

LAW
OF REPUBLIC OF KAZAKHSTAN

ON LICENSING

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CHAPTER 1. GENERAL PROVISIONS

Article 1. Relations regulated by the present Law

1. The present Law shall regulate relations pertaining to licensing of certain types of activities.
2. The present Law shall not regulate relations pertaining to issuance of licenses as part of any licensing agreement made between individuals and/or legal entities.

Article 2. Licensing legislation of Republic of Kazakhstan

1. Licensing legislation of Republic of Kazakhstan shall be based on Constitution of Republic of Kazakhstan and consist of the present Law and other normative legal acts of Republic of Kazakhstan.
2. If an international treaty ratified by Republic of Kazakhstan establishes rules other than those provided for in the present Law, rules of such an international treaty shall apply.

Article 3. Basic definitions used in the present Law

The following basic definitions shall be used in the present Law:

- 1) qualification requirements – a complex of quantitative and qualitative standards and indicators characterizing the applicant’s ability to conduct the licensed type of activities and/or subtypes of the licensed types of activities;
- 2) uniform technological process – a complex of technologically interrelated and consistent actions (works) performed in the process of production as part of one licensed types of activities;
- 3) automatic licensing of importation of certain goods – a measure established for monitoring purposes through the issuance of a license;
- 4) licensor – a state body conducting the licensing pursuant to the present Law;
- 5) licensee – an individual or a legal entity holding the license;
- 6) license – a permit issued by the appropriate licensor to an individual or a legal entity engaged in a certain type of activities;
- 7) licensed type of activities (hereinafter, type of activities) – a type of activities (a certain action (transaction, classes of insurance)) to engage in which one needs to receive a license pursuant to the present Law;
- 8) subtype of licensed type of activities (hereinafter, subtype of activities) – a specification of a corresponding type of activities as part of one license;
- 9) roster of licenses – a database containing data on issued, re-filed, suspended, resumed, and expired licenses;

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10) licensing – a set of activities pertaining to the issuance and re-filing of licenses, control by licensors of compliance by licensees with appropriate requirements, suspension and resumption of effect of licenses, and revocation of licenses;

11) licensing control – activities by a licensor aimed at ensuring licensees' compliance with licensing legislation of Republic of Kazakhstan;

12) applicant – an individual or a legal entity that contacts an appropriate licensor with an application for a license and/or an appendix to a license;

13) authorized body – a state body developing and implementing state policies and coordinating activities of other state bodies in the area of licensing.

Article 4. Basic principles of licensing

1. Licenses shall be issued under equal terms and grounds for all entities that meet requirements established per a given type of activities.

2. The introduction of a licensing procedure with respect to certain types of activities shall be established to ensure national security, law and order, environmental protection, protection of proprietary rights, and health and life of citizens.

3. The present Law shall establish a conclusive list of types of activities and subtypes of activities.

4. In the process of inclusion of new types of activities and/or subtypes of activities into the present Law they shall be subject to licensing after corresponding normative legal acts establishing qualification requirements and rules for licensing of types of activities are adopted.

Normative legal acts that approve qualification requirements, rules for licensing of types of activities, and lists of certain goods importation and exploration of which are subject to licensing cannot be entered into effect until twenty one days has passed after the official publication of such acts.

5. Licensing of certain types of activities shall be established in case requirements to products set by laws of Republic of Kazakhstan and requirements to mandatory assessment of conformity of certain types of products and processes are insufficient to achieve the goals of state administration.

6. A license is an inalienable item and cannot be transferred by a licensee to another individual or legal entity.

7. The effect of a license shall apply throughout the territory of Republic of Kazakhstan except for cases as provided for in laws of Republic of Kazakhstan.

8. Types of activities that are a part of a technological process and/or are a necessary element of the conduct of a type of activities shall not be subject to licensing.

9. Conducting certain types of activities or performing certain actions (transactions) requiring a license shall only be admissible if an appropriate license is held except for activities conducted by state bodies and Kazakhstan Development Bank within the powers established by laws of Republic of Kazakhstan.

Performing certain types of activities pertaining to the financial sector and activities pertaining to the concentration of financial resources shall only be admissible if a license is held except for activities conducted by credit partnerships, mutual insurance societies, and National Mail Operator within the powers established by laws of Republic of Kazakhstan.

CHAPTER 2. STATE SYSTEM OF LICENSING

Article 5. Structure of the state system of licensing

The state licensing system consists of:

- 1) Government of Republic of Kazakhstan;
- 2) authorized body;
- 3) licensors.

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Article 6. Powers of Government of Republic of Kazakhstan

The powers of Government of Republic of Kazakhstan include:

- 1) developing major directions of the state policies in licensing and strategic and tactical measures of implementation thereof;
- 2) determining the list of licensors;
- 3) approving qualification requirements except for the qualification requirements approved by the authorized state body on regulating and supervising the financial market and financial organizations and National Bank of Republic of Kazakhstan pursuant to laws of Republic of Kazakhstan and qualification requirements set to gambling activities;
- 4) approving rules of licensing of types of activities except for the rules of licensing of types of activities approved by the authorized state body on regulating and supervising the financial market and financial organizations and National Bank of Republic of Kazakhstan pursuant to laws of Republic of Kazakhstan;
- 5) approving forms of applications to receive a license and/or an appendix to a license except for the application form approved by the authorized state body on regulating and supervising the financial market and financial organizations and National Bank of Republic of Kazakhstan pursuant to laws of Republic of Kazakhstan;
- 6) approving the list of poisons production, processing, transportation, purchase, storage, sale, use, and disposal of which are subject to licensing;
- 7) approving the unified form of a report on applicant's compliance with the qualification requirements set with respect to environmental protection, nuclear, radioactive, sanitary and epidemiological, industrial, and fire safety and state energy supervision;
- 8) approving the list of types of activities and subtypes of activities per which one needs to receive a report of bodies responsible for environmental protection, nuclear, radioactive, sanitary and epidemiological, industrial, and fire safety and state energy supervision.

Article 7. Powers of the authorized body

The powers of the authorized body include:

- 1) setting state policies in licensing;
- 2) collecting, analyzing, and processing information provided by licensors under a procedure established by the authorized body.

Article 8. Powers of state bodies

Licensors shall perform the following:

- 1) develop draft qualification requirements and rules of licensing of types of activities.
National state bodies shall, within their powers, develop draft qualification requirements and rules of licensing of types of activities if a local executive body of a province (national-level city, capital) is the licensor;
- 2) verify applicant's compliance with qualification requirements in the course of issuance of a license and/or an appendix to a license;
- 3) license applicants;
- 4) control the licensing process;
- 5) maintain the roster of licenses.
The license roster shall contain the following information:
name of the licensor;
date of issuance and the number of a license and/or an appendix to a license;
name, place of residence, information from the ID verifying the identity of the individual, and number and date of issuance of a certificate in case of state registration of the individual as an individual entrepreneur – for individual entrepreneurs;
name, legal form, and location – for legal entities;
type of activities and/or subtypes of activities;
period of a license's effect;

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taxpayer registration number;

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

grounds for, and dates of, re-filing for a license and/or an appendix to a license;

grounds for, and dates of, suspension and resumption of the effect of a license;

grounds for, and dates of, termination of the effect of a license;

6) send inquiries to bodies of bodies responsible for environmental protection, nuclear, radioactive, sanitary and epidemiological, industrial, and fire safety and state energy supervision to check the applicant's compliance with qualification requirements;

7) render electronic services with application of information systems pursuant to the legislation of Republic of Kazakhstan on conversion to, and dissemination of, information technologies.

Article 9. Types and effect of licenses

Licenses shall differ based on the following attributes:

1. by licensed subject:

1) issued to individuals and legal entities of Republic of Kazakhstan;

2) issued to foreign individuals, individuals without citizenship, foreign legal entities, and international organizations.

