

LAW No. 214 OF 11TH JANUARY 2007 OF THE REPUBLIC OF KAZAKHSTAN

CONCERNING LICENSING

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AMENDMENTS AND ADDITIONS INTRODUCED BY:

Q) translation of the original text;

1) *Law No. 320 of 27th July 2007 of the Republic of Kazakhstan. Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan Concerning Issues of Education. (Article 23). Effective August 9, 2007;*

2) *Law No. 89 of 21st November 2008 of the Republic of Kazakhstan. Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan Concerning Issues of Communications. (Article 22). Effective date n/a;*

3) *Law No. 101 of 10th December 2008 of the Republic of Kazakhstan. Concerning the Introduction of Amendments and Additions to Certain Legislative Acts*

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of the Republic of Kazakhstan Concerning Issues of Taxation. (Article 44). Effective January 1, 2009;

4) *Law No. 115 of 29th December 2008 of the Republic of Kazakhstan. Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan Concerning Issues of Special Social Services. (Article 27). Effective January 1, 2009;*

5) *Law No. 116 of 29th December 2008 of Republic of Kazakhstan. Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan Concerning Issues of Activities of Independent Sectoral Regulators. (Article 12). Effective July 1, 2009;*

6) *Law No. 133 of 12th February 2009 of the Republic of Kazakhstan. Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan Concerning Issues of Organisation and Functioning of Islamic Banks and Organisations of Islamic Finance (Article 32). Effective date n/a;*

7) *Law No. 135 of 13th February 2009 of the Republic of Kazakhstan. Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan Concerning Issues of Functioning of the National Prosperity Foundation and Recognition as Invalid of the Law of the Republic of Kazakhstan “Concerning the Investment Foundation of Kazakhstan”. (Articles: 32, 48). Effective date n/a*

8) *Law No. 156 of 4th May 2009 of the Republic of Kazakhstan. Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan Concerning Issues of Commodity Exchanges. (Articles: 11, 37-1 introduced). Effective date n/a;*

9) *Law No. 166 of 4th July 2009 of the Republic of Kazakhstan Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Issues of Promotion of the Use of Renewable Energy Sources. (Article 12). Effective date n/a;*

10) *Law No. 167 of 4th July 2009 of the Republic of Kazakhstan. Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Issues of Currency regulation and Currency Control. (Articles: 10, 11, 37 repealed, 42, 45). Effective date n/a;*

11) *Law No. 183-IV of 11th July 2009 of the Republic of Kazakhstan. Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Matters of Share Participation in Housing Construction. (Articles: 9, 42). Effective date n/a;*

12) *Law No. 185 of 11th July 2009 of the Republic of Kazakhstan. Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Issues of Improvement of the Legislation of the Republic of Kazakhstan Concerning Payments and Remittances of Money, Accounting and Financial Reporting of Financial Organisations, Banking Activity and Activity of the National Bank of the Republic of Kazakhstan. (Articles: 32, 47). Effective Date n/a;*

13) *Law No. 186-IV of 16th July 2009 of the Republic of Kazakhstan Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Issues of Health Protection. (Articles 26 replaced, 33). Effective date n/a;*

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14) *Law No. 188 of 17th July 2009 of the Republic of Kazakhstan Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Issues of Private Business. (Article 33). Effective date n/a;*

15) *Law No. 189 of 17th July 2009 of the Republic of Kazakhstan Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Issues of Phyto-sanitary Safety. (Article 14 replaced);*

16) *Law No. 200 of 16th November 2009 of the Republic of Kazakhstan Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Issues of Taxation. (Article 44). Effective January 1, 2010;*

17) *Law No. 234 of 30th December 2009 of the Republic of Kazakhstan Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Issues of Obligatory and Mutual Insurance, Taxation. (Article 32). Effective date n/a;*

18) *Law No. 241-IV of 20th January 2010 of the Republic of Kazakhstan Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Issues of Forensic Expert Activities. (Articles: 11, 26, 48, 49). Effective date n/a;*

19) *Law No. 262 of 2nd April 2010 of the Republic of Kazakhstan Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Issues of Enforcement Procedures. (Articles: 27, 46). Effective date n/a;*

20) *Law No. 297-IV of 30th June 2010 of the Republic of Kazakhstan Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Matters of Customs Regulation and Taxation. (Articles 11, 35 repealed and 38). Effective date July 1, 2010;*

21) *Law No. 337-IV of 15th July 2010 of the Republic of Kazakhstan Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Matters of Development of «Electronic Government». (Articles: 3, 4, 6, 7 replaced, 8, 42). Effective date n/a, except for Amendments to clauses 9, 10 of subparagraph 5) of Article 8) which are effective January 1, 2012; and*

22) *Law No. 338 of 15th July 2010 of the Republic of Kazakhstan Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Issues of Insurance. (Article 32). Effective date n/a, except for Amendments to subparagraph 8) of Article 32 which are effective January 1, 2012*

CHAPTER 1. GENERAL PROVISIONS

Article 1. Relations Governed by This Law

1. This Law governs relations connected with licensing of certain types of activity.

2. This Law does not govern relations connected with issue of licences within the framework of a licence agreement concluded between physical persons and (or) legal entities.

Article 2. Legislation of the Republic of Kazakhstan Concerning Licensing

1. The legislation of the Republic of Kazakhstan concerning licensing is based on the Constitution of the Republic of Kazakhstan, and it consists of this Law and other regulatory legal acts of the Republic of Kazakhstan.

2. If an international agreement ratified by the Republic of Kazakhstan establishes other rules than those which are stipulated by this Law, then rules of the international agreement shall be applied.

Article 3. General Definitions Used in This Law

Amended by 21) Law No. 337-IV of 15th July 2010 of the Republic of Kazakhstan Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Matters of Development of «Electronic Government».

The following general definitions are used in this Law:

1) qualification requirements — a totality of quantitative and qualitative rates and indicators characterising the applicant's ability to be engaged in a certain licensed type of activity and (or) sub-type of the licensed type of activity;

2) common technological process — a totality of technology related and sequential actions (operations) performed in the process of production within the framework of the same licensed type of activity;

3) automatic licensing of import of certain goods — a measure established for the purposes of monitoring by issue of a licence;

4) licensor — a state body performing licensing in accordance with this Law;

4-1) electronic register of the licensor – an integral section of the state electronic register of licenses which contains the information inserted by the licensor on the issued, re-registered, suspended, resumed and cancelled licenses; *[introduced by 21]*

5) licensee — a physical person or legal entity which has a licence;

6) licence — a permit issued by the appropriate licensor to a physical person or legal entity to be engaged in a certain type of activity;

7) licensed type of activity (henceforth — type of activity) — a type of activity (certain action (operation, insurance classes) for engagement in which it is required to obtain a licence in accordance with this Law;

8) sub-type of the licensed type of activity (henceforth — sub-type of activity) — a concretisation of the appropriate type of activity within the framework of the same licence;

~~9) licences register — a database comprising information on issued, re-formulated, suspended, renewed and terminated licences; *[repealed by 21]*~~

9-1) electronic register of the licenses – information system which contains the information on the issued, re-registered, suspended, resumed and cancelled licenses, which in a centralized way forms the identification number of licenses issued by the licensors; *[introduced by 21]*

9-2) identification numbers of licenses – an unique code generated in the state electronic register of licenses; *[introduced by 21]*

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10) licensing — a complex of measures related to issue and re-formulation of licences, performance of control by licensors over the compliance of licensees with appropriate requirements, suspension and renewal of licences, deprivation of licences;

11) licence control — activities of the licensor directed to ensuring of the compliance of licensees with the legislation of the Republic of Kazakhstan concerning licensing;

12) applicant — a physical person or legal entity brought to the appropriate licensor an application for issue of a licence and (or) supplement to the licence;

13) authorised body — a state body which implements elaboration and pursuing of the state policy and coordinates activities of other state bodies in the field of licensing;

14) electronic license - a license in the form of an electronic document to be executed and issued with the use of information technologies equivalent to a license on paper. *[introduced by 21]*

Article 4. General Licensing Principles

Amended by 21) Law No. 337-IV of 15th July 2010 of the Republic of Kazakhstan Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Matters of Development of «Electronic Government».

1. Issue of licences shall be performed on equal bases and equal conditions for all the persons which meet the requirements established for the stated type of activity.

2. Introduction of the licensing procedure for certain types of activity shall be established for the purposes of national security, ensuring of law and order, protection of the environment, property, life and health of citizens.

3. This Law establishes a comprehensive list of types of activity and sub-types of activity.

4. Where new types of activity and (or) sub-types of activity are entered in this Law, their licensing shall be performed after the passing of appropriate regulatory legal acts which establish qualification requirements and rules for licensing of types of activity.

Regulatory legal acts which approve qualification requirements, rules for licensing of types of activity and lists of certain goods, export and import of which is to be licensed, may not be put into effect before the expiration of a twenty-one-day period after the official publication of those acts.

5. Licensing of certain types of activity shall be established in cases, where requirements to products stipulated by laws of the Republic of Kazakhstan, requirements to obligatory certification of the conformity of certain types of products, processes are not sufficient to achieve the purposes of state administration.

6. The licence shall be non-alienable, and it may not be transferred by the licensee to another physical person or legal entity.

7. Licences shall be valid in the all territory of the Republic of Kazakhstan, except for cases stipulated by laws of the Republic of Kazakhstan.

8. Types of activity, which enter in the common technological process and (or) which are recognised as a necessary element for carrying out of the type of activity, shall not be licensed.

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9. It shall be allowed to carry out certain types of activity or to perform certain actions (operations), which require licensing, if the licence is available only, except for activities carried out by state bodies, as well as by the Kazakhstan Development Bank within the authority established by laws of the Republic of Kazakhstan.

It shall be allowed to carry out certain types of activity in the financial sphere and activities related to concentration of financial resources if the licence is available only, except for activities carried out by credit partnerships, mutual insurance partnerships, by operator of payment gate of the «electronic government», [inserted by 21] as well as by the National Post Operator within the authority established by laws of the Republic of Kazakhstan.

CHAPTER 2. THE STATE LICENSING SYSTEM

Article 5. The Structure of the State Licensing System

The state licensing system shall be composed by:

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

Article 6. Competence of the Government of the Republic of Kazakhstan

Amended by 21) Law No. 337-IV of 15th July 2010 of the Republic of Kazakhstan Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Matters of Development of «Electronic Government».

