected designation of origin in accordance with the technical regulation;

6) implementation of the state accounting and reporting in the field of production and circulation of ethyl alcohol and alcoholic products, drawing up the interrelated balances of their production and circulation;

7) organization of state control over production and turnover, as well as the quality of ethyl alcohol and alcohol products;

8) ensuring the compliance with international obligations of the Republic of Kazakhstan in terms of regulating the production and turnover of ethyl alcohol and alcohol products, cooperating with relevant authorities of foreign states and other international organizations authorized to regulate the production and turnover of ethyl alcohol and alcohol products;

9) (Excluded - N 222 as of January 12, 2007)

4. Excluded by Law of the Republic of Kazakhstan № 210-V as of 18.06.2014 (to be enacted twenty-one calendar days after its first official publication).

5. Central and local executive bodies are forbidden to adopt regulatory legal and other acts and (or) to take actions affecting the field of production and turnover of ethyl alcohol and alcohol products without the consent of the authorized body.

6. The peculiarities provided for by this Law, except for excise rates, do not apply to the production and turnover of biofuels, which are regulated by the Law of the Republic of Kazakhstan “On State Regulation of the Production and Turnover of Biofuels”.

7. State control over production and turnover of ethyl alcohol and alcoholic beverages shall be carried out in accordance with the Entrepreneurial Code of the Republic of Kazakhstan.

Footnote. Article 3 as amended by Laws of the Republic of Kazakhstan N 201 as of 11.12.2006 (to be enacted from 01.01.2007); N 222 as of 12.01.2007 (to be enacted 6 months

after its official publication); № 352-IV as of 15.11.2010 (to be enacted ten calendar days after its first official publication); № 210-V as of 18.06.2014 (see Art. 2 for the enactment procedure); dated 28.10.2019 № 268-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 30.12.2020 № 397-VI (shall be enforced from 01.01.2024); dated 31.12.2021 № 100 (shall come into effect from 01.03.2022); dated 01.07.2024 № 107-VIII (shall enter into force upon expiry of sixty calendar days after the day of its first official publication).

Article 3-1. Competence of the Government of the Republic of Kazakhstan

Footnote. The Law was supplemented with Article 3-1 in accordance with Law of the Republic of Kazakhstan № 452-IV as of 05.07.2011 (to be enacted from 13.10.2011); excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 № 223-VII (shall be enforced ten calendar days after the date of its first official publication).

Article 4. Competence of the authorized body

Footnote. The heading of Article 4 is in the wording of Law of the Republic of Kazakhstan № 297-IV as of 30.06.2010 (to be enacted from 01.07.2010).

1. Excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 № 223-VII (shall be enforced ten calendar days after the date of its first official publication).

2. The authorized body within its competence and in order to fulfill the tasks assigned to it

:

1) involves specialists from other state bodies, consultants and experts from among individuals and legal entities of the Republic of Kazakhstan and other states;

1-1) establishes minimum retail prices for vodka and special vodka, vodka with a protected designation of origin, strong liquors, cognac and brandy;

1-2) determine the operator of data of control metering devices in the production of ethyl alcohol and alcoholic products on a competitive basis in the manner prescribed by the legislation of the Republic of Kazakhstan on public procurement;

1-3) develop and approve regulatory legal acts of the Republic of Kazakhstan in the sphere of state regulation of production and turnover of ethyl alcohol and alcoholic beverages in accordance with the goals and objectives of this Law and the legislation of the Republic of Kazakhstan;

2) Excluded by Law of the Republic of Kazakhstan № 203-V as of 16.05.2014 (to be enacted six months after its first official publication);

3) classify alcoholic products as one type or another in accordance with the technical regulation;

4) develop and approve the rules for equipping technological lines for the production of ethyl alcohol and (or) alcoholic products with control metering devices, their operation, and

accounting, except for the production of bulk wine, as well as brewing products, the production capacity of which is below four hundred thousand deciliters per year;

5) develops and approves the list of necessary information for the passport of production of ethyl alcohol and alcohol products;

6) develops and approves the procedure for submitting declarations of the production and turnover of ethyl alcohol and alcohol products;

7) develops and approves the rules for storage and sale (shipment, acceptance of ethyl alcohol);

8) is excluded by the Law of the Republic of Kazakhstan dated 05.01.2021 № 407-VI (shall be enforced from 01.01.2020);

8-1) excluded by the Law of the RK dated 01.07.2024 № 107-VIII (shall enter into force upon expiry of sixty calendar days after the day of its first official publication).