2. by volume of activity:

1) general licenses – to conduct certain types of activities, issued without a limitation of the period of effectiveness;

2) one-off licenses – to perform a certain commercial transaction within the timeframe, volume, weight or quantity established (in monetary terms or in kind) and to conduct types of activities in gambling within a timeframe as established in the [law](#) of Republic of Kazakhstan on gambling;

3) operating licenses – to conduct certain transactions in banking and classes of insurance activities (insurance classes).

Article 10. Form of licenses and an appendix to a license

The form of a licenses and appendices thereto shall be established by Government of Republic of Kazakhstan.

An appendix to a license in which subtypes of activities are indicated shall be an integral part of a license.

Forms of licenses to conduct activities pertaining to concentration of financial resources and use of currency valuables as provided for in [Articles 32](#) and [37](#) of the present Law shall be established by the authorized state body on regulating and supervising the financial market and financial organizations and/or National Bank of Republic of Kazakhstan.

Article 11. Scopes of licensing

Certain types of activities in the following areas shall be subject to licensing:

1) industry;

2) atomic energy use;

3) poisonous substance handling;

4) technical safety;

5) transportation;

6) turnover of narcotic drugs, psychotropic substances, and precursors;

7) information security;

8) special technical means to conduct investigation and search;

9) armament, military equipment, and certain types of weaponry, explosives and items using them;

10) use of outer space;

11) conversion to, and dissemination of, information technologies and communications;

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- 12) education;
- 13) media;
- 14) agriculture and forestry, land development, geodesy and cartography;
- 15) healthcare;
- 16) serving of individuals and legal entities;
- 17) gambling;
- 18) veterinary science;
- 19) forensic examination;
- 20) culture;
- 21) financial sector and activities related to concentration of financial resources;
- 22) architecture, urban planning, and construction;
- 23) development of state symbols of Republic of Kazakhstan;
- 24) customs;
- 25) production and turnover of ethanol and alcoholic products and production of tobacco products;
- 26) activities pertaining to use of currency valuables;
- 27) goods exportation and importation.

CHAPTER 3. TYPES OF ACTIVITIES

Article 12. Licensing of industrial activities

A license shall be required to conduct the following types of activities:

1) generate, transmit, and distribute electrical and heat energy, operation of electrical stations, electrical networks and substations.

This type of activities includes the following subtypes of activities:

generating electrical energy from sources of electrical energy of 35 kVt and higher voltage;
transmitting and distributing electrical energy to consumers;

operating electrical stations, electrical networks, and substations of all types (transformation substations, distribution devices, relay protection and automatic equipment) applied at hazardous manufacturing objects except for objects of energy supply for utilities and household use and objects of energy supply used in a uniform technological process;

producing heat energy to provide heat energy supply to inhabited points, manufacturing facilities and objects except for production of heat energy for own needs;

rendering services in transmission and distribution of heat energy to provide heat energy supply to inhabited points, manufacturing facilities and objects;

2) design and operate mountain, oil and chemical, chemical, oil and gas processing production; operate objects for storage of gas, oil and oil products, gas pipeline mains, oil pipeline mains, and oil products pipeline mains.

This type of activities includes the following subtypes of activities:

designing (technological) and/or operating mountain production facilities:

designing extraction of fossil minerals (except for generally available minerals), oil, gas and condensed oil and gas products;

preparing designs and technological regulations on development of deposits of fossil minerals and oil and gas deposits;

preparing technical and economic substantiation for designs of development of deposits of fossil minerals and oil and gas deposits;

extracting fossil minerals (except for generally available minerals), oil, gas and condensed oil and gas products;

opening and developing deposits of fossil minerals through open and subsoil methods;

extracting oil, gas and condensed oil and gas;

performing explosive activities to extract minerals;

performing liquidation activities to close mines and shafts;

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- performing technological works at deposits;
- performing logging in oil and gas boreholes;
- explosion activities in oil and gas boreholes;
- boring oil and gas holes including in seas and at domestic reservoirs;
- subsoil and major overhaul of boreholes; disassembling equipment and machinery; installing borehole pulling equipment;
- tests after the overhaul of boreholes;
- washing, cementing, testing and utilizing boreholes;
- increasing oil recovery rate and productivity of boreholes;
- preventing and liquidating oil spills at land and sea, self-spilling of boreholes, oil and gas discharges (except for fountain-suppressing works), and conserving boreholes;
- designing (technological) and/or operating oil and chemical, chemical and oil and gas processing production facilities:
 - products of organic and inorganic chemistry, rubber, tires, rubber and technical industry, technical carbon, chemical fiber, polymer materials and plastic;
 - products of primary and deep oil processing;
 - compounding, accelerating, and, adding enrichments and components to, commercial gasoline to increase the octane rate;
 - compounding, accelerating, and, adding enrichments and components to, commercial gasoline to increase the octane rate off-grade oil products to achieve gasoline with pre-set properties;
 - adding acceleration and supplements to diesel fuel and fuel oil;
 - adding acceleration to oil lubricants;
 - processing oil-containing waste;
 - examining design and design and budget documentation in use of subsurface, oil and gas processing, oil and chemical, and chemical production performed in the territory of other states and implemented in Republic of Kazakhstan;
 - operating objects to store gas, oil, and oil products (oil and gas storage facilities, oil and gas loading racks, gas stations, gas-filling stations and points, road containers, automobile gas stations, automobile gas-filling stations, interim points for collection of carbo-hydrogen gas balloons:
 - acceptance, filling, emptying, storage and release of flammable and highly flammable liquids, liquefied and flammable gases (except for objects to ensure a uniform technological process);
 - operating gas pipeline mains, oil pipelines, oil products pipelines;
 - operating equipment, devices of pumping and compressor stations, reservoir parks and linear parts of gas and oil products mains, as well as technological equipment and boreholes of subsurface gas storages;
 - technical servicing and repairs (preventive maintenance, inspections, control of technical condition of welding stitches, connections and mountings), pipeline mains, primary and auxiliary equipment;
 - diagnostic of equipment of pumping and compressor stations and linear part of pipeline mains, including underwater transition connectors;
 - technical servicing of electrical and chemical anti-corrosive protection means;

3) process mineral resources (except for processing of generally available minerals).
This type of activities includes the following subtypes of activities:

- physical methods of transformation of minerals;
- physical and chemical methods of transformation of minerals;
- chemical methods of transformation of minerals;
- metallurgic (pyro-metallurgy, burning, hydro-metallurgy, heating) method of transformation of minerals;

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processing of waste of mining, enrichment, metallurgic and other industrial production containing minerals;

4) operate systems of gasification of residential and utilities and household objects.

This type of activities includes the following subtypes of activities:

operation and technical servicing and maintenance of external system of gasification (gas distribution points, gas distribution devices, gas distribution networks of high, medium and low pressure);

operation and technical servicing and maintenance of in-house gas networks, gas devices and equipment;

5) designing, manufacturing, assembling and repairing chemical, boring, oil and gas extracting, geological and exploration, mining and shaft, metallurgic, and energy equipment, anti-explosion electrical and technical equipment, lifting equipment, and boilers with a standard pressure of more than 0,7 kilograms/cm² and heat energy carrier of more than 115°C, containers and pipelines operating under pressure of more than 0,7 kilograms/cm² (except for designing, manufacturing, assembling, and repairing equipment used in a uniform technological process).

This type of activities includes the following subtypes of activities:

designing (developing complex technical, development and technological documentation containing technical and economic substantiation, calculations, sketches, models, budgets, explanatory notes needed to manufacture equipment);

manufacturing (whole-set equipment, separate elements, nodes, parts, blocks, auxiliary devices);

assembling (assembling, setup, installation of structures, constructions, technological equipment, machinery, equipment, apparatuses, devices and other pieces of equipment from pre-set parts, nodes, elements at the operation stage of production or an object);

repairing (diagnostic of condition, recovery of serviceability or operating ability of technical equipment, replacement of elements, repairing and elimination of damages/defects);

6) acquire electrical energy for re-selling purposes;

7) manufacture and repair measurement devices;

8) legal entities' collecting (stock), storing, processing and selling waste and scrap of non-ferrous and ferrous metals.