The competence of the Government of the Republic of Kazakhstan shall comprise:

- 1) elaboration of guidelines of the state policy in the field of licensing, strategic and tactical measures for implementation of it;
- 2) determination of a list of licensers;
- 3) approval of qualification requirements, except for qualification requirements to be approved by the authorised state body for regulation and supervision of the financial market and financial organisations and by the National Bank of the Republic of Kazakhstan in accordance with laws of the Republic of Kazakhstan, as well as qualification requirements to types of activity in the sphere of gambling business;
- 4) approval of rules for licensing of types of activity, except for rules for licensing of types of activity to be approved by the authorised state body for regulation and supervision of the financial market and financial organisations and by the National Bank of the Republic of Kazakhstan in accordance with laws of the Republic of Kazakhstan;
- 5) approval of the form of the application for obtaining of a licence and (or) supplement to the licence, except for the form of the application to be approved by the authorised state body for regulation and supervision of the financial market and financial organisations and by the National Bank of the Republic of Kazakhstan in accordance with laws of the Republic of Kazakhstan;

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6) approval of a list of poisons, which manufacture, processing, transportation, purchase, storage, selling, use and neutralisation is to be licensed;

7) approval of the standard form of the conclusion concerning the conformity of the applicant with made qualification requirements in the field of protection of the environment, nuclear, radiation, sanitary-epidemiological, industrial, fire safety and state power supervision;

8) approval of a list of types of activity and sub-types of activity for which a conclusion is required from bodies in the field of protection of the environment, nuclear, radiation, industrial, fire safety and state power supervision, sanitary-epidemiological service;

9) establishment of the procedure for maintenance of state electronic register of licenses; *[introduced by 21]*

10) carrying out other powers as provided for by the Constitution, this Law, other laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan. *[introduced by 21]*

~~Article 7. Competence of the Authorised Body~~

~~Repealed by 21) Law No. 337-IV of 15th July 2010 of the Republic of Kazakhstan Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Matters of Development of «Electronic Government».~~

~~The competence of the authorised body shall comprise:~~

~~1) formation of the state policy in the field of licensing;~~

~~2) collection, analysis, processing of information presented by licensors, in accordance with the procedure to be determined by the authorised body.~~

Article 7. Competence of the Authorized Body

Introduced by 21) Law No. 337-IV of 15th July 2010 of the Republic of Kazakhstan Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Matters of Development of «Electronic Government».

The following shall be referred to the competence of the authorized body:

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

2) managing the development, establishment of the rights of access, ensuring the functioning of the state electronic register of licenses;

3) exercise of other powers as 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.

Article 8. Competence of State Bodies

Amended by 21) Law No. 337-IV of 15th July 2010 of the Republic of Kazakhstan Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Matters of Development of «Electronic Government».

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The licensers shall perform:

1) elaboration of draft qualification requirements and rules for licensing of types of activity.

If the licenser is the local executive body of the province (city of republic's importance, capital city), elaboration of draft qualification requirements and rules for licensing of types of activity shall be performed by central state bodies within their competence;

2) establishment of the conformity of the applicant with the qualification requirements in case of issue of a licence and (or) supplement to the licence;

3) licensing;

4) licence control;

~~5) maintenance of a licences register. [repealed by 21]~~

~~The following data must be presented the licences register: [repealed by 21]~~

5) maintenance of the electronic register of the licenser. [introduced by 21]

The following information shall be stated in the electronic register of the licenser and the state electronic register of licenses: [introduced by 21]

name of the licenser;

date of issue and number of the licence and (or) supplement to the licence;

surname, name, patronymic (if any) [inserted by 21], place of residence, data of the document identifying the physical person, as well as number and date of issue of the certificate in case of state registration of the physical person as an individual businessman — for the individual businessman;

~~name and organisational legal form, place of location — for the legal entity; [repealed by 21]~~

name, place of location, the number and the date of issue of certificate of state registration (re-registration) for a legal entity — for the legal entity; [introduced by 21]

type of activity and (or) sub-types of activity;

term of the licence;

~~taxpayer registration number; [repealed by 21 to be effective January 1, 2012]~~

individual identification number; [introduced by 21 to be effective January 1, 2012]

business identification number; [introduced by 21 to be effective January 1, 2012]

payment order number and date of payment of the licence fee;

bases and date of re-formulation of the licence and (or) supplement to the licence;

bases and date of suspension, renewal of the licence;

base and date of termination of the licence;

6) making of an inquiry to bodies in the field of protection of the environment, nuclear, radiation, industrial, fire safety and state power supervision, sanitary-epidemiological service as regards the conformity of the applicant with the qualification requirements;

7) rendering of electronic services with the application of information systems in accordance with the legislation of the Republic of Kazakhstan concerning informatisation;

8) placement of information on the issued, re-executed, suspended, resumed and cancelled licenses on the own internet-resource. [introduced by 21]

Article 9. Types and the Validity of Licences

Amended by 11) Law No. 183-IV of 11th July 2009 of the Republic of Kazakhstan. Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Matters of Share Participation in Housing Construction.

Licences shall differ by the following features:

1. By entities:
 - 1) issued to physical persons and legal entities of the Republic of Kazakhstan;
 - 2) issued to foreigners, persons without nationality, foreign legal entities and international organisations.
2. By the scope of activities licences shall be as follows:
 - 1) general licences — to be engaged in certain types of activity, which are issued without limitation of the validity term;
 - 2) ~~one-time licences — to be engaged in a certain business operation within a permitted term, volume, weight or quantity (in kind or in money), as well as to be engaged in types of activity in the sphere of gambling business within the term established by the law of the Republic of Kazakhstan concerning gambling business; [repealed by 11]~~
 - 2) one-time – for the engagement in certain business operation within the permitted period, volume, weight or quantity (in kind or in monetary terms) and also for the engagement in the types of activity in the sphere of gambling business within the period as established by Law of the Republic of Kazakhstan «Concerning Gambling Business», and for the engagement in the activity on the organization of construction of residential buildings at the expense of the attraction of the sharers' money within the volume as established by the Law of the Republic of Kazakhstan «Concerning Share Participation in Housing Construction»; *[introduced by 11]*
 - 3) operating licences — to be engaged in certain transactions in banking activities, classes in insurance activities (insurance classes).

Article 10. The Form of a Licence and Supplement to the Licence

Amended by 10) Law No. 167 of 4th July 2009 of the Republic of Kazakhstan. Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Issues of Currency Regulation and Currency Control.

The form of the licence and supplement to it shall be established by the Government of the Republic of Kazakhstan.

The supplement to the licence, in which sub-types of activity are indicated, shall be recognised as an integral part of the licence.

The forms of licences for carrying out of activities related to concentration of financial resources ~~and use of currency values as stipulated by Articles 32 and 37₂, which are provided for by Article 32 [modified by 10]~~ of this Law shall be established by the authorised state body for regulation and supervision of the financial market and financial organisations and (or) by the National Bank of the Republic of Kazakhstan.

Article 11. Licensing Spheres

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Amended by: 8) Law No. 156 of 4th May 2009 of the Republic of Kazakhstan. Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan Concerning Issues of Commodity Exchanges;

10) Law No. 167 of 4th July 2009 of the Republic of Kazakhstan. Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Issues of Currency Regulation and Currency Control;

18) Law No. 241-IV of 20th January 2010 of the Republic of Kazakhstan Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Issues of Forensic Expert Activities; and

20) Law No. 297-IV of 30th June 2010 of the Republic of Kazakhstan Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Matters of Customs Regulation and Taxation.

Licensing shall cover certain types of activity in the spheres as follows:

- 1) industry;
- 2) use of atomic power;
- 3) turnover of toxic matters;
- 4) technical safety;
- 5) transport;
- 6) turnover of narcotic preparations, psychotropic matters, precursors;
- 7) ensuring of information safety;
- 8) special technical facilities for performance of operative-search measures;
- 9) turnover of weapon, military equipment and certain types of arms, explosives and articles with the application of them;
- 10) use of cosmic space;
- 11) informatisation and communication;
- 12) education;
- 13) mass media;
- 14) agriculture and forestry, land planning, geodesy and cartography;
- 15) healthcare;
- 16) services to physical persons and legal entities;
- 17) gambling business;
- 18) veterinary;
- ~~19) forensic expert; [repealed by 18]~~
- 19) forensic expert activities subject to the provisions of the Law of the Republic of Kazakhstan “Concerning Forensic Expert Activities in the Republic of Kazakhstan” [introduced by 18];
- 20) culture;
- 21) financial sphere and activities related to concentration of financial resources;
- 22) architecture, town building and construction;
- 23) manufacture of the state symbols of the Republic of Kazakhstan;
- ~~24) customs business; [repealed by 20]~~
- 25) manufacture and turnover of ethyl alcohol and alcohol products, manufacture of tobacco articles;
- ~~26) activities related to the use of currency values; [repealed by 10]~~
- 27) export and import of goods;
- 28) commodity exchanges. [introduced by 8]

CHAPTER 3. TYPES OF ACTIVITY

Article 12. Licensing of Activities in the Sphere of Industry

Amended by: 5) Law No. 116 of 29th December 2008 of Republic of Kazakhstan. Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan Concerning Issues of Activities of Independent Sectoral Regulators;

9) Law No. 166 of 4th July 2009 of the Republic of Kazakhstan Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Issues of Promotion of the Use of Renewable Energy Sources.

It shall be required to have a licence to be engaged in the following types of activity:

1) production, transmission and distribution of electric and thermal power, operation of power stations, electric power grids and sub-stations, except for production of electric and (or) thermal energy from renewable energy sources for own needs [added by 9].

This type of activity shall comprise the following sub-types of activity:

production of electric power from electric power sources with the voltage of 35 kV (kilovolt) and more;

transmission and distribution of electric power to the consumer;

operation of electric power stations, electric power grids and sub-stations of all the types (transformer sub-stations, distribution facilities, relay protection and automatic equipment) applied at dangerous industrial items, except for power supply items of public utility destination and power supply items used in the common technological process;

production of thermal power for heat supply to inhabited localities, industrial premises and items, except for production of thermal power for own needs;

rendering of services of transmission and distribution of thermal power for heat supply to inhabited localities, industrial premises and items;

2) projecting and operation of mining, petrochemical, chemical, petroleum and gas processing productions, operation of items for storage of gas, petroleum and petroleum products, main gas pipelines, petroleum pipelines, petroleum products pipelines.

This type of activity shall comprise the following sub-types of activity:

projecting (technological) and (or) operation of mining productions:

projecting of production of solid useful minerals (except for common useful minerals), petroleum, gas, petroleum gas liquids;

making of projects and technological regulations for development of fields of solid useful minerals, petroleum and gas fields;

making of feasibility studies to projects for development of fields of solid useful minerals, petroleum and gas fields;

production of solid useful minerals (except for common useful minerals), petroleum, gas, petroleum gas liquids;

opening and development of fields of solid useful minerals by open and underground methods;

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production of petroleum, gas, petroleum gas liquids;
performance of blasting operations for production of useful minerals;
liquidation operations for closing of mines and pits;
performance of technological operations at fields;
logging operations on petroleum, gas wells;
perforating operations in petroleum, gas wells;
drilling of petroleum, gas wells, in particular off-shore and on inland water ponds;
underground and major repair of wells; dismantling of equipment and devices;
installation of hoists at wells;
testing after repair of wells;
washing, cementation, testing and development of wells;
increase petroleum recovery of petroleum layers and increase in productivity of wells;
operations for prevention and liquidation of petroleum spills on the land and off-shore, wells with spontaneous flow, petroleum and gas outbursts (except for anti-flow operations), temporary closure down of wells;
projecting (technological) and (or) operation of petrochemical, chemical, petroleum and gas processing productions:
products of organic and inorganic chemistry, caoutchouc, tire, general mechanical rubber products industry, technical carbon, chemical fibres, polymeric materials and plastic masses;
products of petroleum primary and deep processing;
for compounding, introduction of additions, additives and components in marketable petrol for the purposes of raising the octane level;
for compounding, introduction of additions, additives and components in off-grade petroleum products for the purposes of making of petrol of the set behaviour;
for introduction of additions and additives in diesel fuel, mazut;
for introduction of additions in petroleum oils;
for processing of petroleum bearing wastes;
expert examination of project and project-estimate documents in the sphere of subsurface use, petroleum and gas processing, petrochemical, chemical productions which are made in the territory of other states and introduced in the Republic of Kazakhstan;
operation of items for storage of gas, petroleum and petroleum products (petroleum-, gas storage facilities, petroleum, gas, loading-unloading bridges, petroleum products storage depots, fuelling stations, gas filling stations and points, tank lorries, gas fuelling stations, gas filling stations, interim points for collection of cylinders with hydrocarbon gases:
reception, unloading, loading, storage, giving out of inflammable and combustible liquids, condensed and combustible gases (except for items for support to the common technological process);
operation of main gas pipelines, petroleum pipelines, petroleum products pipelines;
operation of equipment, facilities of tubing stations, reservoir parks and linear part of main gas, petroleum products pipelines, as well as technological equipment and wells of underground gas storage facilities;

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maintenance, repair (prevention, inspection, control over technical conditions, diagnostics of conditions of weld seams, joints and clamping) of main pipelines, basic and auxiliary equipment;

diagnostics of equipment of tubing stations and linear part of main pipelines, in particular underwater junctions;

maintenance of facilities of electric chemical protection from corrosion;

3) processing of mineral raw products (except for processing of common useful minerals).