8-2) excluded by the Law of RK dated 01.07.2024 № 107-VIII (shall enter into force upon expiry of sixty calendar days after the day of its first official publication).

9) Exercises other powers provided for 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.

3. (Excluded)

4. The activity of the authorized body shall be governed by a relevant provision approved by the Government of the Republic of Kazakhstan.

Footnote. Article 4 as amended by Laws of the Republic of Kazakhstan N 13 as of 20.12.2004 (to be enacted from 01.01.2005); N 201 as of 11.12.2006 (to be enacted from 01.01.2007); N 222 as of 12.01.2007 (to be enacted 6 months after its first official publication); № 297-IV as of 30.06.2010 (see Art. 2 for the enactment procedure); № 452-IV as of 05.07.2011 (to be enacted from 13.10.2011); № 203-V as of 16.05.2014 (to be enacted six months after its first official publication); № 210-V as of 18.06.2014 (see Art. 2 for the enactment procedure); № 239-V as of 29.09.2014 (to be enacted ten calendar days after its first official publication); № 432-V as of 03.12.2015 (to be enacted from 01.01.2016); dated 30.12.2020 № 397-VI (shall be enforced from 01.01.2024); dated 05.01.2021 № 407-VI (shall be enforced from 01.01.2020); dated 31.12.2021 № 100 (shall come into effect from 01.03.2022); dated 19.04.2023 № 223-VII (shall be enforced ten calendar days after the date of its first official publication); dated 06.04.2024 № 71-VIII (shall be enforced upon expiration of sixty calendar days after the day of its first official publication); dated 01.07.2024 № 107-VIII (shall enter into force upon expiry of sixty calendar days after the day of its first official publication).

Article 5. Types of alcoholic products

Types, categories, names, and concepts of alcoholic products shall be determined in accordance with the technical regulation.

Footnote. Article 5 is in the wording of the Law of the Republic of Kazakhstan dated 30.12.2020 № 397-VI (shall be enforced from 01.01.2024).

Article 6. Taste panel

Footnote. Article 6 is excluded by Law of the Republic of Kazakhstan № 203-V as of 16.05.2014 (to be enacted six months after its first official publication).

Article 7. Conditions for the production of ethyl alcohol and alcohol products

1. Production of ethyl alcohol and alcohol products is allowed given a license and production passport.

2. The production passport is developed and approved by a manufacturer on its own.

When making changes or additions to a production passport, the manufacturer, within thirty calendar days of changes or additions to the production passport, submits written information on the changes or additions to the production passport to the authorized body.

3. (Excluded)

4. For the production of alcoholic products, ethyl alcohol and food raw materials shall be used in accordance with the technical regulation.

Ethyl alcohol is divided into raw ethyl alcohol and rectified ethyl alcohol.

5. When producing ethyl alcohol and (or) alcoholic products, the following shall be prohibited:

1) production of ethyl alcohol and (or) alcoholic products without equipping production lines with control metering devices, except for the production of bulk wine, as well as brewing products, the production capacity of which is below four hundred thousand deciliters per year;

2) production of ethyl alcohol and (or) alcoholic products with faulty control metering devices, as well as with excess accounting deviations, except for the production of bulk wine, as well as brewing products, the production capacity of which is below four hundred thousand deciliters per year.

6. The production of ethyl alcohol and alcohol products is allowed in fixed industrial premises and using equipment owned by the manufacturer and meeting qualification requirements.

7. Two or more licensees are prohibited to produce ethyl alcohol and alcohol products in the same fixed premises and using the same equipment.

8. The production of ethyl alcohol and alcohol products is allowed:

1) at the address specified in the license, and in accordance with the data specified in the production passport;

2) in accordance with technical regulations and standards.

9. Excluded by Law of the Republic of Kazakhstan № 210-V as of 18.06.2014 (to be enacted twenty-one calendar days after its first official publication).

10. The production of ethyl alcohol shall be allowed if at least twenty percent of the production capacity specified in the production passport is used.

