

On Approval of lists of priority activities of special economic zones and facilities, construction of which is intended for implementation of priority activities of special economic zones, as well as the Rules for inclusion of priority activities in the list of priority activities of special economic zones and construction facilities in the list of facilities, construction of which is intended for implementation of priority activities of special economic zones

Unofficial translation

Decree No. 10 of the Government of the Republic of Kazakhstan dated January 20, 2017.

Note of the Republican Center for Legal Information!

In accordance with Law No. 239-V ZRK of the Republic of Kazakhstan dated September 29, 2014, on the Issues of Delineation of Powers between the Levels of Public Administration , see Order No. 142 of the Minister for Investments and Development of the Republic of Kazakhstan dated February 27, 2018 No. 142

In accordance with paragraph 1 of Article 150 of the Code of the Republic of Kazakhstan “On Taxes and Other Mandatory Payments to the Budget” (the Tax Code) dated December 10 , 2008, the Government of the Republic of Kazakhstan hereby **RESOLVED that:**

1. The attached documents shall be approved:

- 1) list of priority activities of special economic zones;
- 2) list of facilities, construction of which is intended for implementation of priority activities of special economic zones;
- 3) Rules for inclusion of priority activities in the list of priority activities of special economic zones and facilities in the list of facilities, construction of which is intended for implementation of priority activities of special economic zones

2. This Decree shall be enforced upon expiry of ten calendar days after the day of its first official publication.

*Prime Minister of
the Republic of Kazakhstan*

B. Sagintayev

Approved
by Resolution No. 10 of the
Government of the Republic of
Kazakhstan
dated January 20, 2017

List

**Of priority activities of special economic zones – “Astana – the New City”
Special economic zone**

Footnote. The List as amended by Resolutions No. 624 of the Government of the Republic of Kazakhstan dated October 6, 2018; No. 118 dated March 12, 2018

- 1) Manufacture of other nonmetallic mineral products;
- 2) manufacture of machinery and equipment;
- 3) manufacture of household electrical appliances;
- 4) manufacture of rubber and plastic products;
- 5) manufacture of chemical products;
- 6) metallurgical industry;
- 7) manufacture of electric equipment, including electric lighting equipment;
- 8) manufacture of glass components for lighting fixtures;
- 9) food production;
- 10) production of wood pulp and cellulose, paper and paperboard;
- 11) manufacture of furniture;
- 12) manufacture of vehicles, trailers and semi-trailers;
- 13) manufacture of railway locomotives and rolling stock;
- 14) manufacture of aircrafts and spacecrafts;
- 15) manufacture of basic pharmaceutical products and preparations;
- 16) manufacture of electronic parts;
- 17) warehousing and auxiliary transport activities;
- 18) construction and commissioning of infrastructure facilities, administrative and residential complexes in accordance with design estimates;
- 19) construction and commissioning of hospitals, polyclinics, schools, kindergartens, museums, theaters, higher and secondary educational institutions, libraries, schoolchildren's palaces, sports facilities in accordance with the design estimates;
- 20) construction and commissioning of the facilities intended directly for implementation of priority activities within the design estimates.

National Industrial Petrochemical Technological Park special economic zone

- 1) Manufacture of chemical products;
- 2) manufacture of petrochemical products;
- 3) construction and commissioning of the facilities intended directly for implementation of priority activities within the design estimates.

Aktau Sea Port special economic zone

- 1) Manufacture of household electrical appliances;
- 2) manufacture of leather and products related to it;
- 3) manufacture of chemical products;
- 4) manufacture of rubber and plastic products;

- 5) production of other nonmetallic mineral products;
- 6) metallurgical industry;
- 7) manufacture of finished metal products;
- 8) manufacture of machinery and equipment;
- 9) manufacture of petrochemical products;
- 10) manufacture of basic pharmaceutical products and preparations;
- 11) warehousing and auxiliary transport activities;
- 12) manufacture of electric motors, generators, transformers, electrical distribution and control equipment;
- 13) manufacture of electrical wiring and electrically conductive devices;
- 14) construction and commissioning of the facilities intended directly for implementation of priority activities within the design estimates.