This type of activity shall comprise the following sub-types of activity:

physical method of processing of useful minerals;

physical chemical method of processing of useful minerals;

chemical method of processing of useful minerals;

metallurgical (pyrometallurgy, baking, hydrometallurgy, burning) method of processing of useful minerals;

processing of wastes of mining, concentration, metallurgical and other industrial productions, which contain a useful mineral;

4) operation of gas supply systems to residential and communal consumer services items.

This type of activity shall comprise the following sub-types of activity:

operation, maintenance and routine maintenance of external gas supply systems (gas distributing points, gas distributing installations, high-, middle- and low-pressure gas distributing networks);

operation, routine maintenance and maintenance of inside-house gas networks, gas devices and equipment;

5) projecting, manufacture, assemblage, repair of chemical, drilling, petroleum and gas producing, geological prospecting, mining, metallurgical, power equipment, explosion-protected electric technical equipment, lifting facilities, as well as boilers with the working pressure over 0,7 kg/cm² and the heat carrier temperature over 115°C, vessels and pipelines operating under the pressure over 0,7 kg/cm² (except for projecting, manufacture, assemblage, repair of equipment used in the common technological process).

This type of activity shall comprise the following sub-types of activity:

projecting (elaboration of integrated technical, development technological documents containing the feasibility study, calculations, drawings, dummies, estimates, explanatory notes necessary to manufacture equipment);

manufacture (of whole equipment, certain elements, units, parts, components, blocks, auxiliary attachments);

assemblage (assembly, setup and installation of facilities, structures, technological equipment, plants, machinery, apparatuses, devices and other attachments of ready-made parts, units, elements on the stage of operation of a production, item);

repair (diagnostics of conditions, restoration of running order or serviceability of a technical facility, replacement of elements, mending, removal of failures);

~~6) purchase of electric power for the purposes of re-selling; [repealed by 5]~~

6) purchase of electric energy for the purpose of energy supply; [introduced by

5]

7) manufacture and repair of means of measurement;

8) gathering (purchase), storage, processing and selling by legal entities of scrap and wastes of non-ferrous and ferrous metals.

Article 13. Licensing of Activities in the Sphere of Use of Atomic Power

It shall be required to have a licence to be engaged in the following types of activity:

1) performance of operations related to stages of the life cycle of items of atomic power use.

This type of activity shall comprise the following sub-types of activity:

placement of items of atomic power use;

projecting of items of atomic power use (elaboration of integrated technical, development and technological documents containing the feasibility study, calculations, drawings, dummies, estimates, explanatory notes necessary for construction of items of atomic power use, their parts, blocks, systems, structures);

construction of items of atomic power use (whole complex, certain buildings, parts, blocks, systems, structures, auxiliary premises, equipment);

putting into operation of items of atomic power use (whole complex, certain buildings, parts, blocks, systems, structures, auxiliary premises, equipment);

operation of items of atomic power use (whole complex, certain buildings, parts, blocks, structures, auxiliary premises, equipment);

putting out of operation of items of atomic power use (whole complex, certain buildings, parts, blocks, systems, structures, auxiliary premises, equipment);

management of items of atomic power use;

2) handling of nuclear materials, ionising radiation sources (except for X-ray diagnostics sets of medical destination) and radioactive materials.

This type of activity shall comprise the following sub-types of activity:

manufacture, production, storage and processing of nuclear materials and radioactive matters;

use and placement of nuclear materials, radioactive matters, ionising radiation sources, in particular devices and sets comprising such sources or generating ionising radiation;

development, manufacture, production of ionising radiation sources, in particular devices and sets comprising such sources or generating ionising radiation;

selling of nuclear materials, ionising radiation sources and radioactive matters;

3) development, production, selling and use of X-ray equipment, except for use of medical X-ray equipment;

4) rendering of services in the sphere of use of atomic power.

This type of activity shall comprise the following sub-types of activity:

routine maintenance, assemblage, dismantling, charging, re-charging, repair of devices and sets, including medical, which comprise radioisotopic sources of ionising radiation or generate ionising radiation;

quality control of operation of ionising radiation sources, as well as devices, equipment, sets which comprise such sources or generate ionising radiation;

elaboration of projects, technologies, scientific-technical documents in basing of radiation or nuclear safety, performance of expert examination, analysis and evaluation of radiation or nuclear safety;

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radiation control of territories, premises, workplaces, goods, materials, metal scrap, transport vehicles;

determination of contents of radionuclides in products, materials, environment items, metering of concentration of radon and other radioactive gases;

gamma survey and other radiometric surveys of territories;

individual dosimetric control of personnel, population;

radiation rehabilitation and reclamation of territories and items;

5) elaboration of technical documents, development, manufacture, production of transport containers, packing sets and materials, means, containers for nuclear materials, ionising radiation sources, radioactive materials and radioactive wastes;

6) handling of radioactive wastes.

This type of activity shall comprise the following sub-types of activity:

gathering and sorting of radioactive wastes;

deactivation (cleaning from radioactive contamination) of premises, equipment and materials;

transportation of radioactive wastes;

processing of radioactive wastes;

storage and burial of radioactive wastes;

7) transportation, including transit, of nuclear materials, radioactive matters, radioisotopic ionising radiation sources, radioactive wastes within the territory of the Republic of Kazakhstan;

8) activities in territories of former nuclear testing grounds and other territories contaminated as a result of conducted nuclear blasts;

9) physical protection of nuclear plants and nuclear materials.

This type of activity shall comprise the following sub-types of activity:

projecting, assemblage, putting into operation, operation, servicing, repair, setting-up of physical protection systems of items of atomic power use;

rendering of services for development of a project threat to items of atomic power use;

ensuring of physical safety to items of atomic power use, including nuclear plants, items and transport vehicles which have nuclear or other radioactive materials;

ensuring of physical protection in transportation of nuclear and other radioactive materials in the territory of the Republic of Kazakhstan;

10) special training of specialists and personnel in activities related to the use of atomic power.

~~Article 14. Licensing of Activities in the Sphere of Turnover of Toxic Matters~~

repealed by 15) Law No. 189 of 17th July 2009 of the Republic of Kazakhstan Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Issues of Phyto-sanitary Safety.

~~It shall be required to have a licence to be engaged in the following types of activity:~~

~~1) manufacture, processing, purchase, storage, selling, use, neutralisation of poisons;~~

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~~2) activities of manufacture (formulation), selling, application of pesticides (agricultural toxic chemicals), as well as import of pesticides (agricultural toxic chemicals) and initial components for their production, except for trial samples for registration, industrial testing and scientific researches.~~

Article 14. Licensing of Activities in the Sphere of Turnover of Toxic Matters

introduced by 15) Law No. 189 of 17th July 2009 of the Republic of Kazakhstan Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Issues of Phyto-sanitary Safety.

It shall be required to have a licence to be engaged in the following types of activity:

- 1) manufacture, processing, purchase, storage, selling, use, neutralisation of poisons;
- 2) manufacture (formulation) of pesticides (agricultural toxic chemicals);
- 3) selling of pesticides (agricultural toxic chemicals);
- 4) application of pesticides (agricultural toxic chemicals) by aerosolization and fumigation;
- 5) Import of pesticides (agricultural toxic chemicals) and initial components for their production except for trial samples for registration, industrial testing and scientific researches.

Article 15. Licensing of Activities in the Sphere of Technical Safety

It shall be required to have a licence to be engaged in activities of assemblage, setting-up and routine maintenance of protection alarm facilities, except for activities in case of performance of constructing-assemblage operations.

Article 16. Licensing of Activities in the Sphere of Transport

It shall be required to have a licence to be engaged in the following types of activity:

- 1) carriage of passengers.

This type of activity shall comprise the following sub-types of activity:

carriage of passengers by railway transport;

carriage of passengers by marine transport;

carriage of passengers by river transport;

- 2) carriage of dangerous freights.

This type of activity shall comprise the following sub-types of activity:

carriage of dangerous freights by railway transport;

carriage of dangerous freights by marine transport;

carriage of dangerous freights by river transport;

carriage of dangerous freights by motor transport.

Article 17. Licensing of Activities in the Sphere of Turnover of Narcotic Preparations, Psychotropic Matters, Precursors

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It shall be required to have a licence to be engaged in activities related to turnover of narcotic preparations, psychotropic matters and precursors.

This type of activity shall comprise the following sub-types of activity:

development, manufacture, processing, carriage, mailing, purchase, storage, distribution, selling, use, neutralisation of narcotic preparations, psychotropic matters and precursors;

culturing, gathering, laying in of plants and herbs containing narcotic agents and psychotropic matters;

manufacture, carriage, purchase, storage, distribution, selling, use, neutralisation of narcotic preparations, psychotropic matters and precursors in the healthcare system.

Article 18. Licensing of Activities in the Sphere of Ensuring of Information Safety

It shall be required to have a licence to be engaged in the following types of activities:

1) for technical protection of state secrets.

This type of activity shall comprise the following sub-types of activity:

development, production, repair and servicing of technical means for protection of state secrets;

assemblage, installation, servicing of technical means for protection of state secrets;

2) development and selling (including another transfer) of means for information cryptographic protection.

Article 19. Licensing of Activities in the Sphere of Special Technical Means for Conducting of Operative-Search Measures

It shall be required to have a licence to be engaged in the following types of activities:

1) development, production of special technical means for conducting of operative-search measures;

2) repair and selling of special technical means for conducting of operative-search measures, searching of information outflow technical channels.

The rules for licensing of types of activities established by subparagraphs 1) and 2) of this Article may stipulated special terms, procedure, dates of issue of licences and licence control.

Article 20. Licensing of Activities in the Sphere of Turnover of Weapon, Military Equipment and Certain Kinds of Arms, Explosives and Articles with the Application of Them

It shall be required to have a licence to be engaged in the following types of activity:

1) development, production, repair, purchase and selling of ammunition, weapon and military equipment, spare parts, components and devices to them, as well as special

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materials and equipment for their production, including assemblage, setting-up, use, storage, repair and servicing.