The production of vodkas, special vodkas, and vodkas with a protected designation of origin shall be allowed when using at least forty percent of the production capacity indicated in the production passport, but not less than twenty-five thousand decalitres per calendar quarter, with the exception of the calendar quarter during which the license was obtained (renewed).

Footnote. Article 7 as amended by Laws of the Republic of Kazakhstan N 534 as of 10.03.2004; N 13 as of 20.12.2004 (to be enacted from 01.01.2005); N 201 as of 11.12.2006 (to be enacted from 01.01.2007); Constitutional Law of the Republic of Kazakhstan № 121-V as of 03.07.2013 (to be enacted ten calendar days after its first official publication); Laws of the Republic of Kazakhstan № 210-V as of 18.06.2014 (see Art. 2 for the enactment procedure); № 26-VI as of 30.11.2016 (to be enacted from 01.01.2017); № 122-VI as of 25.12.2017 (to be enacted from 01.01.2018); dated 30.12.2020 № 397-VI (shall be enforced from 01.01.2024); dated 31.12.2021 № 100 (shall come into effect from 01.01.2022).

Article 8. Marking of alcohol products

1. The marking of produced (except for exported) and imported alcohol products must contain information in the national and Russian languages on the product name, manufacturer-licensee and its location, designation of product standard, container capacity, ethyl alcohol by volume in percentage terms, sugar content, the manufacturer's license number.

2. Labeling of vodka and special vodka, vodka with a protected designation of origin must contain information about the type of alcohol used in their preparation.

3. The marking of wines shall contain the date of bottling and the name of the organization that did the bottling.

4. The marking of vintage wines shall contain information on the period of aging, fine wines - on the year of the harvest of grapes from which wine is made, champagne - on the date of bottling.

5. Labeling of all types of alcoholic products must be done in accordance with technical regulations.

Footnote. Article 8 as amended by Law of the Republic of Kazakhstan № 201 as of 11.12.2006 (to be enacted from 01.01.2007); dated 30.12.2020 № 397-VI (shall be enforced from 01.01.2024); dated 31.12.2021 № 100 (shall come into effect from 01.01.2022).

Article 9. Conditions for the turnover and movement of ethyl alcohol and alcohol products

1. The sale of ethyl alcohol and alcohol products is prohibited:

1) is excluded by the Law of the Republic of Kazakhstan dated 30.12.2020 № 397-VI (shall be enforced from 01.01.2024);

2) if they do not meet the requirements of technical regulations.

2. The circulation of alcoholic beverages shall be prohibited:

1) in a tin container (except for brewing products and low-alcohol drinks), in a bottle without a label or plastic container (except for bottling brewing products to the end consumer)

;

2) in containers and packaging not established by the technical regulation;

3) subject to marking with an accounting and control mark, without an accounting and control mark, as well as with a mark of an unknown type and (or) not identifiable.

3. It is prohibited to store and sell alcohol products:

1) without an appropriate license;

2) in buildings and in the premises of health, educational, health and fitness, sports and sports-engineering facilities, filling stations, trade markets, cultural and leisure organizations;

3) outside the places established by subparagraphs 3) and 4) of Article 1 of this Law;

4) during the suspension of a license;

5) without paying fees for using licenses to engage in certain types of activity within the time limits and in the amounts established by the Code of the Republic of Kazakhstan “On Taxes and Other Obligatory Payments to the Budget” (the Tax Code);

6) without a device for identifying accounting and control marks.

The provision of this subparagraph shall not apply to the licensees whose activities are carried out in places where there is no public telecommunications network.

4. It is prohibited to sell in retail:

1) alcohol products to persons under the age of twenty-one;

2) vodka and special vodka, vodka with a protected designation of origin, strong liquors, cognac and brandy below the minimum retail prices;

3) alcoholic products, with the exception of sales in restaurants, bars and cafes, as well as on passenger aircraft, passenger ships of sea transport, in restaurant cars of passenger trains:

from 23.00 to 08.00 of the next day;

with the 30% plus volume fraction of ethyl alcohol from 21.00 to 12.00 of the next day.

5. The turnover and movement of ethyl alcohol and alcoholic products shall be prohibited without availability of accompanying waybills for goods, as well as in violation of the rules of registration.