Park of Innovative Technologies special economic zone

- 1) Designing, development, implementation and production of databases and hardware, designing, development, implementation and production of software (including prototypes);
- 2) services of storing and processing information in electronic format with the use of the server information communication hardware (services of data center);
- 3) creation of new information technologies on the basis of artificial immune and neural systems;
- 4) carrying out research and development works in the field of information technologies, telecommunications and communications, electronics, instrument making, renewable energy resources, resource saving and environmental management, creation and use of new materials, production, transportation and oil refining and gas in the presence of the conclusion, issued by the authorized body in the field of science about carrying out such works;
- 5) manufacture of text processing machines, reproducing equipment, address machines, calculators, cash registers, franking machines, booking cash registers, production of other office appliances and equipment, electronic computers and other equipment for information processing;
- 6) manufacture of electric and radioelements, transmitting equipment, equipment for receiving, recording and reproducing sounds and images;
- 7) designing, development, implementation and production of electronic, measuring, optical, lighting devices;
- 8) educational activities in the field of innovative technologies according to the list of specialties determined by the Government of the Republic of Kazakhstan;
- 9) designing, development, implementation and production of new materials (including prototypes);

10) manufacture of household electrical appliances: refrigerators, deep-freezers, washing machines;

11) construction and commissioning of the facilities intended directly for implementation of priority activities within the design estimates.

Note:

For the special economic zone participants in the field of information and communication technologies and innovative technologies, the requirement to carry out activities in the territory of the special economic zone will not be a prerequisite until January 1, 2018 for the following activities:

1) Designing, development, implementation and production of databases and hardware, designing, development, implementation and production of software (including prototypes);

2) services in storing and processing information in electronic format with the use of the server info communication hardware (services of data center);

3) carrying out research and development works on the creation and implementation of projects in the field of information and communication technologies.

Ontustik special economic zone

1) Manufacture of finished textile products, other than clothing;

2) manufacture of other knitted articles and knitwear;

3) manufacture of clothing, except for clothing made of fur and leather;

4) spinning, weaving and finishing works;

5) manufacture of nonwoven articles, other than clothing;

6) manufacture of carpets and rugs;

7) manufacture of wood pulp and cellulose;

8) manufacture of paper and cardboard;

9) manufacture of leather products, except for tanning and currying leather, currying and dyeing fur;

10) manufacture of paper stationery;

11) construction and commissioning of the facilities intended directly for implementation of priority activities within the design estimates.

12) manufacture of coke and refined petroleum products;

13) manufacture of chemical products.

Burabay special economic zone

Footnote. This section is excluded by Resolution No. 118 of the Government of the Republic of Kazakhstan dated March 12, 2018.

Saryarka special economic zone

- 1) Metallurgical industry;
- 2) manufacture of finished metal products, other than machinery and equipment;
- 3) manufacture of engines and turbines, except aircraft, automobile and motorcycle engines;
- 4) manufacture of motor vehicles, trailers and semi-trailers;
- 5) manufacture of computers, electronic and optical products;
- 6) manufacture of electrical equipment;
- 7) manufacture of chemical products;
- 8) manufacture of rubber and plastic products;
- 9) manufacture of other nonmetallic mineral products;
- 10) manufacture of hydraulic equipment;
- 11) manufacture of other pumps, compressors, plugs and valves;
- 12) manufacture of other taps and cocks;
- 13) manufacture of bearings, gearwheels, gear elements and drives;
- 14) manufacture of stoves, furnaces and furnace burners;
- 15) manufacture of hoisting and transportation equipment;
- 16) manufacture of hand-held electrical tools;
- 17) manufacture of industrial refrigeration and ventilation equipment;
- 18) manufacture of purification apparatus for liquid minerals;
- 19) manufacture of equipment for production, dispersion or spraying of liquid minerals or powders;
- 20) manufacture of purification equipment for oil refining, chemical industry, beverage industry;
- 21) manufacture of centrifuges (except for cream separators and drying units);
- 22) manufacture of water-cooling towers for direct cooling by water recirculation;
- 23) manufacture of agricultural and forestry machinery;
- 24) manufacture of equipment for metal forming;
- 25) manufacture of other metalworking machines;
- 26) manufacture of machinery and equipment for metal industry;
- 27) manufacture of equipment for mining industry, underground operation and construction;
- 28) manufacture of equipment for production and processing of food, beverages and tobacco products;
- 29) manufacture of equipment for manufacture of textiles, sewing, fur and leather goods;
- 30) manufacture of machinery for paper and paperboard production;
- 31) manufacture of equipment for processing of rubber, plastics and other polymeric materials;

32) construction and commissioning of the facilities intended directly for implementation of priority activities within the design estimates.

Khorgos - Eastern Gates special economic zone

- 1) Warehousing and auxiliary transport activities;
- 2) production of food;
- 3) manufacture of leather and products related to it;
- 4) manufacture of textiles;
- 5) manufacture of other nonmetallic mineral products;
- 6) manufacture of chemical products;
- 7) manufacture of finished metal products, except machinery and equipment;
- 8) manufacture of machinery and equipment not elsewhere classified;
- 9) construction of buildings for organization of exhibitions, museum, warehouse and administrative buildings in accordance with the design estimates;
- 10) construction and commissioning of the facilities intended directly for implementation of priority activities within the design estimates.