This type of activity shall comprise the following sub-types of activity:

development, production of ammunition, weapon and military equipment, spare parts, components and devices to them, special materials, equipment for their production, including assemblage, setting-up, use, storage, repair and servicing;

repair of ammunition, weapon and military equipment, spare parts, components and devices to them, special materials, equipment for their production, including assemblage, setting-up, use, storage, repair and servicing;

purchase and selling of ammunition, weapon and military equipment, spare parts, components and devices to them, special materials, equipment for their production, including assemblage, setting-up, use, storage, repair and servicing;

2) development, production, purchase and selling of explosive and pyrotechnic matters and articles with the application of them.

This type of activity shall comprise the following sub-types of activity:

development of explosive and pyrotechnic matters and articles with the application of them;

production of explosive and pyrotechnic matters and articles with the application of them;

purchase and selling of explosive and pyrotechnic matters and articles with the application of them;

3) liquidation (destruction, utilisation, burial) and processing of released ammunition, weapon, military equipment, special means.

This type of activity shall comprise the following sub-types of activity:

liquidation (destruction, utilisation, burial) and processing of released ammunition;

liquidation (destruction, utilisation, burial) and processing of released weapon, military equipment, special means;

4) development, production, repair, trade, purchase of fighting hand small arms and cartridges to it.

This type of activity shall comprise the following sub-types of activity:

development of fighting hand small arms and cartridges to it;

production of fighting hand small arms and cartridges to it;

repair of fighting hand small arms and cartridges to it;

purchase of fighting hand small arms and cartridges to it and trade in them;

5) development, production, repair, trade, purchase, collecting, exhibiting of fire civil and service arms and cartridges to it, cold steel, as well as gas arms and cartridges to it;

6) development, production, trade, purchase of civil pyrotechnic matters and articles with the application of them.

Article 21. Licensing of Activities in the Sphere of Use of Cosmic Space

It shall be required to have a licence to be engaged in all the types of activity related to the use of cosmic space, including creation, production, operation, repair and modernisation of space rocket equipment, use of the ground infrastructure for support to the functioning of it (testing ground, command-metering complex, bench base, etc.).

Article 22. Licensing of Activities in the Sphere of Informatisation and Communication

Amended by 2) Law No. 89 of 21st November 2008 of the Republic of Kazakhstan. Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan Concerning Issues of Communications

1. It shall be required to have a licence to be engaged in the following types of activity:

1) activities for certification of the conformity of the electronic digital signature open key with the electronic digital signature closed key, as well as for confirmation of the verity of the registration certificate;

2) rendering of services in the field of communication.

This type of activity shall comprise the following sub-types of activity:

local telephone communication;

intercity telephone communication;

international telephone communication;

IP-telephony (Internet telephony);

data transfer (including services of Internet and telegraph communication);

telecommunications in an allotted communication network;

satellite mobile communication;

cellular communication (with indication of the standard name);

mobile telecommunications (including services of mobile radio (radio telephone) communication, trunking and paging communication);

giving of communication channels;

post communication.

Licences for activities in the field of communication with the use of the radio frequency range and numbering resource may be given on a tender basis.

Terms of and the procedure for issue of licences for engagement in activities in the field of communication, in particular on the tender basis, shall be determined by ~~laws~~ legislation [modified by 2] of the Republic of Kazakhstan.

2. It shall not be required to obtain a licence for carrying out of activities:

1) by physical persons and legal entities which have no own or leased network or switching equipment and which propose to users services of other communication operators, which act of the basis of appropriate licences.

Relations between such persons and the communication operator shall be regulated by concluded agreements, which structure must be coordinated with the licensor. Intermediary shall be obliged to render services under the trade mark of the communication operator with which the agreement is concluded. In this case responsibility for quality of services rendered to consumers and compliance with terms of validity of the licence shall be born by the communication operator;

2) for organisation and operation of networks designated for control of inside production activities and technological processes, in particular with the use of the radio frequency range without rendering communication services to third persons, as well as without the use of communication services rendered in the territory of the Republic of Kazakhstan by non-resident communication operators of the Republic of Kazakhstan;

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3) for organisation and operation of mobile telecommunication networks (in particular mobile radio (radio telephone), trunking and paging communication) which have no connection to a common use telecommunications network and which are designated for implementation of the principal type of activity not related to activities in the field of communication.

To use bands of frequencies, radio frequencies (radio frequency channels) in the cases stipulated by subparagraphs 2), 3) of this paragraph the authorised body in the field of communication shall issue a permit for use of the radio frequency range in accordance with the legislation of the Republic of Kazakhstan in the field of communication.

Article 23. Licensing of Activities in the Sphere of Education

Amended by 1) Law No. 320 of 27th July 2007 of the Republic of Kazakhstan. Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan Concerning Issues of Education

~~It shall be required to have a licence to be engaged in educational activities.~~
[repealed by 1]

~~This type of activity shall comprise the following sub-types of activity:~~ *[repealed by 1]*

Availability of a license shall be required for engaging in the following subtypes of educational activities: *[introduced by 1]*

educational activities of pre-school and off-school organisations;

education activities of legal entities implementing specialised and special educational programs;

~~education activities of legal entities implementing basic educational programs of primary general, basic general or secondary general, primary professional education, in particular by occupations, secondary professional, high professional, post-graduate professional education, including by occupations;~~ *[repealed by 1]*

educational activities of legal entities implementing the main educational curricula of primary, basic secondary, general secondary, technical and vocational education, in particular by specialties of post-secondary, higher, post-graduate education, in particular by specialties; *[introduced by 1]*

educational activities of legal entities implementing spiritual educational programs;

educational activities of international and foreign legal entities.

Article 24. Licensing of Activities in the Sphere of Mass Media

It shall be required to have a licence to be engaged in activities of organisation of television and (or) radio broadcasting.

Article 25. Licensing of Activities in the Sphere of Agriculture and Forestry, Land Planning, Geodesy and Cartography

It shall be required to have a licence to be engaged in the following types of activity:

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- 1) wood harvesting on plots of the state forest stock performed by forest users;
 - 2) reception, weighing, drying, cleaning, storage and shipment of grain in accordance with the Law of the Republic of Kazakhstan ‘Concerning Grain’;
 - 3) activities of selling grain for export in accordance with the Law of the Republic of Kazakhstan ‘Concerning Grain’;
 - 4) primary processing of seed cotton into lint cotton;
 - 5) performance of land planning, topographic-geodesic and cartographic work.
- This type of activity shall comprise the following sub-types of activity:
- performance of land planning work;
 - performance of topographic-geodesic work;
 - performance of cartographic work.

Article 26. Licensing of Activities in the Healthcare Sphere

Repealed by 13) Law No. 186-IV of 16th July 2009 of the Republic of Kazakhstan Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Issues of Health Protection.

~~It shall be required to have a licence to be engaged in the following types of activities:~~

~~1) medical, doctoral activities.~~

~~This type of activity shall comprise the following sub-types of activity:~~

~~primary medical and sanitary assistance: pre-doctoral; skilled; first medical assistance;~~

~~diagnostics;~~

~~pathologic anatomy;~~

~~radiological diagnostics;~~

~~X-ray diagnostics;~~

~~ultrasonic diagnostics;~~

~~functional diagnostics;~~

~~endoscopic diagnostics;~~

~~laboratory diagnostics: bacteriological testing, biochemical testing, immunological testing, laboratory testing of the human immunodeficiency virus (HIV diagnostics), general clinic testing, serum testing, cytological screening;~~

~~consultative diagnostics and (or) in-patient medical aid to adult and (or) children population — by specialties:~~

~~obstetrics and gynaecology (including auxiliary reproductive technologies);~~

~~allergology and immunology;~~

~~anaesthesiology and resuscitation;~~

~~andrology;~~

~~valeology;~~

~~haematology;~~

~~hyperbaric oxygenation therapy;~~

~~dermatovenereology;~~

~~dermatocosmetology;~~

~~dietetics;~~

~~infectious diseases;~~

~~massage;~~

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narcology;
neuropathology;
neonatology;
general doctoral practice, family doctor;
oncology, mammology;
otorhinolaryngology;
ophthalmology;
pediatry;
psychiatry;
psychotherapy, medical psychology;
radiology;
sexual pathology;
sportive medicine and medical physical culture;
stomatology: ~~therapeutical, surgical, orthopaedic, orthodontic;~~
therapy: ~~general, gastroenterology, cardiology, nephrology, professional~~
pathology, pulmonology, rheumatology;
traumatology, ~~orthopaedics and cambustiology;~~
toxicology;
transplantology;
urology;
physimetrics;
phthisiology;
surgery: ~~abdominal, angiosurgery, cardiac surgery, micro surgery, neurosurgery,~~
general, plastic, thoracic, endoscopic;
endocrinology;
expert medical activities;
expert examination of temporary disablement and professional fitness
(preventive and periodical medical examinations);
expert examination psychiatric, including forensic psychiatric, narcological and
forensic narcological;
non traditional medical activities: ~~homeopathy, hirudotherapy, manual therapy,~~
reflex therapy, phitotherapy and treatment by natural origin means;
folk medicine (healing);
sanatorium treatment: ~~balneotherapy, hydrotherapy, paraffin-ozokerit mud~~
therapy;
banking, preservation, processing and storage of blood and its components;
sanitary hygienic and anti-epidemic medical activities: hygienic education of the
population; sanitary epidemiological expert examination;
sanitary hygienic and laboratory testing: bacteriological; virologic; metering of
noise, vibration, electromagnetic fields and other physical factors; parasitological;
radiometry and dosimetry; sanitary chemical; toxicological;
2) pharmaceutical activities: production, manufacture, wholesale and retail sale
of medical preparations.

Article 26. Licensing of the Activity in the Area of Public Health Service

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Introduced by 13) Law No. 186-IV of 16th July 2009 of the Republic of Kazakhstan Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Issues of Health Protection;

Amended by 18) Law No. 241-IV of 20th January 2010 of the Republic of Kazakhstan Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Issues of Forensic Expert Activities.