Footnote. Article 9 is in the wording of Law of the Republic of Kazakhstan № 210-V as of 18.06.2014 № 210-V (see Art. 2 for the enactment procedure); as amended by Law of the Republic of Kazakhstan № 364-V as of 27.10.2015 (to be enacted ten calendar days after its first official publication); № 432-V as of 03.12.2015 (to be enacted from 01.01.2016); № 122 -VI as of 25.12.2017 (to be enacted from 01.01.2018); dated 19.04.2019 № 249-VI (shall be enforced upon expiry of twenty one calendar days after the day of its first official publication) ; dated 30.12.2020 № 397-VI (shall be enforced from 01.01.2024); dated 05.01.2021 21 №

407-VI (shall be enforced from 01.01.2020); dated 31.12.2021 № 100 (shall come into effect from 01.01.2022).

Article 10. Export and import of ethyl alcohol and alcohol products

1. Import of ethyl alcohol, bulk wine and distillate into the territory of the Republic of Kazakhstan shall be carried out in the presence of a license for the production of alcoholic products and a foreign trade agreement (contract), annex, and (or) addition to it.

Import of alcoholic products (except for bulk wine and distillates) into the territory of the Republic of Kazakhstan shall be carried out in the presence of a license to carry out activities for the storage and wholesale sale of alcoholic products, with the exception of activities for the storage and wholesale sale of alcoholic products in the territory of its production, and a foreign trade agreement (contract), annex and (or) addition to it.

1-1. Import of alcoholic products shall be allowed according to the types specified in the technical regulation and their names in accordance with the unified product nomenclature for foreign economic activity.

The safety of ethyl alcohol and alcoholic products imported into the Republic of Kazakhstan must comply with technical regulations.

1-2. Only resident legal entities of the Republic of Kazakhstan shall have the right to import and export ethyl alcohol and alcohol products into the territory (from the territory) of the Republic of Kazakhstan.

2. The export of ethyl alcohol is only allowed given a license for the production of ethyl alcohol.

A license for the activity on the production of alcohol products or activity on the storage of and wholesale trade in alcohol products, except for the activity on the storage of and wholesale trade in alcohol products in its production area, gives the right to export alcohol products.

3. The production and processing of ethyl alcohol, bulk wine, and distillate, as well as the production of alcoholic products in free warehouses established in accordance with the customs legislation of the Republic of Kazakhstan, shall be prohibited.

4. Temporary bans on the export and import of ethyl alcohol and alcohol products may be established by the Government of the Republic of Kazakhstan in accordance with the legislation of the Republic of Kazakhstan.

5. It is prohibited to import alcohol products into the Republic of Kazakhstan, the turnover of which is prohibited by paragraph 2 of Article 9 of this Law, as well as ethyl alcohol and alcohol products, the sale of which is prohibited by paragraph 1 of Article 9 of this Law.

Footnote. Article 10 as amended by Law of the Republic of Kazakhstan N 534 as of 10.03.2004; № 297-IV as of 30.06.2010 (to be enacted from 01.07.2010); № 203-V as of 16.05.2014 (to be enacted six months of its first official publication); № 210-V as of 18.06.2014 (to be enacted twenty-one calendar days after its first official publication); dated 30.12.2020 № 397-VI (shall be enforced from 01.01.2024); dated 31.12.2021 № 100 (shall

come into effect from 01.01.2022); dated 06.04.2024 № 71-VIII (shall be enforced upon expiration of sixty calendar days after the day of its first official publication).

Article 11. Rules for the storage and sale of ethyl alcohol

1. The sale of ethyl alcohol is allowed in accordance with the rules approved by the authorized body to:

1) organizations producing medicines and medical devices and public health organizations with a license for the relevant type of activity, and also those who notified of the beginning of their activity, in the prescribed manner, within the allocated quotas;

2) manufacturers of alcohol products, for the production of which ethyl alcohol is used;

3) organizations using ethyl alcohol for technical purposes, for laboratory needs or in the production of non-alcohol products.

1-1. Sale of confiscated ethyl alcohol shall be allowed only to the manufacturers of ethyl alcohol and alcoholic products.

2. The storage and sale of ethyl alcohol may only be carried out given a license for the production of ethyl alcohol from the manufacturer's warehouse.