Article 13. Licensing of atomic energy activities

A license shall be required to conduct the following types of activities:

1) perform works related to stages of life cycle of objects using nuclear energy.

This type of activities includes the following subtypes of activities:

placement of nuclear energy-using objects;

designing nuclear energy-using objects (developing comprehensive technical, modeling and technological documentation containing technical and economic substantiation, estimates, sketches, models, budgets, explanatory notes needed to construct nuclear energy-using objects, and parts, blocks, systems and structures thereof);

constructing nuclear energy-using objects (whole complex, parts, blocks, systems, structures, auxiliary facilities, and equipment);

launching nuclear energy-using objects (whole complex, parts, blocks, systems, structures, auxiliary facilities, and equipment);

operating nuclear energy-using objects (whole complex, parts, blocks, systems, structures, auxiliary facilities, and equipment);

decommissioning nuclear energy-using objects (whole complex, parts, blocks, systems, structures, auxiliary facilities, and equipment);

managing nuclear energy-using objects;

2) handle nuclear materials, sources of ionizing radiation (except for X-ray diagnostic medical-purpose equipment) and radioactive substances.

This type of activities includes the following subtypes of activities:

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making, manufacturing, storing and processing nuclear materials and radioactive substances;
using and placing nuclear materials, radioactive substances, sources of ionizing radiation including devices and equipment containing such sources or generating ionizing radiation;

modeling, making, and manufacturing sources of ionizing radiation including devices and equipment containing such sources or generating ionizing radiation;

selling nuclear materials and sources of ionizing radiation and radioactive substances;

3) develop, manufacture, sell and operate X-ray equipment except for medical X-ray equipment;

4) render services in use of nuclear energy.

This type of activities includes the following subtypes of activities:

technical servicing, assembling, disassembling, charging, recharging, repairing devices and equipment including medical equipment that contain radio-isotopic sources of ionizing radiation or generate ionizing radiation;

controlling quality of performance of sources of ionizing radiation and devices and equipment that contain such sources or generate ionizing radiation;

developing designs, technologies, science and technical documentation for substantiation of radiological or nuclear security, conducting expert examination, analyzing and evaluating radioactive or nuclear security;

radiological control of territories, facilities, workplaces, goods, metal scrap, and transportation vehicles;

identifying the content of radionuclide substances in foodstuffs, environment, and materials, and measuring concentration of radon and other radioactive gases;

gamma-imaging and other radiometric studies of territories;

individual dosimetric control of personnel and population;

radiological rehabilitation and re-cultivation of territories and objects;

5) develop technical documentation, modeling, making and manufacturing of transportation containers, packaging and materials, containers for nuclear materials, sources of ionizing radiation, radioactive materials and radioactive waste;

6) handle radioactive waste.

This type of activities includes the following subtypes of activities:

collecting and sorting radioactive waste;

deactivating (cleaning up radioactive pollution) facilities, equipment and materials;

transporting radioactive waste;

processing radioactive waste;

storing and dumping radioactive waste;

7) transport, including transiting, nuclear materials, radioactive substances, radio-isotopic sources of ionizing radiation, and radioactive waste within the territory of Republic of Kazakhstan;

8) activities in territories of former testing ranges and other territories polluted as a result of nuclear tests held;

9) physical protection of nuclear reactors and nuclear materials.

This type of activities includes the following subtypes of activities:

modeling, assembling, launching, operating, servicing, repairing, and setting system of physical protection of nuclear energy-using objects;

rendering services to develop projected dangers to the nuclear energy-using objects;

ensuring physical security of nuclear energy-using objects including nuclear reactors, objects and transportation vehicles containing nuclear and other radioactive materials;

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

10) conduct special training of specialists and personnel for activities pertaining to use of nuclear energy.

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Article 14. Licensing of activating pertaining to handling of toxic substance

A license shall be required to conduct the following types of activities:

- 1) manufacture, process, store, sell, use and destroy poisons (contaminants);
- 2) manufacture (formulate), sell, and use pesticides (chemical contaminants), and apply pesticides (chemical contaminants) and source components for manufacturing thereof except for testing samples for registration and manufacturing tests and scientific research.

Article 15. Licensing of technical safety activities

A license shall be required to assemble, set up, and service means of safety alarm systems except for activities conducted during construction and assembly.

Article 16. Licensing of transportation activities

A license shall be required to conduct the following types of activities:

- 1) transport passengers.

This type of activities includes the following subtypes of activities:

- transport passengers by railroad transportation;
- transport passengers by maritime transportation;
- transport passengers by river transportation;

- 2) transport hazardous cargo.

This type of activities includes the following subtypes of activities:

- transport hazardous cargo by railroad transportation;
- transport hazardous cargo by maritime transportation;
- transport hazardous cargo by river transportation;
- transport hazardous cargo by road transportation.

Article 17. Licensing of activities pertaining to turnover of narcotic drugs, psychotropic substances and precursors

A license shall be required to conduct activities pertaining to the turnover of narcotic drugs, psychotropic substances, and precursors.

This type of activities includes the following subtypes of activities:

developing, manufacturing, processing, transporting, forwarding, acquiring, using and destroying narcotic drugs, psychotropic substances and precursors;

cultivating, gathering, preparing plants and herbs containing narcotic drugs and psychotropic substances;

manufacturing, transporting, acquiring, storing, distributing, selling, using and destroying narcotic drugs, psychotropic substances and precursors in the healthcare system.

Article 18. Licensing of information security activities

A license shall be required to conduct the following types of activities:

- 1) technical protection of state secrets.

This type of activities includes the following subtypes of activities:

developing, manufacturing, repairing and servicing technical means of protection of state secrets;

assembling, installing, and servicing of technical means of protection of state secrets;

2) development and sale (including other transfers) means of cryptographic protection of information.

Article 19. Licensing of activities pertaining to special technical means to conduct investigation and search

A license shall be required to conduct the following types of activities:

- 1) develop, manufacture special technical means to conduct investigation and search;

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2) repair and sell special technical means to conduct investigation and search and search for technical channels of information leaks.

Special conditions, procedure and terms for issuance of licenses and corresponding licensing control can be provided for within the rules of licensing of types of activities as established by subparagraphs 1) and 2) of this Article,.

Article 20. Licensing of activities pertaining to armament, military equipment, and certain types of weaponry, explosives and items using them

A license shall be required to conduct the following types of activities:

1) develop, manufacture, repair, purchase and sell munitions, armament, and military equipment, replacement parts, components, and devices thereto, as well as special materials and equipment for production thereof, including assembling, installing, using, storing, repairing and servicing thereof.

This type of activities includes the following subtypes of activities:

developing and manufacturing munitions, armament, and military equipment, replacement parts, components, and devices thereto, as well as special materials and equipment for production thereof, including assembling, installing, using, storing, repairing and servicing thereof;

repairing munitions, armament, and military equipment, replacement parts, components, and devices thereto, as well as special materials and equipment for production thereof, including assembling, installing, using, storing, repairing and servicing thereof;

purchasing and selling munitions, armament, and military equipment, replacement parts, components, and devices thereto, as well as special materials and equipment for production thereof, including assembling, installing, using, storing, repairing and servicing thereof;

2) develop, manufacture, purchase, and sell explosives and pyro-technical substances and items using them.

This type of activities includes the following subtypes of activities:

developing explosives and pyro-technical substances and items using them;

manufacturing explosives and pyro-technical substances and items using them;

purchasing and selling explosives and pyro-technical substances and items using them;

3) liquidate (destroy, utilize, dump) and process surplus munitions, armament, military equipment and special devices.

This type of activities includes the following subtypes of activities:

liquidating (destroy, utilize, dump) and process surplus munitions;

liquidating (destroy, utilize, dump) and process surplus armament, military equipment and special devices;

4) develop, manufacture, repair, sell, and purchase combat small arms and cartridges.