The availability of a license shall be required for the engagement in the following types of activity:

1) medical activity;

This type of activity includes the following subtypes of activity:

primary medical care: predoctor care, qualified care, emergency call service;

diagnostics: radiological, X-ray, ultrasonic, functional, endoscopic, pathologic anatomy;

laboratory diagnostics: bacterial examination, biochemical, immunological study, laboratory diagnostics of immunodeficiency virus (HIV diagnostics), general clinical, serologic, cytologic study;

provision, conservation, processing, storage, and realization of blood and its components;

sanitary and antiepidemic medical activity: hygienic education of the population, sanitary-epidemiological expert examination, manufacturing, processing, and realization of the means and preparations of disinfection, disinsection, deratization, and also types of work and services related to their use;

sanitary and laboratory studies: bacterial examination, virologic tests, measurement of physical factors (noise, vibration, electromagnetic fields, and others), parasitologic, radiometrical measurements, sanitary and chemical, toxicological examination;

advisory and diagnostic and/or stationary medical aid to the adults and/or children – according to specialties:

maieutics and gynecology;

pediatry;

contagious diseases;

therapy: general, neuropathology, cardiology, rheumatology, gastroenterology, nephrology, pulmonology, endocrinology, allergology (immunology), hematology, occupational pathology, family doctor;

surgery: general, transplantology, cardiosurgery, angiosurgery; plastic surgery, oral surgery, neurosurgery, otorhinolaryngology, ophthalmology, transfusiology, urology, traumatology, and orthopedics;

dermatovenereology (dermatocosmetology);

psychiatry: narcology, psychotherapy, sexpertology; medicopsychology;

phthisiology;

oncology;

stomatology;

traditional medicine: homeopathy, hirudotherapy, manual therapy, reflexotherapy, phytotherapy and treatment with means of natural origin;

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~~expert examination: forensic medical examination, psychiatric examination (including forensic psycho-psychiatric, narcological, and forensic narcological); [repealed by 18]~~

~~forensic-medical, forensic-psychiatric, and forensic-narcological examination; [introduced by 18]~~

~~medical rehabilitation: physiotherapy, massage, exercise therapy;~~

~~sports medicine;~~

~~temporary disability examination and examination of professional aptitude;~~

~~anaesthesiology and critical care medicine;~~

~~2) pharmaceutical activity.~~

~~This type of activity shall include the following subtypes of activity:~~

~~manufacturing of pharmaceuticals;~~

~~manufacturing of items of medical designation;~~

~~manufacturing of medical equipment;~~

~~manufacturing of medicinal preparations;~~

~~manufacturing of items of medical designation;~~

~~wholesale realization of pharmaceuticals;~~

~~wholesale realization of items of medical designation;~~

~~wholesale realization of medical equipment;~~

~~retail realization of pharmaceuticals;~~

~~retail realization of items of medical designation;~~

~~retail realization of medical equipment.~~

Article 27. Licensing of Activities in the Sphere of Services to Physical Persons and Legal Entities

Amended by 4) Law No. 115 of 29th December 2008 of the Republic of Kazakhstan. Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan Concerning Issues of Special Social Services;

19) Law No. 262 of 2nd April 2010 of the Republic of Kazakhstan Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Issues of Enforcement Procedures.

It shall be required to have a licence to be engaged in the following types of activities:

~~1) rendering of social services at state medical-social institutions and at non-state medical-social organisations. [repealed by 4]~~

~~This type of activity shall comprise the following sub-types of activity: [repealed by 4]~~

~~social services at medical-social institutions (organisations) for old age and disabled persons of the general type; [repealed by 4]~~

~~social services at psychoneurological medical-social institutions; [repealed by 4]~~

~~social services at medical-social institutions (organisations) for disabled children with disorders of functions of the locomotor apparatus; [repealed by 4]~~

~~social services at children's psycho-neurological medical-social institutions; [repealed by 4]~~

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1) rendering special social services to children with disorders of the locomotor apparatus at medical-social establishments (organisations); *[introduced by 4]*

1-1) rendering special social services to disabled, in particular disabled children with psycho-neurological pathology, at psycho-neurological medical-social establishments (organisations); *[introduced by 4]*

1-2) rendering special social services to elderly and disabled at medical-social establishments (organisations) of the general type; *[introduced by 4]*

1-3) rendering special social services to elderly, disabled, in particular disabled children, at territorial centres of day-care; *[introduced by 4]*

1-4) rendering special social services to elderly, disabled, in particular disabled children, at rehabilitation centres; *[introduced by 4]*

1-5) rendering special social services to elderly, disabled, in particular disabled children, day-care at home; *[introduced by 4]*

2) advocate activities;

3) notary activities;

3-1) activity of private court enforcement officers; *[introduced by 19]*

4) evaluation of property (except for intellectual property items, value of intangible assets);

5) evaluation of intellectual property, value of intangible assets;

6) management of assets and affairs of insolvent debtors in bankruptcy proceedings;

7) auditor activities;

8) performance of work and rendering of services in the field of protection of the environment.

This type of activity shall comprise the following sub-types of activity:

nature protective projecting, rating;

work in the field of ecological expert examination;

ecological audit;

9) organisation and conducting of lotteries (except for state (national);

10) carrying out of guarding activities by physical persons and legal entities;

11) training, re-training of drivers of transport vehicles;

12) physical culture - recreation, sportive services, except for activities at education organisations;

13) export of manpower from the Republic of Kazakhstan abroad;

14) tourism operator, tourism agent activities, tourist instructor services.

Article 28. Licensing of Activities in the Sphere of Gambling Business

It shall be required to have a licence to be engaged in the following types of activity:

1) casino activities;

2) activities of a game machine room;

3) activities of a bookmaker office;

4) activities of a sweepstake.

Article 29. Licensing of Activities in the Sphere of Veterinary

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It shall be required to have a licence to be engaged in activities in the field of veterinary.

This type of activity shall comprise the following sub-types of activity:
production and selling of preparations of veterinary destination;
selling of medical preparations, biological preparations for veterinary purposes;
veterinary-sanitary expert examination of products and raw products of animal origin;
veterinary medical-preventive activities.

Article 30. Licensing of Activities in the Forensic Expert Sphere

It shall be required to have a licence to be engaged in forensic expert activities.

Article 31. Licensing of Activities in the Sphere of Culture

It shall be required to have a licence for performance of archaeological and (or) scientific-restoration work in history and culture monuments.

Article 32. Licensing of Activities in the Financial Sphere and Activities Related to Concentration of Financial Resources

Amended by 6) Law No. 133 of 12th February 2009 of the Republic of Kazakhstan. Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan Concerning Issues of Organisation and Functioning of Islamic Banks and Organisations of Islamic Finance;

7) Law No. 135 of 13th February 2009 of the Republic of Kazakhstan. Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan Concerning Issues of Functioning of the National Prosperity Foundation and Recognition as Invalid of the Law of the Republic of Kazakhstan “Concerning the Investment Foundation of Kazakhstan”;

12) Law No. 185 of 11th July 2009 of the Republic of Kazakhstan. Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Issues of Improvement of the Legislation of the Republic of Kazakhstan Concerning Payments and Remittances of Money, Accounting and Financial Reporting of Financial Organisations, Banking Activity and Activity of the National Bank of the Republic of Kazakhstan;

17) Law No. 234 of 30th December 2009 of the Republic of Kazakhstan Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Issues of Obligatory and Mutual Insurance, Taxation; and

22) Law No. 338 of 15th July 2010 of the Republic of Kazakhstan Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Issues of Insurance.

It shall be required to have a licence to be engaged in the following types of activity:

~~1) banking transactions performed by banks and organisations carrying out certain types of banking transactions: [repealed by 12]~~

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- 1) banking transactions: *[introduced by 12]*
 - reception of deposits, opening and maintenance of bank accounts of legal entities;
 - reception of deposits, opening and maintenance of bank accounts of physical persons;
 - opening and maintenance of correspondent accounts of banks and organisations carrying out certain types of banking transactions;
 - opening and maintenance by banks *[inserted by 12]* of metal accounts of physical persons and legal entities, on which there is indicated the physical quantity of refined precious metals and coins made of precious metals owned by the said person;
 - ~~cash operations: reception and giving out of ready cash in case of performance of one of the banking transactions stipulated by the clauses second, third, seventh — tenth, eleventh and twelfth of this subparagraph, including their changing, exchanging, conversion, sorting, packing and storage; *[repealed by 12]*~~
 - cash operations: receipt and giving by banks and the National Post Operator of ready cash, in particular its change, exchange, re-counting, sorting, packing and storage; *[introduced by 12]*
 - ~~remittance operations: fulfilment of orders of physical persons and legal entities in relation to payments and money remittances; *[repealed by 12]*~~
 - remittance transactions: fulfilment of orders of natural persons and legal entities on payments and remittances of money. Licences to carry out remittance transactions shall be issued only to banks and legal entities specified in paragraph 6-1 of Article 30 of the Law of the Republic of Kazakhstan ‘Concerning Banks and Banking Activity in the Republic of Kazakhstan’; *[introduced by 12]*
 - discount operations: discount (discount) of promissory notes and other debentures of physical persons and legal entities;
 - bank loan transactions: giving by a bank, mortgage organisation, broker and (or) dealer with the right to maintain clients' accounts as a nominal holder, ~~and a legal entity, whose sole shareholder (participant) is the state,~~ or subsidiary organisations of the national managing holding company in the sphere of the agro-industrial sector *[modified by 7]* of credits in the monetary form on terms of payment, term and return;
 - organisation of exchange operations in foreign currencies;
 - collection of banknotes, coins and values;
 - reception of payment documents (except for promissory notes) for collection;
 - opening (issue) and confirmation of a letter of credit and fulfilment of obligations under it;
 - issue by banks of bank guarantees which stipulate fulfilment in the monetary form;
 - issue by banks of bank warranties and other commitments for third persons which stipulate fulfilment in the monetary form;
- 2) other transactions performed by banks:
 - purchase, acceptance as pledge, recording, storage and selling of refined precious metals (gold, silver, platinum, platinum group metals) in ingots, coins made of precious metals;
 - purchase, acceptance as pledge, recording, storage and selling of jewellery containing precious metals and precious stones;

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transactions in promissory notes: acceptance of bills for collection, rendering of services for redemption of a promissory note by the payer, as well as redemption of domiciled promissory notes, acceptance of promissory note as mediation;

carrying out of leasing activities;

issue of own securities (except for shares);

factoring transactions: purchase of rights of claim of a payment from the buyer of goods (work, services) with acceptance of the default risk;

forfeiting transactions (forfeiting): payment for a debenture of the buyer of goods (work, services) by the purchase of the promissory note without recourse to the seller;

trust operations: management of money, rights of claim under mortgage loans and refined precious metals in the interests and under the commission of the principal;

safe operations: services for storage of securities issued in the documentary form, documents and values of clients, including letting on rent of safe cases, cabinets and rooms;

2-1) banking transactions which are carried out by Islamic banks: *[introduced by 6]*

acceptance of on-call interest-free deposits of natural persons and legal entities, *[introduced by 6]* opening and maintenance of bank accounts of natural persons and legal entities;

acceptance of investment deposits of natural persons and legal entities; *[introduced by 6]*

banking lending transactions: granting loans in a monetary form by an Islamic bank on the terms of timeliness, repayment and without collecting interest; *[introduced by 6]*

financing entrepreneurial activities in the form of the following: *[introduced by 6]*

financing trade activities as a trade intermediary by granting a commercial loan; *[introduced by 6]*

financing industrial and commercial activity by way of participation in the authorised capitals of legal entities and (or) on the terms of partnership; *[introduced by 6]*

investment activities on the terms of leasing (leases); *[introduced by 6]*

agent activities in the performance of banking transactions of an Islamic bank; *[introduced by 6]*

3) under the sector 'life insurance' within the following insurance classes:

life insurance;

annuity insurance;

~~insurance for occurrence of a certain event in life;~~ *[repealed by 22]*

~~life insurance with participation of the insurant in investment yield of the insurer;~~ *[repealed by 22]*

4) under the sector 'general insurance' within the following insurance classes:

accident insurance;

disease insurance;

transport vehicle insurance;

railway transport insurance;

air transport insurance;

water transport insurance;