3. The retail sale of ethyl alcohol is not allowed, except for the sale of ethyl alcohol in pharmacies licensed to the relevant type of activity.

4. Ethyl alcohol is stored in accordance with the rules approved by the authorized body.

Footnote. Article 11 is in the wording of Law of the Republic of Kazakhstan № 36-V as of 10.07.2012 (to be enacted ten calendar days after its first official publication); as amended by Laws of the Republic of Kazakhstan № 239-V as of 29.09.2014 (to be enacted ten calendar days after its first official publication); № 211-VI as of 28.12.2018 (to be enacted ten calendar days after its first official publication); dated December 30, 2020 № 397-VI (shall be enforced from 01.01.2022).

Article 12. Storage and sale of alcohol products

1. The manufacturer may wholesale alcohol products to persons licensed to carry out the activity on:

1) the storage and wholesale of alcohol products, except for the activity on the storage and wholesale of alcohol products in the territory of their production;

2) the storage and retail sale of alcohol products, except for the activity on the storage and retail sale of alcohol products in the territory of their production.

1-1. The manufacturer has the right to carry out retail sales of alcohol products through specialized company shops.

2. Persons licensed to carry out the activity on the storage and wholesale of alcohol products, except for the activity on the storage and wholesale of alcohol products in their production areas, shall be entitled to sell alcohol products exclusively to persons licensed to carry out the activity specified in subparagraphs 1) and 2) of paragraph 1 of this article.

3. (excluded)

4. The activity on the storage and wholesale of alcohol products to two or more licensees in one and the same warehouse is prohibited.

Footnote. Article 12 as amended by Law of the Republic of Kazakhstan 534 as of 10.03.2004; N 201 as of 11.12.2006 (to be enacted from 01.01.2007); № 203-V as of 16.05.2014 (to be enacted six months after its first official publication);

Article 12-1. Conditions for transportation of ethyl alcohol and alcoholic products

When selling (releasing) and transporting ethyl alcohol and alcoholic products, accompanying invoices for goods must be issued in the manner prescribed by the Code of the Republic of Kazakhstan “On taxes and other obligatory payments to the budget” (Tax Code).

Footnote. The Law is supplemented with Article 12-1 in accordance with Law of the Republic of Kazakhstan № 297-IV as of 30.06.2010 (to be enacted from 01.01.2011); as amended by the Law of the Republic of Kazakhstan dated 05.01.2021 № 407-VI (shall be enforced from 01.01.2020).

Article 13. Declaring production volumes and turnover of ethyl alcohol and alcohol products

1. Individuals and legal entities engaged in the production, storage, sale and use of ethyl alcohol, production, storage and wholesale of alcohol products are obliged to submit declarations of production and turnover of ethyl alcohol and alcohol products to the authorized body.

2. (excluded)

Footnote. Article 13 is amended by Law of the Republic of Kazakhstan N 13 as of December 20, 2004 (to be enacted from January 1, 2005).

Article 14.

Excluded by Law of the Republic of Kazakhstan N 264 as of June 19, 2007 (see Article 2 of the Law for the enactment procedure)

Article 15. Licensing of the activity on the production and turnover of ethyl alcohol and alcohol products

1. The production and turnover (except for exports) of ethyl alcohol and alcohol products in the territory of the Republic of Kazakhstan are carried out on the basis of licenses issued by :

- 1) the authorized body for the production of ethyl alcohol and alcohol products;
- 2) territorial divisions of the authorized body by regions, cities of republican significance and the capital - for the storage and wholesale of alcohol products, except for the storage and wholesale of alcohol products in their production area, as well as for the storage and retail sale of alcohol products, except for the storage and retail sale of alcohol products in their production area.

1-1. Excluded by Law of the Republic of Kazakhstan № 203-V as of 16.05.2014 (to be enacted six months after its first official publication).

2. Licenses in the field of production and turnover of ethyl alcohol and alcohol products may not be alienated, transferred by a licensee to other individuals and legal entities, except for the case provided for in part two of this paragraph.

A license for the storage and retail sale of alcohol products, except for the activity on the storage and retail sale of alcohol products in their production area, may be alienated.

3. A license is issued for each object of activity at a specific address or registration number of a passenger aircraft, a passenger ship of sea transport, a restaurant car of a passenger train.

The license shall be issued no later than fifteen working days from the date of submission of the application with documents.