This type of activities includes the following subtypes of activities:

developing combat small arms and cartridges;

manufacturing combat small arms and cartridges;

repairing combat small arms and cartridges;

selling and purchasing combat small arms and cartridges;

5) develop, manufacture, repair, sell, purchase, collect, and display civil and service firearms and cartridges, steel weapons, gas weapons and cartridges;

6) develop, manufacture, sell, and purchase civil pyro-technical substances and items using them.

Article 21. Licensing of activities pertaining to the use of outer space

A license shall be required to conduct all types of activities pertaining to the use of outer space including creating, manufacturing, operating, repairing, and modernizing spacecrafts and space equipment, use of ground-based infrastructure to ensure the functioning thereof (launch site, command and measurement complex, stand base, etc.).

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Article 22. Licensing of activities pertaining to conversion to, and dissemination of, information technologies and communications

1. A license shall be required to conduct the following types of activities:

1) activities to verify the correspondence of open source of electronic digital signature to the closed source of an electronic digital signature and verify faithfulness of the registration certificate;

2) activities to render services in communications.

This type of activities includes the following subtypes of activities:

local telephone communication;

inter-city telephone communication;

international telephone communication;

VoIP;

data transmission (including Internet and telegraph);

telecommunications through a dedicated network;

satellite mobile communication;

cellular communication (standard name);

mobile telecommunication (including mobile radio (radio-telephone) communication, trunking and paging communication);

rendering communication channels;

mail communication.

Licenses to perform activities in communications using radio-frequency specter and resource of numbering can be issued on a contest basis.

Terms and procedures for issuance of licenses to engage in communication activities including those on a contest basis shall be determined by legislation of Republic of Kazakhstan.

2. A license shall not be required to conduct the following types of activities:

1) with respect to individuals and legal entities that do not possess own or rented network or dial-up equipment but offer services of other communications operators acting on the basis of appropriate licenses.

Relations between such entities and communications operators shall be governed by contracts signed whose structure has to be reconciled with the licensor. Intermediaries must provide services under the trademark of the communications operators with which a contract was signed. The responsibility for quality of services rendered to consumers and honoring of license obligations shall be borne by the communications operator;

2) with respect to creating and using networks intended for managing intra-manufacturing activities and technological processes including the use of radio-frequency specter without using communication services offered in Republic of Kazakhstan by nonresident entities of Republic of Kazakhstan;

3) with respect to creating and operating mobile telecommunications networks (including mobile radio (radio-telephone), trunking and paging communication) not connected to general-use telecommunications networks and intended for performance of main type of activities not related to communications.

A permit shall be issued by the authorized body in communications area to use radio-frequency specter pursuant to communications legislation of Republic of Kazakhstan to use frequency bands and radio bands (radio channels) in cases provided for in subparagraphs 2) and 3) of this paragraph.

Article 23. Licensing of education activities

A license shall be required to conduct education activities.

This type of activities includes the following subtypes of activities:

educational activities of pre-school and extra-school organizations;

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educational activities of legal entities implementing specialized and special educational programs;

educational activities of legal entities implementing main educational programs of elementary, middle, and secondary education, vocational training including professional training, secondary professional, higher professional and postgraduate professional education including by specialization;

educational activities of legal entities implementing spiritual educational programs;

educational activities of international and foreign legal entities.

Article 24. Licensing of media activities

A license shall be required to organize television and/or radio broadcasting.

Article 25. Licensing of activities pertaining to agriculture and forestry, land development, geodesy and cartography

A license shall be required to conduct the following types of activities:

- 1) stocking of wood in state forestry areas by forest users;
- 2) acceptance, drying, cleanup, storage and delivery of grain pursuant to the [Law](#) of Republic of Kazakhstan “On Grain”;
- 3) activities to export grain pursuant to the Law of Republic of Kazakhstan “On Grain”;
- 4) primary processing of raw cotton to cotton fiber;
- 5) land development, topography and geodesy and cartography operations.

This type of activities includes the following subtypes of activities:

land development;

topography and geodesy;

cartography.

Article 26. Licensing of healthcare activities

A license shall be required to conduct the following types of activities:

- 1) medical and treatment activities.

This type of activities includes the following subtypes of activities:

primary medical and practitioner assistance: pre-doctor, qualified;

emergency medical assistance;

diagnostics:

pathological anatomy;

radiological diagnostics;

X-ray diagnostics;

Ultra-sound diagnostics;

functional diagnostics;

endoscopic diagnostics;

laboratory diagnostics: bacteriological studies, biochemical studies, immunological studies, laboratory HIV diagnostics, general clinical studies, serological studies, cytological studies;

consulting and diagnostic and/or in-patient medical assistance to adults and/or children – by specialty:

obstetrics and gynecology (including auxiliary reproductive technologies);

allergology and immunology;

anesthetics and emergency room;

andrology;

valeology;

hematology;

hyperbaric oxygen therapy;

dermatovenerology;

dermatocosmetology;

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dietology;
infectious diseases;
massage;
narcology;
neuropathology;
neonatology;
general medical practice, family doctors;
oncology, mammalogy;
otolaryngology;
ophthalmology;
pediatric doctors;
psychiatry;
psychotherapy, medical psychology;
radiology;
sexopathology;
sports medicine and treatment sports activities;
dentistry: therapeutic, surgical, orthopedic, orthodontic;
therapy: general, gastroenterology, cardiology, nephrology, professional pathology,
pulmanology, rheumatology;
traumas, orthopedics, and skin degeneration;
toxicology;
transplantology;
urology;
physiotherapy;
phthisiology;
surgery: abdominal, angi-surgery, cardio-surgery, micro-surgery, neurosurgery, general
surgery, plastic surgery, thoracic surgery, endoscopic surgery;
endocrinology;
expert medical activities:
expert examination of temporary labor-incapability and professional capacity (prophylaxis
and periodical medical examination);
psychiatric expert examination including forensic psychiatric examination, narcological and
forensic narcological examination;
unconventional medical activities: homeopathy, hirudotherapy, manual therapy,
reflexotherapy, phytotherapy, and treatment with natural means;
popular medicine (healing);
resort-based treatment: balneotherapy, hydro-therapy, wax and dirt treatment;
stocking, conservation, processing and storage of blood and components thereof;
sanitary and hygiene and anti-epidemiological medical activities: population hygiene
education, sanitary and epidemiological expert examination;
sanitary and hygiene and laboratory studies: bacteriological, viral, measurement of noise,
vibration, electromagnetic fields and other physical factors; parasitology, radiometry and
dosimetry; sanitary and chemical, toxicological;
2) pharmaceutical activities: manufacturing, making, wholesaling and retailing of medical
drugs.

Article 27. Licensing of activating pertaining to the serving of individuals and legal entities

A license shall be required to conduct the following types of activities:

1) social serving in state medical and social institutions and in non-state medical and social institutions.

This type of activities includes the following subtypes of activities:

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social serving in medical and social institutions (organization) for the elderly and handicapped of the general type;

social serving in psycho-neurological medical and social institutions;

social serving in medical and social institutions (organization) for the handicapped children with corrupted locomotorium;

social serving medical and social psycho-neurological institutions for children;

2) attorney's activities;

3) notary activities;

4) property appraising (except for objects of intellectual property and value of intangible assets);

5) appraising of intellectual property and value of intangible assets;

6) management of property and affairs of insolvent debtors as part of the bankruptcy procedure;

7) auditing;

8) environmental protection.

This type of activities includes the following subtypes of activities:

designing and standardizing environmental protection proceedings;

ecological expert examination;

ecological auditing;

9) organizing and auditing lotteries (except for state (national) lotteries);

10) security services rendered by individual and legal entities;

11) training and retraining of transportation vehicle operators;

12) physical and recuperation and sports services except for activities in education organizations;

13) exportation of labor from Republic of Kazakhstan;

14) tour operators, travel agency, tourism instructors.

Article 28. Licensing of gambling activities

A license shall be required to conduct the following types of activities:

1) operation of casinos;

2) operation of slot-machines and gaming machines;

3) bookmaking;

4) pari-mutuel.

Article 29. Licensing of veterinary science activities

A license shall be required to conduct activities in veterinary science.