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- insurance of cargo
 - insurance of property against damage, except for the classes as indicated in the clauses fourth — eighth of this subparagraph;
 - insurance of civil legal liability of owners of motor transport;
 - insurance of civil legal liability of owners of air transport;
 - insurance of civil legal liability of owners of water transport;
 - insurance of civil legal liability, except for the classes indicated in the clauses ~~tenth and eleventh~~ from the tenth to twelfth [modified by 12] of this subparagraph;
 - loan insurance;
 - mortgage insurance;
 - guarantee and warranty insurance;
 - insurance of losses of financial organisations, except for the classes specified in the fourteenth, fifteenth, sixteenth and eighteenth clauses of this subparagraph; [introduced by 22]
 - insurance against other financial losses;
 - legal costs insurance;
 - title insurance; [introduced by 22]
- 5) types of obligatory insurance established by laws of the Republic of Kazakhstan and being separate insurance classes:
- obligatory insurance of civil legal liability of owners of transport vehicles;
 - obligatory insurance of civil legal liability of the carrier to passengers;
 - obligatory insurance of civil legal liability of private notaries;
 - obligatory insurance of civil legal liability of auditing organisations;
 - obligatory insurance of civil legal liability of the tourism operator and tourism agent;
 - obligatory insurance in plant growing;
 - obligatory insurance of civil legal liability of owners of items, whose activities are related to danger of inflicting harm to third persons;
 - obligatory insurance of ~~civil legal liability of the employer for inflicting of harm to life and health of the employee~~ the employee against accidents [modified by 17] when he performs working (service) functions;
 - obligatory ecological insurance;
- 6) activities of re-insurance.
- The insurance organisation which has a licence under the ‘general insurance’ sector shall have the right to obtain a licence and to carry out activities of re-insurance by all the insurance classes inclusive in the ‘general insurance’ sector.
- The insurance organisation which has a licence under the ‘life insurance’ sector shall have the right to obtain a licence and to carry out activities of re-insurance by all the insurance classes inclusive in the ‘life insurance’ sector.
- The re-insurance organisation performing re-insurance as an exclusive type of activity on the basis of a re-insurance licence shall have the right to perform re-insurance by all the insurance classes in the ‘life insurance’ and ‘general insurance’ sectors;
- 7) insurance broker activities;
 - ~~8) actuary activities in the insurance market;~~ [repealed by 22 to be effective January 1, 2012]

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8) actuary activity in the insurance market, except for activity of persons who carry out activity as an independent actuary and who are members of international associations of actuaries, the list of and requirements to which are established by the authorised state body for regulation and supervision of the financial market and financial organisations; *[introduced by 22 to be effective January 1, 2012]*

- 9) broker activities;
- 10) dealer activities;
- 11) activities of maintenance of a system of registers of holders of securities;
- 12) activities of investment portfolio management;
- 13) activities of pension assets investment management;
- 14) custodian activities;
- 15) transfer agent activities;
- 16) activities of organisation of trading in securities and other financial instruments;
- 17) activities of attraction of pension contributions and effecting of pension payments;
- 18) credit bureau activities.

Article 33. Licensing of Activities in the Sphere of Architecture, Town Building and Construction

Amended by 13) Law No. 186-IV of 16th July 2009 of the Republic of Kazakhstan Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Issues of Health Protection;

14) Law No. 188 of 17th July 2009 of the Republic of Kazakhstan Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Issues of Private Business.

It shall be required to have a licence to be engaged in the following types of activity:

- 1) project survey activities.

This type of activity shall comprise the following sub-types of activity:

engineering geodesic work, including:

construction and foundation of geodesic centres;

formation of plan-height survey networks;

topographic work in projecting and construction (mapping in the scales from 1:10000 to 1:200, as well as mapping of underground communications and facilities, tracing and mapping of ground linear facilities and their elements);

geodesic work related to transmission of engineering geological workings, geophysics and other survey points on the relief with connection;

engineering geological and engineering hydrogeological work, including:

geophysical surveys, reconnaissance and mapping;

field surveys of ground, hydrogeological surveys;

laboratory testing of ground, underground water, conditions of bases and foundations;

town building projecting (with the right of projecting for town building rehabilitation of historic building districts, except for restoration of history and culture monuments) and planning, in particular elaboration of:

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planning documents (integrated schemes of town building planning of territories — projects of district planning, general plans of inhabited localities, projects of detailed planning and building projects of districts, micro-districts, blocks, certain areas);

schemes of development of the transport infrastructure of inhabited localities (street-road network and items of inside city and external transport to be located within the limits of inhabited localities) and of territories between inhabited localities (items and communications of external transport to be located outside the street-road network of inhabited localities);

heat supply schemes of inhabited localities with placement of items for production and transportation of thermal power within the building system, as well as heat supply to industrial complexes to be situated in territories between inhabited localities;

water supply schemes of inhabited localities with placement of sources of drinking and (or) technical water and tracing of water lines, as well as water supply schemes of industrial complexes to be situated in territories between inhabited localities;

sewage schemes of inhabited localities and industrial complexes, including the centralised system of collection and drain of household, industrial and storm discharges, placement of head purifying facilities, evaporators and items for regeneration of discharges;

gas supply schemes of inhabited localities and industrial complexes to be situated in territories between inhabited localities;

electric power supply schemes of inhabited localities with placement of items for production and transportation of electric power in the building system, as well as electric power supply to industrial complexes to be situated in territories between inhabited localities;

telecommunications and communication schemes of inhabited localities with placement of infrastructure items and information sources;

architectural projecting for buildings and facilities of the first or second and third responsibility levels (with the right of projecting for architectural-restoration work, except for restoration of history and culture monuments), including:

general plans of items, engineering preparation of the territory, improvement and organisation of the landscape;

buildings, facilities and communications of industrial (industrial-business) destination;

dwelling-civil buildings and facilities;

structures of monumental or decorative-applied destination, small architectural forms and items of landscape architecture;

construction projecting (with the right of projecting for major repair and (or) reconstruction of buildings and facilities, as well as reinforcement of structures for each of the operations indicated herein below) and development, including:

bases and foundations;

concrete and reinforced concrete, stone and reinforced stone structures;

metal (steel, aluminium and alloy) structures;

wood structures;

projecting of engineering systems and networks, including:

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interior systems of heating (including electric), ventilation, conditioning, cold supply, gas supply (low pressure gas supply), as well as exterior networks with auxiliary items;

interior systems of water line (hot and cold water) and sewage, as well as their exterior systems with auxiliary items;

interior systems of low-power devices (installation of radio and electric clocks, installation of telephones, interior and house phone communication, cable television and watching video monitoring, electric alarm, including fire protection and watching), as well as their exterior networks;

automation of technological processes, including control-inspection, recording and control devices;

systems of interior and exterior electric light, electric power supply up to 0,4 kV and to 10 kV;

electric power supply up to 35 kV, up to 110 kV and more;

main petroleum pipelines, petroleum products pipelines, gas pipelines (medium and high pressure gas supply);

elaboration of special sections of projects for:

labour protection;

arrangement of anti-corrosion protection;

arrangement of lighting protection;

automatic equipment, arrangement of fire protection alarm, fire extinguishing and fire protection systems on the stage of projecting for new construction, major repair, reconstruction or re-equipment of buildings and facilities;

making of estimate documents;

making of construction organisation projects and work performance projects;

technological projecting (elaboration of the technological part of construction projects) of buildings and facilities of dwelling-civil destination, in particular:

for pre-school education, general and special education, boarding schools, institutions for training of personnel, scientific-research, cultural-educational and entertainment establishments, trading enterprises (including chemist's shops), healthcare (treatment and prevention of diseases, rehabilitation and sanatorium treatment), public catering and consumer services, physical culture — re-creation and sport exercises, rest and tourism, as well as other multi-functional buildings and complexes with premises of various public destination;

for the transport infrastructure (which is designated for direct servicing of the population) and communal management (except for buildings and facilities for servicing of transport vehicles, as well as other industrial-business destination);

technological projecting (elaboration of the technological part of construction projects) of items of industrial destination, including:

for the power industry;

for the processing industry, including light and food industries;

for heavy machinery building;

for medical, microbiological and pharmaceutical industries;

dams, dikes, other hydrotechnical facilities;

structures of the tower and pole types;

for hoisting transport facilities and elevators;

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technological projecting (elaboration of the technological part of construction projects) of items of transport, communication and communications infrastructure, in particular for servicing of:

inside city and exterior transport, including motor, electric, railway and other rail-based, air, water types of transport;

local lines of communication, radio, telecommunications;

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

technological projecting (elaboration of the technological part of transport construction projects) which comprises:

communication ways of railway transport;

motor roads of all the categories;

street-road network of city electric transport;

bridges and bridge passages, including transport bridges and multi-grade cross eliminating structures;

technological projecting (elaboration of the technological part of projects) of construction of agriculture items, except for enterprises of the processing industry;

2) constructing-assemblage operations.

This type of activities shall comprise the following sub-types of activities:

excavation operations of the general nature;

building of bearing and filling structures of buildings and facilities of I or II and III responsibility levels, which comprises:

assemblage of metal structures, installation of reinforcing steel;

assemblage of steel reservoirs (tanks), including ones operating under the pressure or designated for storage of explosion and fire risk or other dangerous (harmful) liquid or gaseous matters;

assemblage of building structures of the tower and pole types, chimneys;

assemblage of bearing structures of bridges and bridge passages;

assemblage of building structures of lifting facilities (elevators, escalators, shaft headgears and mine hoists, cableways and others);

assemblage of building structures of plants, apparatuses and other technological facilities of the metallurgical, petrochemical, mining, power and other industry sectors;

construction of bases and piling operations;

construction of monolithic structures, as well as assemblage of precast concrete and reinforced concrete structures, laying of piece elements of walls and partitions and filling of openings;

roofing operations;

performance of special constructing and assemblage operations (in particular performance of special operations in ground), which comprise:

production and main networks of petroleum pipelines, gas pipelines, as well as main networks of petroleum products pipelines;

field construction of wells (except for field construction of petroleum and gas wells);

main electric power transmission lines with the voltage of up to 35 kV and up to 110 kV and more;

gas supply to dwelling and communal - consumer services items;

hyrotechnical and mud facilities, dams, dikes;

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chimneys, silo facilities, cooling towers, shaft towers;
laying of refractory materials;
assemblage of explosion-fire risk equipment;
assemblage of technological pipelines made of non-ferrous metals, polymeric materials and glass;
all republic and international communication and telecommunications lines;
storage facilities for petroleum, petroleum products and condensed gases;
drilling, drilling-blasting operations in ground;
underwater technical operations and off-shore operations;
excavation operations in melioration and water management construction;
hydraulic mechanized operations in ground;
drifting and tunnelling operations, arrangement of watertight diaphragms;
special operations for construction of external engineering networks and facilities and internal engineering systems, including:
electric power supply networks for railway communication, power supply and electric light networks of air transport enterprises;
pipelines operating under the pressure, including main thermal networks and medium and high pressure gas supply networks;
low pressure home and industrial gas supply networks, interior systems of gas management and home devices;
networks of cold and hot water supply, centralised sewage of household, industrial and storm discharges, arrangement of interior water pipeline and sewage systems;
electric power supply networks and exterior electric light equipment, interior electric light and electric heating systems;
lines and interior systems of communication, radio-, telecommunications and television;
interior systems of centralised heating;
ventilation, air conditioning, pneumotransport and aspiration;
special operations for protection of structures and equipment, which comprise:
water proofing of building structures;
thermal insulation of pipelines, building structures and equipment;
brickworking and lining operations;
anti-corrosion protection of building structures and equipment, pipelines, including chemical protective materials from impacts of aggressive water;
electric chemical protection of pipelines, structures and equipment;
lighting protection;
finishing operations in construction, reconstruction, major repair of buildings and facilities of I or II responsibility levels (except for plastering and painting operations);
operations for building of roads, which comprise:
bases for railways;
upper building of railways;
bases and covering, protective facilities and field construction of motor roads of II and II technical categories, as well as inside city main roads of high-speed and controlled traffic, traffic-ways of main streets of general public importance with continuous and controlled traffic;