4. The storage and sale of ethyl alcohol without a license for the production of ethyl alcohol are prohibited, except for the cases specified in part two of this paragraph.

The license for the production of alcohol products gives the manufacturer the right to:

the storage of ethyl alcohol, intended for the production of alcohol products, in warehouses at the location of the production of alcohol products specified in the license;

the storage of own-produced alcohol products at the location of production specified in the license, and wholesale to persons licensed for the activity on the storage and wholesale of alcohol products, except for the storage and wholesale of alcohol products in their production area.

The activity on the storage and wholesale of alcohol products in their production area, as well as on the storage and retail sale of alcohol products in their production area, is not subject to licensing.

5. (excluded)

6. The activity types related to the production and turnover of ethyl alcohol and alcohol products are subject to licensing in accordance with the legislation of the Republic of Kazakhstan on permits and notifications.

7. Excluded by Law of the Republic of Kazakhstan № 461-IV as of 15.07.2011 (to be enacted from 30.01.2012).

8. The licensor has the right to involve employees of its territorial bodies at the location of the subject of activity to establish compliance with qualification requirements.

Footnote. Article 15 as amended by Law of the Republic of Kazakhstan N 534 as of 10.03.2004; N 201 as of 11.12.2006 (to be enacted from 01.01.2007); N 222 as of 12.01.2007 (to be enacted 6 months of its official publication); № 297-IV as of 30.06.2010 (see Art. 2 for the enactment procedure); № 461-IV as of 15.07.2011 (to be enacted from 30.01.2012); № 36 -V as of 10.07.2012 (to be enacted ten calendar days after its first official publication); № 203 -V as of 16.05.2014 (to be enacted six months after its first official publication); dated 19.04.2019 № 249-VI (shall be enforced upon expiry of twenty one calendar days after the day of its first official publication); dated 06.04.2024 № 71-VIII (shall be enforced upon expiration of sixty calendar days after the day of its first official publication).

Article 16. Conditions for issuing licenses

1. A license for the right to engage in the activity on the production and turnover of ethyl alcohol and alcohol products is issued to a subject, whose qualification level meets the requirements for the relevant type of activity.

2. Qualification requirements for the production and turnover of ethyl alcohol and alcohol products are approved by the authorized body.

Footnote. Article 16 as amended by Law of the Republic of Kazakhstan № 26-VI as of 30.11.2016 (to be enacted from 01.01.2017).

Article 17. Appeal against refusal to issue a license

1. If the license is not issued within the period established by this Law or the refusal seems unreasonable to the applicant, he/she shall have the right to appeal against these actions within a month in the manner established by the laws of the Republic of Kazakhstan.

2. The court, having established the fact of unjustified refusal or non-issuance of a license within the established time period, makes a decision obliging the licensor to issue a license, which must be executed by the licensor within ten days of entry into legal force of the court decision.

Footnote. Article 17 as amended by the Law of the Republic of Kazakhstan dated 29.06.2020 № 351-VI (shall be enforced from 01.07.2021).

Article 18.

(The article is excluded by Law of the Republic of Kazakhstan N 222 as of January 12, 2007 (to be enacted 6 months after its first official publication).

Article 19. Suspension or revocation of a license

Suspension or revocation of a license in the field of production and turnover of ethyl alcohol and alcohol products is carried out in the manner prescribed by the Code of the Republic of Kazakhstan on Administrative Offences.

Footnote. Article 19 is in the wording of Law of the Republic of Kazakhstan № 203-V as of 16.05.2014 (to be enacted six months after its first official publication).

Article 20. Revocation of a license

Footnote. Article 20 is excluded by Law of the Republic of Kazakhstan № 203-V as of 16.05.2014 (to be enacted six months after its first official publication).

Article 21. Responsibility for violation of the legislation of the Republic of Kazakhstan on state regulation of the production and turnover of ethyl alcohol and alcohol products

Violation of the legislation of the Republic of Kazakhstan on state regulation of the production and turnover of ethyl alcohol and alcohol products entails liability established by laws of the Republic of Kazakhstan.

Footnote. Article 21 is in the wording of Law of the Republic of Kazakhstan № 210-V as of 18.06.2014 (to be enacted twenty-one calendar days after its first official publication).

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