Pavlodar special economic zone

- 1) Manufacture of chemical products;
- 2) manufacture of petrochemical products;
- 3) construction and commissioning of the facilities intended directly for implementation of priority activities within the design estimates;
- 4) metallurgical industry;
- 5) manufacture of other nonmetallic mineral products;
- 6) manufacture of finished metal products, except machinery and equipment;
- 7) manufacture of rubber and plastic products.

Taraz Chemical Park special economic zone

- 1) Manufacture of chemical products;
- 2) manufacture of rubber and plastic products;
- 3) manufacture of other nonmetallic mineral products;
- 4) manufacture of machines and equipment for chemical production;
- 5) construction and commissioning of the facilities intended directly for implementation of priority activities within the design estimates.

Approved by
Resolution No. 10 of the
Government of the Republic of
Kazakhstan
dated January 20, 2017

List of facilities, construction of which is intended for implementation of priority activities of special economic zones

1. Industrial facilities, industrial buildings, structures:

1) hazardous industrial production facilities possessing the features established by Article 70 of the Law of the Republic of Kazakhstan “On Civil Protection” dated April 11, 2014 and identified as such in accordance with the legislation of the Republic of Kazakhstan;

2) industrial facilities (machine building, transport, assembly, processing, consumer goods and other industries), including production facilities (free standing warehouses and storage facilities that require special conditions for storage of goods and materials, as well as other special design solutions and activities), non-hazardous in case of fire, explosion, gas, chemical aggressive, poisonous and toxic substances;

3) buildings and structures of heat power engineering;

4) central knots of blast furnaces, chimney flues;

5) agro-industrial enterprises (livestock breeding complexes for production of milk, meat products), greenhouse facilities;

6) industrial buildings and structures, and (or) with cranes;

7) petrochemical and chemical production facilities with the necessary infrastructure, including production facilities (free standing warehouses and storage facilities that require special conditions for storage of goods and materials, as well as other special design decisions and activities), non-hazardous in case of fire, explosion, gas, chemical aggressive, poisonous and toxic substances.

Footnote. Paragraph 1 as amended by Resolution No. 624 of the Government of the Republic of Kazakhstan dated October 6, 2017.

2. Other facilities:

1) petroleum, oil products, liquefied gas reservoirs;

2) hydraulic engineering structures;

3) reservoir underground storage of oil, oil products and gas, installed in accordance with the state design standards;

4) gas and oil main pipelines;

5) gas distribution station facilities;

6) main and distribution (intra-quarter, street) water supply networks, including group water conduits, water disposal, sewage collectors and structures, water treatment station and waste water treatment plants, pumping stations and water intake facilities;

7) group water conduits and sewage collectors when constructed in a trenchless manner;

8) main and distribution (intra-quarterly) heat supply networks and structures;

- 9) external water supply networks and facilities, including distribution (intra-quarter, street), on-site water supply networks, intra-quarter water disposal networks;
 - 10) external heat supply networks and facilities;
 - 11) construction of water intake wells and structures for domestic and technical water supply;
 - 12) television towers and antenna-mast communication structures;
 - 13) line-cable constructions of communication lines;
 - 14) power transmission lines and other electric grid facilities;
 - 15) river and sea ports, with the exception of specialized ports intended for servicing sports and pleasure crafts;
 - 16) outer space infrastructure facilities, including space-launch complexes; launching complexes and launchers of launch vehicles; ground control complexes for space vehicles; command and measurement complexes; ground-based target complexes for receiving, storing, processing and distribution of information; scientific and experimental space research base; antenna complexes; Observatory; pilot production; enterprises specializing in assembly, installation, testing of space vehicles, launch vehicles and their components; buildings and facilities related with ensuring security, engineering and technical strengthening of facilities;
 - 17) solid waste landfills;
 - 18) landfills for neutralization and burial of toxic industrial wastes.
3. Civil engineering facilities:
- 1) multifunctional buildings, including administrative and utility buildings, public buildings and structures;
 - 2) hotel facilities (motels, tourist bases);
 - 3) dormitory buildings of boarding schools, recreation camps for children;
 - 4) consumer services enterprise buildings;
 - 5) container-type and modular mobile complexes, public catering and consumer services, constructed from prefabricated constructions;
 - 6) temporary, seasonal and auxiliary buildings (greenhouses, pavilions, small warehouses, communication towers, lighting, fences and similar structures);
 - 7) fire station complexes;
 - 8) automatic fire and security alarm systems, supply and inflow exhaust ventilation systems inside administrative and industrial buildings;
 - 9) ground or underground parking garages;
 - 10) social and cultural facilities in shift camps.