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bases and covering, protective facilities and field construction of motor roads of III, IV and V technical categories, as well as traffic ways of streets in inhabited localities, which are not main;

bases and covering of runways at airdromes and helicopter grounds;

assemblage of technological equipment (including setting-up operations) which is related to:

elevator management and other lifting-transport facilities;

metallurgy, concentration;

metal processing;

wood processing;

geological prospecting, petroleum and gas production;

mining production, underground railroad and tunnels;

hydrotechnical and melioration facilities;

storage and processing of grain, production and storage of other foodstuffs;

coal, chemical and petroleum refinery production;

production of building materials, articles and structures;

manufacture of products of the light industry;

manufacture of medical ~~preparations~~ means, items of medical designation, and medical equipment [modified by 13], healthcare, rehabilitation and prevention of diseases;

items of theatre-entertainment, educational, sport and entertainment-leisure destination;

electric stoves, other electric technical installations, including explosion protected electric technical equipment;

compressor machinery, pumps and ventilation;

communication, anti-accident protection, system of control and alarm, blockage on transport, items of the electric power sector and water supply, other life support items, as well as recording and control devices of industrial and household destination;

major repair and reconstruction of items (except for restoration of history and culture monuments), in particular reinforcement of bearing structures of:

buildings and facilities of dwelling-civil destination of the first responsibility level, including interior engineering systems and external networks, except for gas supply, elevators and other lifting-transport units;

buildings and facilities of industrial destination of the first responsibility level, including interior engineering systems and exterior networks, except for gas supply, elevators and lifting-transport units;

buildings and facilities of dwelling-civil and industrial destination of the second and third responsibility levels, including interior engineering systems and exterior networks, except for gas supply, elevators and lifting-transport units;

bridges (bridge passages, transport bridges and multi-grade cross eliminating structures), tunnels and other underground transport facilities;

motor roads of all the technical categories and inside management (production) passages, street-road network in inhabited localities;

railways;

hydrotechnical and hydromelioration facilities;

networks and interior systems and units of low pressure gas supply;

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elements and systems of steam lines, air lines, petroleum pipelines, petroleum products pipelines, gas pipelines (medium and high pressure gas supply networks) and other fixed units, which transport matters and materials;

protective coating of structures and equipment (brickwork, lining, insulating, anti-corrosion and chemical coating);

3) production (manufacture) of building materials, articles and structures (except for products to be certified).

This type of activity shall comprise the following sub-types of activity:

industrial production of:

ventilation, sanitary-technical, electric wiring equipment;

articles made of metals, polymeric and composite materials, on the basis of production wastes;

elements of tower-pole types, chimneys;

elements of bridges and bridge passages, transport bridges and cross eliminating structures;

reservoirs and tanks, including ones operating under the pressure or designated for storage of explosion and fire risk or other dangerous (harmful) matters;

manufacture (industrial production) of:

elements for bearing and filling structures;

technological metal structures and their parts;

4) expert work and engineering services in the sphere of architectural, town building and constructing activities.

This type of activity shall comprise the following sub-types of activity:

state expert examination of projects (pre-project and project-estimate documents) for town building planning of territories and inhabited localities and (or) construction (expansion, modernisation, technical re-equipment, reconstruction, restoration, major repair) of buildings, facilities and their complexes, communications;

expert examination of projects (project documents) for construction which is conducted by physical persons and (or) legal entities being entities of the market of expert work, which is not recognised as within the exclusive competence of the state expert examination. In this case it shall not be allowed to conduct an expert examination of own projects or projects made with any participation of the stated licensee;

services for performance of own control with the customer (technical supervision, engineer service, ~~technological accompanying of constructions~~ [excluded by 14]) and project organisation (author's supervision) in construction (major repair, reconstruction) of buildings and facilities;

technical inspection of physical (technical) conditions of operating buildings, facilities, engineering systems and communications and their elements (parts) for the purposes of establishing their reliability and stability of functioning;

5) activities for organisation of construction of dwelling buildings for the account of attraction of money of shareholders.

Article 34. Licensing of Activities in the Sphere of Production of the State Symbols of the Republic of Kazakhstan

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It shall be required to have a licence to manufacture the State Flag of the Republic of Kazakhstan and the State Emblem of the Republic of Kazakhstan, as well as materials items with their pictures.

~~Article 35. Licensing of Activities in the Sphere of Customs Business~~

~~Repealed by 20) Law No. 297-IV of 30th June 2010 of the Republic of Kazakhstan Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Matters of Customs Regulation and Taxation.~~

~~It shall be required to have a licence to be engaged in activities carried out within the framework of certain customs regimes and activities of rendering of customs services in accordance with the customs legislation of the Republic of Kazakhstan.~~

~~This types of activity shall comprise the following sub-types of activity:~~

~~activities with the customs warehouse customs regime;~~

~~customs carrier activities;~~

~~activities of a goods and transport vehicles temporary storage warehouse;~~

~~customs broker activities.~~

Article 36. Licensing of Activities in the Sphere of Manufacture and Turnover of Ethyl Alcohol, Manufacture of Tobacco Articles

It shall be required to have a licence to be engaged in the following types of activity:

1) manufacture of ethyl alcohol;

2) manufacture of alcohol products.

This type of activity shall comprise the following sub-types of activity:

manufacture of vodkas and special vodkas;

manufacture of alcoholic beverages;

manufacture of wine materials;

manufacture of wines;

manufacture of cognac;

manufacture of brandy;

manufacture of beer;

3) storage, wholesale and (or) retail sale of alcohol products, except for activities of storage, wholesale and (or) retail sale of alcohol products in the territory they are produced in;

4) import of ethyl alcohol and alcohol products;

5) manufacture of tobacco articles.

~~Article 37. Licensing of Activities Related to the Use of Currency Values~~

~~Repealed by 10) Law No. 167 of 4th July 2009 of the Republic of Kazakhstan. Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Issues of Currency Regulation and Currency Control.~~

~~It shall be required to have a licence to conduct retail trade and to render services for ready foreign currencies.~~

Article 37-1. Licensing of Activity in the Sphere of Commodity Exchanges

Introduced by 8) Law No. 156 of 4th May 2009 of the Republic of Kazakhstan. Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan Concerning Issues of Commodity Exchanges.

The presence of licences shall be required to engage in the following types of activity:

- 1) activity of commodity exchanges;
- 2) activity of exchange brokers and exchange dealers.

CHAPTER 4. LICENSING IN THE SPHERE OF EXPORT AND IMPORT OF GOODS

Article 38. General Provisions

Amended by 20) Law No. 297-IV of 30th June 2010 of the Republic of Kazakhstan Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Matters of Customs Regulation and Taxation.

1. The list of goods, export and import of which is to be licensed, shall be established by the Government of the Republic of Kazakhstan.

Licensing of export or import of certain goods must not have a more restricting or distorting influence upon export or import of goods than the purposes in fulfilment of which said restrictions are introduced.

2. The licence shall be issued to the applicant for the period of a calendar year to conduct exportation or importation of certain goods under each certain deal.

The licence shall be issued to one type of goods irrespective of the number of its names entered in the contract.

As regards persons carrying out certain types of activities under a general licence, the licence for export or import of certain goods, which are permanently used in the said type of activity, shall be issued (for the annual export (import) volume irrespective of the number of contracts) without limitation of the term.

3. Under the applicant's motivated request the term of the one-time licence may be prolonged for a period of not more than one calendar year.

One-time licences shall be recognised as a permit for export or import of certain goods within the time indicated in them, and they shall be a basis for customs clearance ~~clearance~~ declaring [*modified by 20*] of the goods.

Article 39. Licensing of Export of Certain Goods

1. Licensing of export of certain goods may take place in cases if:

1) the subject-matter of export is goods, the sale (marketing) or use of which in the home market is made on the basis of a licence;

2) manufacture and selling of the said goods is recognised by laws of the Republic of Kazakhstan as state monopoly.

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2. Introduction of the licensing procedure for export of goods on other bases, in particular under motives of protection of the home commodity and foodstuffs markets in the interests of consumers and restriction of export of deficit goods abroad in connection with, shall be established by the Government of the Republic of Kazakhstan.

3. Goods may be exported only to states as entered in the licence.

Article 40. Licensing of Import of Certain Goods

Licensing of import of certain goods shall be performed by the Government of the Republic of Kazakhstan under reasons of security of the state, life or health of citizens, environment and for the purposes of protection of home manufacturers of the goods and economic safety of the Republic of Kazakhstan without application of quantity restrictions.

Article 41. Automatic Licensing of Import of Certain Goods

In case of automatic licensing of certain goods, the application shall be approved in all the cases. In this case any person, which meets legal requirements to the importing members for conducting of import transactions, shall have the equal right to petition and to obtain a licence for import. The application for obtaining of a licence may be submitted on any working day before customs clearance of goods. The licence shall be issued within ten working days if the application for obtaining of a licence and necessary documents are presented in the proper and full form.

The list of goods to be automatically licensed, as well as the procedure for issue and formulation of a licence shall be approved by the Government of the Republic of Kazakhstan.

CHAPTER 5. TERMS AND PROCEDURE FOR ISSUING LICENCES AND SUPPLEMENTS TO LICENCES

Article 42. Terms of Issue of a Licence and (or) Supplement to the Licence

Amended by 10) Law No. 167 of 4th July 2009 of the Republic of Kazakhstan. Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Issues of Currency Regulation and Currency Control;

11) Law No. 183-IV of 11th July 2009 of the Republic of Kazakhstan. Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Matters of Share Participation in Housing Construction; and

21) Law No. 337-IV of 15th July 2010 of the Republic of Kazakhstan Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Matters of Development of «Electronic Government».

1. If the licensor is the local executive body of the province (city of republic's importance, capital city) or territorial bodies of the central state body, the licence and (or) supplement to the licence shall be issued in the place of registration of the physical person or legal entity.

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2. To obtain a licence or supplement to the licence (where there are sub-types of activity) the following documents shall be available:

- 1) an application;
- 2) notarised copy Statutes (except for export and import operations) and certificate of state registration of the applicant as a legal entity — for the legal entity;
- 3) a copy document identifying the person — for the physical person;
- 4) a notarised copy certificate of state registration of the applicant as an individual businessman — for the individual businessman;
- 5) a notarised copy certificate of registration of the applicant at the tax authority;
- 6) a document which confirms the payment to the budget of the licence fee for the right of engagement in certain types of activity;
- 7) information and documents in accordance with the qualification requirements.

Additional requirements to the list of documents in case of issue of the licence for the right of engagement in activities in the financial sphere and activities related to concentration of financial resources may be established also by the National Bank of the Republic of Kazakhstan and by the authorised state body for regulation and supervision of the financial market and financial organisations in accordance with laws of the Republic of Kazakhstan.