This type of activities includes the following subtypes of activities:

manufacturing and selling veterinary-purpose medications;

selling medications, biological substances for veterinary purposes;

veterinary and sanitary expert examination of foodstuffs and animal-origin raw materials;

veterinary treatment and prophylaxis.

Article 30. Licensing of forensic examination activities

A license shall be required to conduct activities in forensic examination.

Article 31. Licensing of culture activities

A license shall be required to conduct activities in archeological excavation and/or science and restoration of historical and cultural memorial sites.

Article 32. Licensing of activities pertaining to financial sector and activities pertaining to the concentration of financial resources

A license shall be required to conduct the following types of activities:

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1) bank transactions performed by banks and organization conducting certain types of banking transactions:

accepting deposits, opening and maintaining bank accounts of legal entities;

accepting deposits, opening and maintaining bank accounts of individuals;

opening and maintaining correspondent accounts of banks and organizations conducting certain types of banking transactions;

opening and maintaining safe boxes of individuals and legal entities that reflect the physical quantity of affined precious metals and coins made of precious metals belonging to one entity;

cash operations: acceptance and release of cash during one of the banking operations as provided for in the first, second, third, seventh-tenth, eleventh, and twelfth items of this subparagraph including changing, exchanging, sorting, packaging, and storing thereof;

wire-transfer: honoring payment orders of individuals and legal entities per cash payments and transfers;

accounting: accounting for (discounting) notes and other debt instruments of individuals and legal entities;

baking loan operations: provision by a bank, mortgage company, broker and/or dealer with the right to handle clients' accounts as a nominal holder and by a legal entity whose only shareholder is the state, of monetary loans based on payment commitments, periodicity and repayability principles;

arrangement of foreign currency exchange transactions;

collection of currency bills, coins and valuables;

coll collection of payment orders (except for notes);

opening (advancing) and confirming letters of credit and honoring thereof;

issuance of bank guarantees providing for honoring in a monetary form;

issuance by banks of bank payment orders and other obligations of third parties providing for honoring in a monetary form;

2) other transaction performed by banks:

purchase of, receipt as a pledges of, accounting for, storage and sale of affined precious metals (gold, silver, platinum, platinum-group metals) in ingots, coins made of precious metals;

purchase of, receipt as a pledges of, accounting for, storage and sale of jewelry containing precious metals and gems;

transactions in notes: coll collection of notes, payer's payment of notes, payment of domiciles, acceptance of notes as part of intermediation;

leasing;

issuance of own securities (except for shares);

factoring: acquiring the claim right from the buyers of goods (works, services) and accepting the default risk;

forfeiting: payment for debt obligation of buyers of goods (works, services) by buying non-revolving note per the seller;

trust transaction: cash management, mortgage claim management, affined metals management in the interests and per request of trustors;

safe box transactions: storing securities issued in a material form, documents and valuables including rental of safe boxes, cabinets and rooms;

3) with respect to "life insurance" industry within the following classes of insurance:

life insurance;

annuity insurance;

life event insurance;

life insurance with policy holder's share in the insurer's investment revenues;

4) with respect to "general insurance" industry within the following classes of insurance:

accident insurance;

illness insurance;

road transportation vehicle insurance;

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- railroad transportation vehicle insurance;
- air transportation vehicle insurance;
- maritime transportation vehicle insurance;
- cargo insurance;
- property insurance against damages except for classes of insurance indicated in the fourth-eighth items of this subparagraph;
- insurance of civil and legal responsibility of road transportation vehicle owners;
- insurance of civil and legal responsibility of air transportation vehicle owners;
- insurance of civil and legal responsibility of maritime transportation vehicle owners;
- insurance of civil and legal responsibility except for classes indicated in the tenth and eleventh items of this subparagraph;
- loan insurance;
- mortgage insurance;
- guarantee and order insurance;
- other financial loss insurance;
- legal expense insurance;

5) types of mandatory insurance as established by laws of Republic of Kazakhstan and that are separate classes of insurance:

- mandatory insurance of civil and legal responsibility of owners of transportation vehicles;
- mandatory insurance of civil and legal responsibility of transporters before passengers;
- mandatory insurance of civil and legal responsibility of private notary offices;
- mandatory insurance of civil and legal responsibility of owners of auditing firms;
- mandatory insurance of civil and legal responsibility of tour operators and travel agencies;
- mandatory insurance of civil and legal responsibility of plant growers;
- mandatory insurance of civil and legal responsibility of owners of objects whose activities can inflict damage to third parties;
- mandatory insurance of civil and legal responsibility of employers for inflicting damages to employees' health and life in the course of the latter's performance of their duties;
- mandatory ecological insurance;

6) reinsurance activities:

An insurance company possessing a license in "general insurance" industry shall have the right to receive a license to, and engage in, activities pertaining to reinsurance with respect to all classes of insurances exclusively within the "general insurance" industry.

An insurance company possessing a license in "life insurance" industry shall have the right to receive a license to, and engage in, activities in reinsurance with respect to all classes of insurance exclusively within the "life insurance" industry.

A reinsurance company performing reinsurance as an exclusive type of activities on the basis of a reinsurance license shall have the right to conduct reinsurance activities per all classes of insurance in the industries of "life insurance" and "general insurance".

7) insurance broker's activities;

8) actuary activities in the insurance market;

9) brokerage;

10) dealers' activities;

11) maintaining the system of securities holders' roster;

12) investment portfolio management;

13) funds management of pension assets;

14) custodial services;

15) transfer agent services;

16) activities to organize trade in securities and other financial instruments;

17) activities to attract pension premiums and perform pension payments;

18) activities of credit bureaus.

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Article 33. Licensing of activities pertaining to architecture, urban planning, and construction

A license shall be required to conduct the following types of activities:

1) planning and surveying activities.

This type of activities includes the following subtypes of activities:

Engineering and geodetic works including:

building and establishing centers of beacon;

establishing landscape and altimetry mapping networks;

topography works for planning and construction purposes (1:10000 to 1:200 scale mapping including mapping of underground communications and facilities, tracing and mapping of above-ground linear structures and their components).;

geodetic works related to projection of mapping to a terrain with location of engineering geological developments, geophysical measurement points and points related to other measurements;

engineering geological and hydrogeological investigations including:

geophysical surveys, ground observation and mapping;

field studies of soil, hydrogeological investigations;

laboratory studies of soil, groundwaters, condition of bases and foundations;

urban planning (with the right to conduct urban planning for rehabilitation of historic districts other than restoration of cultural and historical monuments) and planning including development of:

planning documentation (comprehensive schemes of urban planning of certain areas - drafts of district plans, master plans of inhabited points, drafts of detailed planning and housing schemes of districts, micro-districts, blocks, separate land plots);

transportation facilities development plans for inhabited points (street and road networks, city-bound and external transportation facilities located within the boundaries of inhabited points) and inter-township areas (routes and facilities for external transportation located outside of street and road networks of inhabited points);

heat supply schemes for inhabited points under which heat generating and delivery facilities are located within housing areas and for industrial complexes located in inter-township areas;

water supply schemes for inhabited points under which drinking and/or industrial water sources and water piping are located within housing areas and water supply schemes for industrial complexes located in inter-township areas;

sewerage schemes for inhabited points and industrial complexes including centralized system of collection and disposal of household, industrial and shower sewage, placement of main sewage treatment facilities, evaporation and sewage regeneration facilities;

gas supply schemes for inhabited points and industrial complexes located in inter-township areas;

electricity supply schemes for inhabited points under which electricity generating and transmission facilities are located within housing areas, and electric supply of industrial complexes located in inter-township areas;

schemes of communications and telecommunications for inhabited points establishing location of information facilities and sources;

architectural planning for buildings and structures of first, second and third levels of importance (with the right to plan architectural and restoration activities other than restoration of historical and cultural monuments) including:

master plans of facilities, preparation of sites for utilities networks, improvement of territories and landscaping;

buildings, structures and communications for industrial use;

residential and civil buildings and structures;

structures of monumental or artistic and applied nature, smaller architectural forms and objects of landscape architecture;

