



On approval of the Rules for selecting the single operator for the distribution of off-budget funds aimed at the development of physical culture and sports

Invalidated Unofficial translation

Resolution of the Government of the Republic of Kazakhstan dated May 14, 2020 No .301. Abolished by the Decree of the Government of the Republic of Kazakhstan dated 08/11/2023 No. 670

Unofficial translation

Footnote. Abolished by the Decree of the Government of the Republic of Kazakhstan dated 08/11/2023 No. 670 (effective after the day of its first official publication).

In accordance with subclause 8-1) of article 6 of the Law of the Republic of Kazakhstan dated July 3, 2014 "On physical culture and sports" the Government of the Republic of Kazakhstan **HEREBY RESOLVES:**

1. To approve the attached Rules for selecting the single operator for the distribution of off-budget funds aimed at the development of physical culture and sports.

2. This resolution shall come into force upon expiration of twenty-one calendar day after the date of its first official publication.

Prime Minister of the Republic of Kazakhstan

A. Mamin

Approved
by the resolution of the Government
of the Republic of Kazakhstan
dated May 14, 2020 No.301

Rules

for selecting the single operator for the distribution of off-budget funds aimed at the development of physical culture and sports

Chapter 1. General provisions

1. These Rules for selecting the single operator for the distribution of off-budget funds aimed at the development of physical culture and sports (hereinafter referred to as the Rules), have been developed in accordance with subclause 8-1) of article 6 of the Law of the Republic of Kazakhstan dated July 3, 2014 "On physical culture and sports" and shall establish the procedure for selecting the single operator for the distribution of off-budget funds aimed at the development of physical culture and sports (hereinafter referred to as the single operator).

2. For the purposes of selecting the single operator, under the authorized body in the field of physical culture and sports (hereinafter referred to as the authorized body) the Commission for selecting the single operator for the distribution of off-budget funds aimed at the development of physical culture and sports (hereinafter referred to as the Commission) shall be created.

3. The working body of the Commission shall be the Committee of Sport and Physical Education of the Ministry of Culture and Sports of the Republic of Kazakhstan (hereinafter referred to as the Committee), which carry out organizational and technical provision of its activities.

4. The Commission consists of the chairperson, deputy chairperson and the members of the Commission.

The Chairperson of the Commission is the Minister of Culture and Sports of the Republic of Kazakhstan.

The Chairperson of the Commission shall preside the meetings, plan and manage its activities, carry out general control over implementation of its decisions. In case if the chairperson of the Commission is absent, the functions of the chairperson shall be entrusted to the deputy chairperson of the Commission.

5. A meeting of the Commission shall be duly constituted and quorate if attended by more than half of the total number of members of the Commission.

6. The secretary shall form the agenda of the meeting of the Commission, provides the necessary documents, organizes the meeting of the Commission.

The secretary of the Commission is not a member of the Commission and does not have the right to vote in decision-making.

Chapter 2. Procedure for selecting the single operator

7. The authorized body publishes an announcement on a tender to select a single operator on its Internet resource and in printed periodicals.

Acceptance of tender bids is carried out by the Committee within fifteen calendar days from the date of placing the announcement.

8. A tender bid submitted by a non-profit organization in the form of a corporate fund for participation in the tender, is to be sent to the Committee and contains:

1) an application signed by the first head of the applicant for participation in the competition in the form, approved by the authorized body;

2) a reference or a certificate of state registration (re-registration) of a legal entity;

3) a notarized copy of the charter of a legal entity and a copy of the memorandum of association (if available);

4) information on the absence (presence) of debts, accounting for which is kept in the state revenue authorities, in the form, in accordance with Appendix 17 to the Rules for maintaining personal accounts, approved by order of the Minister of Finance of the

Republic of Kazakhstan dated February 27, 2018 No. 306 "On approval of the Rules for maintaining personal accounts "(registered in the register of state registration of regulatory legal acts under No. 16601);

5) the original certificate of the bank in which the applicant is serviced, signed by an authorized person and stamped (if any) on the absence of overdue debts for all types of obligations of the applicant, lasting more than three months preceding the date of issue of the certificate, to the bank (if the applicant is a client of several second-tier banks, as well as a foreign bank, this certificate is submitted from each of these banks), issued not earlier than one month preceding the date of opening the envelopes;

6) copies of agreements or extracts from the account (s) of second-tier banks, or other documents confirming the existence of experience in the distribution of funds aimed at the development of physical culture and sports, including the distribution of funds allocated as part of the provision of sponsorship and (or) charitable assistance, at least eight years.

The tender bid shall be submitted in the Kazakh and Russian languages, in a sealed envelope. All sheets of the submitted documents are stitched together, numbered and signed by his authorized person.

9. The criteria for selecting the single operator shall be:

1) registration of the applicant as a legal entity;
2) absence of the tax indebtedness, debts on mandatory pension contributions, social deductions and deductions and (or) contributions for mandatory social health insurance;

3) experience in the distribution of funds aimed at the development of physical culture and sports, including the distribution of funds allocated as part of the provision of sponsorship and (or) charitable assistance, at least eight years;

4) the legal entity should not be subject to bankruptcy or liquidation proceedings, financial and economic activities should not be suspended in accordance with the laws of the Republic of Kazakhstan at the time of selecting the single operator;

5) residency of the Republic of Kazakhstan.

10. Not later than two working days from the date of the end of acceptance of the tender bids, the Commission opens the sealed envelopes and considers the competitive applications for completeness and proper execution. Tender bids that do not meet the requirements specified in clauses 8 and 9 of these Rules shall be rejected and must be returned to applicants.

In order to clarify the information, the Commission shall have the right to receive additional information from the Internet portal of open data.

11. On the day of opening the envelopes, the Chairperson of the Commission shall announce the participants admitted to participate in the competition, and the

participants whose tender bids have been rejected due to inconsistency with clauses 8 and 9 of these Rules.

12. Members of the Commission shall ensure the safety of documents of applicants during their consideration until they are returned to the Secretary of the Commission.

13. Based on the results of the meeting, the Commission shall recommend to select a single operator by a majority of votes of its members participating in the meeting, in the amount of two-thirds of the number of those present. In case of equality of votes, the casting vote is the vote of the Chairperson of the Commission. Members of the Commission, in case of expressing a dissenting opinion, state it in writing and attach it to the minutes of the Commission.

14. If during the term for submission of applications only one competitive application is submitted that meets the requirements of clauses 8 and 9 of these Rules, the Commission shall make a decision to select this non-profit organization as a single operator.

15. Minutes of opening envelopes and admission to participate in the tender, as well as on results of the meeting of the Commission shall be signed on the date of the meeting of the Commission by the Chairperson, all members of the Commission, who are present at the meeting, as well as by the secretary of the Commission, not later than one working day from the moment of consideration of bids is posted on the Internet resource of the authorized body, and is also sent to periodicals for official publication.

Forms of the minutes of opening envelopes and admission to participate in the tender, as well as the minutes of the meeting of the Commission shall be approved by the authorized body.

16. The competition is recognized by the Commission as invalid in cases where:

- 1) no tender bids have been submitted;
- 2) all applicants do not meet the requirements of clauses 8 and 9 of these Rules.

17. If the tender is declared invalid, the authorized body shall make a decision to re-hold the tender.

18. Based on the results of the meeting, the Commission recommends that one of the applicants be selected as a single operator.

The authorized body decides on selecting the single operator. The decision shall be made by order of the authorized body.

19. The decision of the authorized body may be appealed to the court in accordance with the legislation of the Republic of Kazakhstan.