3. To obtain a supplement to the licence within the framework of the type of activity, for which the licence is available, the following documents shall be required:

- 1) an application;
- 2) a notarised copy licence;
- 3) information and documents in accordance with the qualification requirements (to the sub-type of activity).

4. To obtain conclusions from bodies in the field of protection of the environment, nuclear, radiation, sanitary-epidemiological, industrial, fire safety and state power supervision, within two working days from the day of registration of the applicant's documents for obtaining of a licence and (or) supplement to the licence, and for small business entities within one working day the licensor shall deliver to bodies in the field of protection of the environment, nuclear, radiation, sanitary-epidemiological, industrial, fire safety and state power supervision in the place of state registration of the applicant an inquiry for presentation of a conclusion concerning the consistency of the applicant with the requirements made in the field of protection of the environment, nuclear, radiation, sanitary-epidemiological, industrial, fire safety and state power supervision.

On the basis of the licensor's inquiry the bodies in the field of protection of the environment, nuclear, radiation, sanitary-epidemiological, industrial, fire safety and state power supervision shall establish within twenty-five working days, and for small business entities within seven working days whether the applicant is consistent with the made requirements in the field of protection of the environment, nuclear, radiation, sanitary-epidemiological, industrial, fire safety and state power supervision, and they shall deliver to the appropriate licensor a conclusion concerning the consistency of the applicant with the made requirements.

5. The procedure for and terms of issue, denial of issue, suspension, termination of licences for the right of engagement in activities in the financial sphere and activities related to concentration of financial resources shall be established by the National Bank of the Republic of Kazakhstan and the authorised state body for regulation and

supervision of the financial market and financial organisations in accordance with laws of the Republic of Kazakhstan.

~~The procedure for and terms of issue, denial of issue, termination of licences for engagement in activities related to the use of currency values shall be established by the National Bank of the Republic of Kazakhstan in accordance with the law of the Republic of Kazakhstan concerning currency regulation and currency control. [repealed by 10]~~

Terms of and procedure for issue of licences for activities in the sphere of gambling business shall be determined by the law of the Republic of Kazakhstan concerning gambling business.

The Law of the Republic of Kazakhstan «Concerning Share Participation in Housing Construction» shall determine the terms of, and the procedure for, the issue of licenses for the activity on the organization of construction of residential buildings at the expense of the attraction of the sharers' money. *[introduced by 11](shall enter into force upon expire of three months from its first official publication)*

6. All the documents presented to the appropriate licensor for issue of a licence and (or) supplement to the licence shall be accepted according to the list a copy of which shall be delivered (handed over) to the applicant with a mark concerning the date of reception of the documents by the said body.

7. An applicant may apply to the licensor with regard of the issue of electronic license, having sent an application in the form of an electronic document, certified by the electronic digital signature, with copies of documents attached to the application in the electronic form. *[introduced by 21]*

The state bodies shall independently review the authenticity of the documents submitted by the applicant, indicated in paragraph 2 of this Article, by the use of state electronic information resources. Where such resources are absent, the state bodies shall have the right to request the submission of documents on paper. *[introduced by 21]*

Article 43. Dates of Consideration of Applications For Issue of a Licence and (or) Supplement to the Licence

1. The licence and (or) supplement to the licence shall be issued by the licensor not later than in thirty working days, and for small business entities not later than in ten working days (except for the case stipulated by the second part of Article 19 of this Law) from the day of presentation of the application with the appropriate documents established by this Law.

Within the term established by this Article the licensor shall be obliged to issue a licence and (or) supplement to the licence or give a motivated reply in the written form concerning reasons of the denial to issue a licence and (or) supplement to the licence.

2. Unless the licensor has issued a licence and (or) supplement to the licence or has notified in writing the applicant concerning the reason of the denial to issue a licence and (or) supplement to the licence within the term established by this Law, the applicant shall notify the appropriate licensor in writing that he starts to carry out the type of activity and (or) sub-type of activity stated by him upon the expiration of five working days from the date of expiration of the term as established by this Law for issue of a licence and (or) supplement to the licence.

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Not later than in five working days from the moment of reception of the applicant's written notice the licenser shall be obliged to issue a licence and (or) supplement to the licence from the date as indicated by the applicant in the written notice.

Article 44. A Licence Fee for the Right of Engagement in Certain Types of Activity

Amended by 3) Law No. 101 of 10th December 2008 of the Republic of Kazakhstan. Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan Concerning Issues of Taxation;

16) Law No. 200 of 16th November 2009 of the Republic of Kazakhstan Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Issues of Taxation.

The licence fee for the right of engagement in certain types of activity shall be collected if licences (duplicate licences) are issued (re-formulating) [*inserted by 16*] in accordance with the Tax Code of the Republic of Kazakhstan.

Rates of the licence fee for the right of engagement in certain types of activity shall be established ~~by the Government of the Republic of Kazakhstan, except for rates of the licence fee for carrying out of activities in the sphere of gambling business by the~~ Tax Code of the Republic of Kazakhstan. [*modified by 3*]

Where supplements to the licence (duplicate supplements to the licence) are issued, the licence fee shall not be collected.

Article 45. Denial of Issue of a Licence and (or) Supplement to the Licence

Amended by 10) Law No. 167 of 4th July 2009 of the Republic of Kazakhstan. Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Issues of Currency Regulation and Currency Control;

19) Law No. 262 of 2nd April 2010 of the Republic of Kazakhstan Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Issues of Enforcement Procedures.

1. Issue of a licence and (or) supplement to the licence may be denied in cases if:

1) engagement in the type of activity is prohibited by laws of the Republic of Kazakhstan for the stated category of entities;

2) not all the documents are presented as required in accordance with this Law. Where the applicant eliminates said obstacles, the application shall be considered on the general bases;

3) the licence fee for the right of engagement in certain types of activity is not paid where the application for issue of a licence for the type of activity is presented;

4) the applicant does not meet the qualification requirements;

5) in relation to the applicant there is a court sentence entered in legal force which prohibits it to be engaged in the certain type of activity;

6) the court on the basis of a proposal of the court enforcement officer prohibits the applicant to receive licences. [*introduced by 19*]

Additional requirements to denial of issue of licences for engagement in activities in the financial sphere and activities related to concentration of financial resources, ~~as well as activities related to the use of currency values [excluded by 10]~~ may be established by the National Bank of the Republic of Kazakhstan and by the authorised state body for regulation and supervision of the financial market and financial organisations in accordance with laws of the Republic of Kazakhstan.

2. In case of denial of issue of a licence the licensor shall give to the applicant a motivated reply in the written form within the term established for issue of a licence and (or) supplement to the licence.

Article 46. Appealing a Denial of Issue of a Licence and (or) Supplement to the Licence

If a licence and (or) supplement to the licence are not issued by the time fixed by this Law or the applicant considers the denial of issue of a licence and (or) supplement to the licence as baseless, he shall have the right to appeal those actions in accordance with the procedure established by the legislation of the Republic of Kazakhstan.

CHAPTER 6. REFORMULATION, ISSUING OF DUPLICATES, TERMINATION AND SUSPENSION OF LICENCES AND SUPPLEMENTS TO LICENCES

Article 47. Reformulating and Issue of Duplicate Licence and (or) Supplement to the Licence

Amended by 12) Law No. 185 of 11th July 2009 of the Republic of Kazakhstan. Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Issues of Improvement of the Legislation of the Republic of Kazakhstan Concerning Payments and Remittances of Money, Accounting and Financial Reporting of Financial Organisations, Banking Activity and Activity of the National Bank of the Republic of Kazakhstan

1. In case of loss, damage of the licence and (or) supplement to the licence the licensee shall have the right to obtain a duplicate licence and (or) supplement to the licence.

Lost, damaged forms of the licence and (or) supplement to the licence shall be considered as invalid from the day of presentation by the licensee of a written application (with attachment of documents confirming the fact of loss, damage of the licence and (or) supplement to the licence) to the licensor.

Within ten working days from the day of presentation of the application the licensor shall perform issue of a duplicate licence and (or) supplement to the licence with giving of a new number and the record 'Duplicate' on the right upper corner.

2. Where the physical person has changed the surname, name, patronymic, where the legal entity undergoes a reorganisation in the form of merger, takeover, separation or transformation, where it has changed the name, as well as where the name of the type of activity and (or) sub-type of activity has been changed, unless such a change involves change of the substance of performed operations within the framework of the type of activity and (or) sub-type of activity, he shall be obliged to present within

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thirty calendar days an application for re-formulation of the licence and (or) supplement to the licence with attachment of appropriate documents confirming said information.

Where one or more banking transactions, one or more classes in insurance activity are excluded from the licensed type of activity, the licensee shall be obliged within thirty calendar days to submit an application for reformulating the licence with attachment of the licence. *[introduced by 12]*

Within ten working days from the day of presentation by the licensee of the appropriate written application the licensor shall re-formulate the licence and (or) supplement to the licence.

Article 48. Termination of a Licence and (or) Supplement to the Licence

Amended by 7) Law No. 135 of 13th February 2009 of the Republic of Kazakhstan. Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan Concerning Issues of Functioning of the National Prosperity Foundation and Recognition as Invalid of the Law of the Republic of Kazakhstan “Concerning the Investment Foundation of Kazakhstan”;

18) Law No. 241-IV of 20th January 2010 of the Republic of Kazakhstan Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Issues of Forensic Expert Activities.

1. The licence and (or) supplement to the licence shall be terminated in cases of:
 - 1) the expiration of the term for which the licence was issued;
 - 2) the making of the actions (operations) in the full volume for making of which the licence was issued;
 - 3) the deprivation of the licence;
 - 4) the cessation of activities of the physical person, liquidation of the legal entity, reorganisation of the legal entity, except for reorganisation in the form of merger, takeover, separation or transformation;
 - 5) the voluntary return of the licence and (or) supplement to the licensor;
 - 6) the exclusion of the certain type of activity and (or) sub-type of activity from the list of licensed ones;
 - 7) exclusion of a licensee from among the entities which are subject to licensing; *[introduced by 7]*
 - 8) in other cases provided for by the laws of the Republic of Kazakhstan. *[introduced by 18]*

2. Where the licence and (or) supplement to the licence is terminated the licensee shall be obliged to return to the licensor the licence and (or) supplement to the licence within ten working days.

Article 49. Suspension, Deprivation of a Licence

Amended by 18) Law No. 241-IV of 20th January 2010 of the Republic of Kazakhstan Concerning the Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Issues of Forensic Expert Activities.

Suspension, deprivation of the licence shall be performed in accordance with the procedure stipulated by the ~~legislation of the Republic of Kazakhstan concerning administrative violations~~ laws of the Republic of Kazakhstan *[modified by 18]*.

CHAPTER 7. CONCLUDING PROVISIONS

Article 50. Compensation of Losses

Compensation of losses caused by the baseless denial of issue of a licence or violation of rights of the licensee shall be performed in accordance with the procedure established by the civil legislation of the Republic of Kazakhstan.

Article 51. Violation of the Legislation of the Republic of Kazakhstan Concerning Licensing

Violation of the legislation of the Republic of Kazakhstan concerning licensing shall involve responsibility established by laws of the Republic of Kazakhstan.

Article 52. The Procedure for Enactment of This Law

1. This Law shall be enacted upon the expiration of six months from the day of its official publication.

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

President of the Republic of Kazakhstan
N. NAZARBAEV