Approved
by Resolution No. 10 of the
Government of the Republic
of Kazakhstan
dated January 20, 2017

Rules for inclusion of priority activities in the list of priority activities of special economic zones and construction facilities in the list of facilities, construction of which is intended for implementation of priority activities of special economic zones

1. General Provisions

1. These Rules for inclusion of priority activities in the list of priority activities of special economic zones and construction facilities in the list of facilities construction of which is intended for implementation of priority activities of special economic zones (hereinafter - the Rules for Inclusion) shall be developed in accordance with paragraph 1 of Article 150 of the Code of the Republic of Kazakhstan “On Taxes and Other Mandatory Payments to the Budget” dated December 10, 2008 (the Tax Code) and shall determine the order of inclusion priority activities in the list of priority activities of special economic zones and construction facilities in the list of facilities, construction of which is intended for implementation of priority activities of special economic zones.

2. The list of priority activities shall include priority activities and (or) construction objects conforming to the objectives of establishing special economic zones, as defined in the resolutions of the Government of the Republic of Kazakhstan on creation of special economic zones.

Footnote. Paragraph 2 as amended by Resolution No. 624 of the Government of the Republic of Kazakhstan dated October 6, 2017.

2. Procedure for inclusion

3. The proposal to include the priority activities and/or facilities into the Lists of priority activities shall be submitted to the central executive body that carries out state regulation in the sphere of creation, operation and abolition of special economic zones (hereinafter referred to as the authorized body), central or local executive bodies, legal entities, interested in inclusion of priority activities and/or facilities, with providing a rationale containing following information:

- 1) expected investment amount;
- 2) expected production volume;
- 3) expected number of jobs;
- 4) calculations of conditional losses of the state budget.

4. Within five working days from the date of receipt of the proposal to include the List of priority activities and/or objects in the Lists of priority activities, the authorized body, within its competence, shall consider completeness of the materials and feasibility of including the priority activities and/or facilities in the Lists of priority activities.

5. If the authorized body acknowledges that the proposal to include the priority activities and/or facilities in the Lists of priority activities is reasonable, within the period specified in part two of this paragraph, the authorized body shall send the Lists of priority activities to the interested state bodies, management body of the special economic zone and the National Chamber of Entrepreneurs of the Republic of Kazakhstan.

Total period for consideration of the proposal to include the priority activities and/or facilities in the Lists of priority activities by the authorized body, interested state bodies, management body of the special economic zone and the National Chamber of Entrepreneurs of the Republic of Kazakhstan shall be twenty business days following the date of this proposal receipt.

The interested state bodies, management body of the special economic zone and the National Chamber of Entrepreneurs of the Republic of Kazakhstan shall submit their conclusions to the authorized body for consideration not later than ten working days after receipt of the proposal to include the priority activities and (or) objects in the Lists of priority activities.

6. Based on the results of consideration of the proposal to include the priority activities and (or) objects in the Lists of priority activities carried out by the interested state bodies, management body of the special economic zone and the National Chamber of Entrepreneurs of the Republic of Kazakhstan, the authorized body shall reject such proposal in the following cases:

1) when it is unreasonable to include the priority activities and (or) objects in the Lists of priority activities;

2) when the proposal to include the priority activities and/or facilities in the Lists of priority activities does not confirm to the state economic policy;

3) when the submitted materials are not reliable;

4) when the proposal fails to comply with the requirements to environmental protection;

5) when there is a need to protect specially protected natural areas, life and health of people, there is a threat of destruction and damage to historical and cultural heritage sites and there is a need to ensure national security of the country.

The rejection of the proposal to include the priority activities and (or) objects in the Lists of priority activities shall not be an obstacle to the subsequent handling of the proposal to include the priority activities and/or facilities in the Lists of priority activities.

7. In the lack of grounds to reject the proposal to include the priority activities and (or) objects in the Lists of priority activities, the authorized body shall develop, within ten working days, the relevant draft decision of the Government of the Republic of Kazakhstan on including the priority activities and/or facilities in the Lists of priority activities and submit it to the Government of the Republic Kazakhstan in accordance with the procedure approved by the legislation of the Republic of Kazakhstan.

© 2012. «Institute of legislation and legal information of the Republic of Kazakhstan» of the Ministry of Justice of the Republic of Kazakhstan