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construction planning (with the right to plan major overhauls and/or reconstruction of buildings and structures, and reinforcement of design for each type of the following works) including:

- bases and foundations;
- concrete and ferroconcrete, stone and reinforced stone structures;
- metal (steel, aluminum and alloy) structures;
- wood structures;
- planning of utilities systems including:
 - internal systems of heating, ventilation, air-conditioning, refrigeration and gas supply (low pressure gas supply, and their outdoor networks with auxiliary facilities);
 - internal systems of cold and hot water supply and sewerage, and their outdoor networks with auxiliary facilities;
 - internal systems of low-current devices (installation of radio networks, electric clocks, phone networks, internal communication and door-phone systems, cable television networks and close circuit televisions, electric alarms systems, both fire and intrusion), and their outdoor networks;
 - automation of technological processes including metering and control, recording and regulating equipment;
 - internal and outdoor lighting systems, electricity supply of up to 0.4 kV and up to 10kV;
 - electricity supply of up to 35 kV and up to 110 kV and higher voltages;
 - main oil pipes, pipes for oil products, gas pipes (for medium and high pressure gas supply);
 - elaboration of special parts of projects in:
 - labor safety;
 - anticorrosion protection;
 - lightning protection;
 - automation, arrangement of fire and intrusion alarm systems, firefighting and fire prevention systems at the construction planning stage for new constructions, major overhaul reconstruction and re-equipment of buildings and structures;
 - construction budgets;
 - planning of organization of construction projects and construction works;
 - technological planning (elaboration of technological part of construction projects) of buildings and structures of residential and public nature including planning of:
 - pre-school, general and vocational education, boarding schools, institutions of continuing education, scientific research institutions, cultural and educational and entertainment institutions, merchants (including drugstores), healthcare (disease therapy and prevention, rehabilitation and sanatorium therapy), public catering and consumer services, health-improving athletics and sports activities, recreation and tourism, and other multifunctional buildings and complexes of premises serving different public needs;
 - transportation facilities (designed to serve public needs) and community facilities (other than buildings and structures used for purposes of vehicle maintenances and other industrial or economic use);
 - technological planning (elaboration of technological part of construction projects) of industrial facilities including planning for:
 - power industry;
 - processing industry including soft goods and food industry;
 - heavy engineering;
 - medical, microbiology and pharmaceutical industry;
 - dams, levees and other waterworks;
 - tower and mast-type structures;
 - elevating facilities and other elevator hoist devices;
 - conduct technological planning (elaboration of technological part of construction projects) of items of transportation and communications infrastructures including items related to maintenance of:

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city-bound and external means of transportation including motor, electric, railway and other rail-tracked, airborne and water transportation;

local channels of radio- and telecommunications;

nationwide and international communication lines (including satellite ones) and other means of telecommunications;

conduct technological planning (elaboration of technological part of road construction projects) including:

- railway routes;
- all categories of motor ways;
- network of street and road facilities for electric transportation;
- bridges and bridge crossings including elevated and multilevel road crossings;
- technological planning (elaboration of technological part of projects) of agricultural items, exemption exists for entities of processing industry;

2) construction and assembly works.

This type of activity includes the following subtypes:

general land construction works;

building framework and walling of buildings and structures of the first, second and third importance levels including:

- installation of steel structures and reinforcing wires;
- installation of steel tanks (reservoirs) including those operating under pressure or used to store explosive and inflammable or other dangerous (harmful) liquid and gas substances;
- assembly of tower- and mast-type construction structures, smoke stacks;
- installation of structural supports for bridges and bridge crossings;
- assembly of construction structures of elevating facilities (elevators, escalators, mine head-frames and elevators, cable ways etc.);
- assembly of construction structures of machines, devices and installation of other technological construction structures for metallurgy, oil and chemical, mining, energy and other industries;
- building support constructions and piling;
- building solid-cast and assembly of pre-cast concrete and ferroconcrete structures, laying walls and partitions, gap filling;
- roofing;
- special construction and assembly works (including special soil works) including:
 - on-site piping and building oil and gas pipeline networks and pipeline networks for oil products;
 - developing mines (other than oil and gas mines);
 - main electric transmission lines under voltages of up to 35kV and up to 110kV and higher;
 - provision of gas supply to residential and public buildings;
 - waterworks and mudslide protection structures, dams and levees;
 - smoke stacks, silo constructions, cooling towers, mine head-frames;
 - refractory masonry;
 - assembly of explosive and inflammable equipment;
 - assembly of technological pipelines made of non-ferrous metals, polymers and glass;
 - nationwide and international telecommunication lines;
 - storage facilities for oil, oil products and liquefied gases;
 - drilling and explosive works in soil;
 - technical underwater and shelf sea works;
 - soil works performed in constructing irrigation and water supply facilities;
 - hydraulic excavation works;
 - mining and tunnel construction works, creation of sealing curtains;
 - special works to setup utilities outdoor networks and facilities and internal utilities systems including:

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electricity supply networks for railway routes, electric supply and electric lighting systems of airlines;

pressure pipelines including medium and high pressure heating and gas supply main networks;

household and industrial low pressure gas supply networks, internal systems of gas facilities and household units;

cold and hot water supply facilities, central sewerage of household, industrial and shower sewage, setup of internal water supply and sewerage systems;

electricity supply networks and outdoor electric lighting facilities, internal electric lighting and electric heating systems;

lines and internal systems of radio- and telecommunications, and television;

internal systems of central heating;

ventilation, air-conditioning, pneumatic transport and aspiration;

special works to protect facilities and equipment including:

hydroinsulation of construction structures;

thermal insulation of pipelines, construction structures and equipment;

coating and lining works;

anticorrosion protection of construction structures and equipment, pipelines including coatings protecting against aggressive water;

electrolytic protection of pipelines, facilities and equipment;

lightning protection;

finishing works in construction, reconstruction and major overhaul of buildings and structures of the first and second importance levels (other than plastering and painting) ;

road building works including:

base for railway tracks;

railway track structure;

base and surface, protection facilities and constructing motorways of the first and second technical categories, city main roads for high-speed and regulated traffic, traffic area of through streets of citywide significance with uninterrupted and regulated traffic;

base and surface, protection facilities and constructing motorways of the third, fourth and fifth technical categories and traffic area of streets other than through ones;

base and surface of airdrome runways and helicopter pads;

assembly of technological equipment (including start-up works) related to:

elevating facilities and other elevator hoist devices;

metallurgy, ore-dressing;

metalworking;

woodworking;

geologic exploration, oil and gas extraction;

mining, underground railways and tunnels;

waterworks and irrigation facilities;

grain storage and processing, production and storage of other food items;

coal, chemical and oil refinery;

production of construction materials, products and structures;

production of soft goods;

pharmaceutical production, healthcare, rehabilitation and disease prevention;

theatrical and other performance, education, sports and entertainment facilities;

electric furnaces and other electric devices including explosion-proof electric equipment;

compressor machinery, pumps and ventilation systems;

communications, emergency protection, control and alarm system, interlocking for transportation, electric power and water supply facilities, and other facilities related to life support function; meters and control devices for household and industrial use;

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major overhaul and reconstruction of structures (other than restoration of cultural and historical monuments) including reinforcement of support structures of:

buildings and structures built for residential and public use of the first level of importance including internal utilities systems and outdoor networks excluding gas supply, elevators and other elevator hoist devices;

buildings and structures built for industrial use of the first level of importance including internal utilities systems and outdoor networks excluding gas supply, elevators and other elevator hoist devices;

buildings and structures built for residential, public or industrial purposes of the second and third level of importance including internal utilities systems and outdoor networks excluding gas supply, elevators and other elevator hoist devices;

bridges (bridge crossings, elevated and multilevel road crossings), tunnels and other transportation-related underground facilities;

motor ways of all technical categories and intrafarm (enterprise-wide) passages, street and road networks of inhabited points;

railway routes;

waterworks, irrigation and soil improvement facilities;

low pressure gas supply networks, internal systems and equipment;

components and systems of steam pipes, air tubes, oil pipes, oil product pipes, gas pipes (belonging to medium and high pressure gas supply networks) and other stationary facilities conducting substances and materials;

protective coatings of structures and equipment (lining, insulation, anticorrosion and chemical coatings);

3) production (manufacturing) of construction materials, products and structures (other than products subject to certification).

This type of activities includes the following subtypes of activities:

industrial production of:

ventilation, sanitary and electric wiring equipment;

products made of metals, polymer and compound materials, industrial waste;

components of tower and mast-type constructions, smoke stacks;

components of bridges and bridge crossings, elevated and multilevel road crossings;

tanks and reservoirs including those operating under pressure or used to store explosive and inflammable or other dangerous (harmful) liquid and gas substances;

production (industrial) of:

components of support and enclosing structures;

technological metal structures and their components;

4) expert and engineering services in architecture, urban planning and construction.

This type of activities includes the following subtypes of activities:

state expert assessment of projects (preliminary, project specifications and budget) on urban planning of land areas and inhabited points, and/or construction (expansion, improvement, technical re-equipment, reconstruction, restoration, major overhaul) of buildings, structures and their combinations, communications;

expert assessment of construction projects (project specifications) performed by individuals and/or legal entities operating in the market of expert services other than those under the exclusive authority of expert state assessment. Self-assessment, e.g. assessment of own projects or projects with any kind of licensee's participation, is not permitted;

services related to overseeing customer's own operations (technical supervision, engineering service, technological support during construction works) and operations of a planning organization (author supervision) in construction (major overhaul, restoration) of buildings and structures;

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technical inspection of a physical (technical) state of operated buildings, structures, utility systems and communications and their elements (components) for purposes of reliability assessment and operational dependability;

5) activities related to construction of residential buildings using funds contributed by interest holders.

Article 34. Licensing of activities pertaining to the development of state symbols of Republic of Kazakhstan

A license shall be required to develop State flag of the Republic of Kazakhstan and State emblem of Republic of Kazakhstan and tangible items depicting thereof.

Article 35. Licensing of customs related activities

A license shall be required to conduct activities under certain customs regimes and provide customs related services in accordance with the customs legislation of the Republic of Kazakhstan.

This type of activities includes the following subtypes of activities:

operations under the customs regime of bonded warehouse;

operations of a customs carrier;

operations of a temporary storage warehouse of goods and vehicles;

customs brokerage.

Article 36. Licensing of activities pertaining to the production and turnover of ethanol and alcohol products and production of tobacco products

A license shall be required to conduct the following types of activities:

1) production of ethyl alcohol;

2) production of alcoholic products.

This type of activities includes the following subtypes of activities:

production of vodka and special types of vodka;

production of distilled beverages;

production of wine bases;

production of wine;

production of cognac;

production of brandy;

production of beer;

3) storage, wholesaling and/or retailing alcoholic products other than storage, wholesaling and/or retailing alcoholic products at their production sites;

4) importation of ethyl alcohol and alcoholic products;

5) production of tobacco products.

Article 37. Licensing of activities pertaining to the use of currency valuables

A license shall be required to accept foreign currency cash payments for retail sales and rendering of services.

CHAPTER 4. LICENSING IN EXPORTATION AND IMPORTATION OF GOODS

Article 38. General provisions

1. The list of goods exportation and importation of which is subject to licensing is established by the Government of the Republic of Kazakhstan.

Licensing of exportation and importation of certain goods shall not be exceedingly limiting or distorting the original purposes of introducing such limitations.

2. A license is issued to an applicant for the period of one year to export or import certain goods for each individual transaction.

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A license is issued for one type of goods without reference to the volume of goods specified by a contract.

For those conducting activities under a general license, a license for exportation or importation of certain goods regularly used in that type of activity shall be issued without a limitation of the period of effect (specifying annual export/import volumes regardless of the number of contracts).

3. The period of effect of a one-off license may be prolonged for a period no longer than one calendar year per a substantiated request of an applicant.

One-off license is a permit allowing exportation or importation of certain goods within the period of time specified therein and serves as grounds for filing customs paperwork for goods.

Article 39. Licensing of exportation of certain goods

1. Licensing of exportation of certain goods may be required if:

- 1) in the domestic market, sale or use of goods to be exported is subject to licensing;
- 2) production and sale of such goods falls under the state monopoly according to laws of the Republic of Kazakhstan.

2. The Government of the Republic of Kazakhstan introduces a licensing procedure for exportation of goods based on other grounds including internal goods and food market protection considerations in the interest of consumers and imposes the related limitations on exportation of scarce goods out of the country.

3. Goods may be exported only to the countries specified by the license.

Article 40. Licensing of importation of certain goods

The Government of the Republic of Kazakhstan licenses importation of certain good for considerations of state security, life and health safety of its citizens, environmental safety, protection of domestic producers and economic security of the Republic of Kazakhstan without resorting to quantitative limitations.

Article 41. Automatic licensing of importation of certain goods

Under automatic licensing of importation of certain goods an application is approved in all cases. Any entity that satisfies the legal requirements for import transactions of an importing member enjoys an equal right to apply for and receive a license for importation. A license application may be submitted in any business day prior to the customs clearance of goods. A license is issued within ten days after the license application and other required documents have been submitted in the due and complete form.

The Government of the Republic of Kazakhstan approves the list of goods subject to automatic licensing of importation and the procedure of license issuance and filing.

CHAPTER 5. TERMS AND PROCEDURE FOR ISSUANCE OF A LICENSE AND/OR AN APPENDIX TO A LICENSE

Article 42. Terms for issuance of a license and/or an appendix to a license

1. A license and/or an appendix to a license is issued in a location where a legal entity is registered if a licensor is a local executive body of a province (national-level city, capital) or a local body of national state bodies.

2. The following documents shall be submitted to obtain a license and the appendix to it (when there are any subtypes of activities):

- 1) an application;
- 2) notarized copies of the Charter (except for export and import transaction) and the certificate of state registration of the applicant as a legal entity - for legal entities;
- 3) a copy of the ID verifying the identity – for individuals;

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- 4) notarized copy of the certificate of state registration of the individual as an individual entrepreneur – for individual entrepreneurs;
- 5) notarized copy of the certificate of registration of the applicant by a tax body;
- 6) a document certifying payment of a licensing fee for a right to conduct certain types of activities;
- 7) information and documents required under qualification requirements.

The National Bank of the Republic of Kazakhstan or other authorized body on regulating and supervising the financial market and financial institutions may also stipulate additional requirements for the list of documents submitted to obtain a license to perform activities pertaining to the financial sector and concentration of financial resources in accordance with laws of the Republic of Kazakhstan.

3. The following documents are required to obtain an appendix to a license within the licensed type of activity:

- 1) application;
- 2) notarized copy of a license;
- 3) information and documents required under qualification requirements (for a subtype of activities).

4. A licensor within two business days (within one day for small business entities) after the registration of an application for a license and/or an appendix to a license sends inquiries to bodies responsible for environmental protection, nuclear, radioactive, sanitary and epidemiological, industrial, and fire safety and state energy supervision regarding the compliance of an applicant with the requirements applicable to environmental protection, nuclear, radioactive, sanitary and epidemiological, industrial, and fire safety and state energy supervision.

Per the request of a licensor within twenty five business days (within seven days for small business entities) bodies responsible for environmental protection, nuclear, radioactive, sanitary and epidemiological, industrial, and fire safety and state energy supervision complete the assessment of applicant's compliance with the requirements applicable to environmental protection, nuclear, radioactive, sanitary and epidemiological, industrial, and fire safety and state energy supervision and send their reports on compliance of an applicant with applicable requirements to a licensor.

5. The National Bank of the Republic of Kazakhstan or other authorized body on regulating and supervising the financial market and financial institutions establishes procedures and terms of issuance, refusal to issue, suspension and termination of licenses to perform activities pertaining to the financial sector and concentration of financial resources in accordance with laws of the Republic of Kazakhstan.

The National Bank of the Republic of Kazakhstan establishes procedures and terms of issuance, refusal to issue, suspension and termination of licenses to perform activities pertaining to use of currency valuables in accordance with the Law of the Republic of Kazakhstan On Currency Regulation and Currency Control.

Terms and procedures of issuance of licenses to perform gambling activities are established in the Law of the Republic of Kazakhstan on Gambling.

6. A complete set of documents submitted to a licensor is accepted based on the documents inventory report, a copy of which is sent (given) to an applicant and contains the record of the documents receipt date by the specified body.

Article 43. Terms for reviewing requests to issue a license and/or an appendix to a license

1. A licensor issues a license and/or an appendix to a licensee within thirty business days (within ten days for small business entities except as specified in the second part of Article 19) from the date when an application and related documents specified by the present Law have been submitted.

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A licensor shall issue a license and/or an appendix to a license or provide a substantiated statement of the reasons for refusal to issue a license and/or an appendix to a license in written form within the timeframe established by this article.

2. If a licensor fails to issue a license and/or an appendix to a license or notify an applicant of the reasons for refusal to issue a license and/or an appendix to a license in written form then in five days after the timeframe specified by the present Law has lapsed an applicant notifies an appropriate licensor in writing of the commencement of an activity and/or a subtype of activities he/she applied for.

Within five days from the date of receipt of such notification a licensor shall issue a license and/or an appendix to a license effective from the date specified by an applicant in the written notification.

Article 44. Licensing fee for the right to conduct certain types of activities

A licensing fee for the right to conduct certain types of activities is charged on issuance of licenses (license duplicates) in accordance with the Tax Code of the Republic of Kazakhstan.

Licensing fee rates charged for the right to conduct certain types of activities are established by the Government of Republic of Kazakhstan except for licensing fee rates pertaining to gambling activities.

Licensing fees are not charged for issuance of appendices to a license (duplicate appendices to a license).

Article 45. Refusal to issue a license and/or an appendix to a license

1. Refusal to issue a license and/or an appendix to a license shall be made if:

1) this category of entities is prohibited from conduct of such type of activities by laws of the Republic of Kazakhstan;

2) an incomplete set of documents required by the present Law is submitted. Upon elimination of identified shortcomings an application shall be reviewed on a common basis;

3) a licensing fee for the right to conduct certain types of activities has not been paid while applying for a license to conduct certain type of activities;

4) an applicant does not satisfy qualification requirements;

5) there is a court ruling that has already come into effect prohibiting an applicant from conduct of certain type of activities.

The National Bank of the Republic of Kazakhstan or other authorized body on regulating and supervising the financial market and financial institutions may establish additional requirements for activities pertaining to the financial sector, concentration of financial resources and use of currency valuables in accordance with laws of the Republic of Kazakhstan non-observance of which shall result in refusal to issue a license.

2. If a licensor refuses to issue a license to an applicant he/she shall provide a substantiated response in written form within the timeframe established for issuance of a license and/or an appendix to a license.

Article 46. Appealing the refusal to issue a license and/or an appendix to a license

If a license or an appendix to a license have not been issued within the timeframe specified by the present Law or an applicant believes that the refusal to issue a license and/or an appendix to a license is not duly substantiated he/she has the right to appeal such actions in a procedure stipulated by the legislation of the Republic of Kazakhstan.

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CHAPTER 6. RE-FILING, ISSUANCE OF DUPLICATES, TERMINATION AND SUSPENSION OF EFFECT OF A LICENSE AND/OR AN APPENDIX TO A LICENSE

Article 47. Re-filing and issuance of duplicates of a license and/or an appendix to a license

1. If a license certificate and/or its appendix is lost or damaged a licensee has the right to obtain a license duplicate and/or an appendix duplicate.

Lost, damaged certificates of a license and/or its appendix are void from the date an applicant submits to a licensor a written statement (along with documents evidencing the fact that a license certificate and/or its appendix is lost or damaged).

Within ten days from the date such statement has been received a licensor issues duplicates of a license and/or an appendix to a license, assigns a new license number and makes a *Duplicate* sign in the upper right corner.

2. If the name of an individual is changed, a legal entity is reorganized as a result of merger, takeover, spin-off and transformation or the name of an entity, type of activities and/or subtype of activities is changed without a change of the substance of operations conducted within certain type and/or subtype of activities, a legal entity/individual shall apply for re-filing of a license and/or an appendix to a license submitting relevant documents verifying information provided within thirty calendar days.

Article 48. Termination of effect of a license and/or an appendix to a license

1. The effect of a license and/or an appendix to a license is terminated when:

- 1) the term a license was issued for expires;
- 2) activities (operations) for which a license was issued have been conducted in their entirety;
- 3) a license is revoked;
- 4) an individual discontinues his operations; a legal entity is dissolved or reorganized except for reorganization as a result of merger, takeover, spin-off and transformation;
- 5) a license and/or an appendix is voluntarily returned to a licensor;
- 6) removal of certain type of activities and/or subtype of activities from the list of activities subject to licensing.

2. If the effect of a license and/or an appendix to a license has been terminated a licensee shall return a license and/or an appendix to a license to a licensor within ten business days.

Article 49. Suspension of effect, and revocation, of a license

Suspension of effect, and revocation, of a license is done in a procedure stipulated by the legislation of the Republic of Kazakhstan on administrative wrongdoings.

CHAPTER 7. FINAL PROVISIONS

Article 50. Compensation of losses

Compensation of losses incurred due to unsubstantiated refusal to issue a license or violation of a licensee's rights is made in a procedure stipulated by the civil legislation of the Republic of Kazakhstan.

Article 51. Violation of licensing legislation of Republic of Kazakhstan

Violation of the licensing legislation of the Republic of Kazakhstan entails liability as stipulated by laws of the Republic of Kazakhstan.

Article 52. Procedure for the present Law's entering into effect

1. The present Law becomes effective in six months from its official publication.

NOT AN OFFICIAL TRANSLATION

2. The Law of the Republic of Kazakhstan on Licensing as of April 17, 1995 hereby shall no longer be effective (as published in “Vedomosti Verkhovnogo Soveta Respubliki Kazakhstan”, an official publication of the Supreme Council of the Republic of Kazakhstan in 1995, issues # 3-4, p. 37; # 12, p. 88; # 14, p. 93; # 15-16, p. 109; # 24, p. 162; “Vedomosti Parlamenta Respubliki Kazakhstan”, an official publication of the Parliament of the Republic of Kazakhstan in 1996, issues # 8-9, p. 236; in 1997, issues # 1-2, p. 8; # 7, p. 80; # 11, p. 144, 149; # 12, p. 184; # 13-14, p. 195, 205; # 22, p. 333; in 1998, issues # 14, p. 201; # 16, p. 219; # 17-18, p. 222, 224, 225; # 23, p. 416; # 24, p. 452; in 1999, issues # 20, p. 721, 727; # 21, p. 787; # 22, p. 791; # 23, p. 931; # 24, p. 1066; in 2000, issues # 10, p. 248; # 22, p. 408; in 2001, issues # 1, p. 7; # 8, p. 52, 54; # 13-14, p. 173, 176; # 23, p. 321; # 24, p. 338; in 2002, issues # 2, p. 17; # 15, p. 151; # 19-20, p. 165; in 2003, issues # 1-2, p. 2; # 4, p. 25; # 6, p. 34; # 10, p. 50, 51; # 11, p. 69; # 14, p. 107; # 15, p. 124, 128, 139; in 2004, issues # 2, p. 9; # 5, p. 27; # 10, p. 54; # 14, p. 82; # 15, p. 86; # 16, p. 91; # 17, p. 98; in 2005, issues # 7-8, p. 23; # 11, p. 37; # 14, p. 55, 58; # 23, p. 104; in 2006, issues # 8, p. 45; # 13, p. 85; # 15, p. 92; # 16, p. 97, 102).

**President
of Republic of Kazakhstan**

N. NAZARBAEV

Astana, Akorda, 11 January 2007
Law # 214-III RK