



On approval of the Rules for providing state financial support to a single electric energy buyer

Unofficial translation

Resolution of the Government of the Republic of Kazakhstan dated May 20, 2021 № 332.

Unofficial translation

Footnote. The title is as amended by the Resolution of the Government of the Republic of Kazakhstan dated 31.12.2024 № 1156 (effective ten calendar days after the date of its first official publication).

In accordance with subparagraph 8-2) of Article 5 of the Law of the Republic of Kazakhstan "On support for the use of renewable energy sources", the Government of the Republic of Kazakhstan **DECIDES**:

Footnote. The preamble is as amended by the Resolution of the Government of the Republic of Kazakhstan dated 31.12.2024 № 1156 (effective ten calendar days after the date of its first official publication).

1. To approve the attached Rules for the provision of state financial support to a single buyer of electric energy.

Footnote. Paragraph 1 is amended by the Resolution of the Government of the Republic of Kazakhstan dated 31.12.2024 № 1156 (effective ten calendar days after the date of its first official publication).

2. This Resolution shall enter into force upon expiry of ten calendar days after the day 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 20, 2021 № 332

The Rules for providing state financial support to a single electric energy buyer

Footnote. The rules are amended by the Resolution of the Government of the Republic of Kazakhstan dated 31.12.2024 № 1156 (effective after ten calendar days after the date of its first official publication).

Chapter 1. General provisions

1. These Rules for providing state financial support to a single buyer of electric energy (hereinafter referred to as the Rules) have been developed in accordance with subparagraph 8-

2) of Article 5 of the Law of the Republic of Kazakhstan "On Support for the Use of Renewable Energy Sources" (hereinafter referred to as the Law) and determine the procedure for the provision by the Government of the Republic of Kazakhstan of state financial support to a single buyer of electric energy.

2. The following basic concepts are used in these Rules:

1) state financial support – support from the Government of the Republic of Kazakhstan in case it is impossible for a single buyer of electric energy to fulfill obligations to energy-producing organizations using renewable energy sources due to insufficient income from the sale of electricity;

2) reserve fund – a fund formed by a single buyer of electric energy, whose money is stored in a special bank account and is used only to cover cash gaps and debts of a single buyer of electric energy to energy-producing organizations using renewable energy sources resulting from non-payment or delay in payment by subjects of the wholesale electric energy market;

3) authorized body – the central executive body responsible for the management and intersectoral coordination in the field of support for the use of renewable energy sources;

4) a single buyer of electric energy is a legal entity with one hundred percent state participation, determined by an authorized body, which carries out centralized purchase and sale of planned volumes of electric energy in accordance with the procedure provided for by the Law of the Republic of Kazakhstan "On Electric Power Industry".

Chapter 2. The procedure for providing state financial support

3. State financial support from the republican budget of the Republic of Kazakhstan is provided by transferring funds to the reserve fund to cover the obligations of a single buyer of electric energy to energy-producing organizations using renewable energy sources (hereinafter referred to as RES).

4. If the funds in the reserve fund and the income of a single buyer of electric energy from the sale of electric energy are insufficient for the single buyer of electric energy to fulfill financial obligations to energy-producing organizations using renewable energy sources, the Government of the Republic of Kazakhstan provides state financial support to a single buyer of electric energy.

At the same time, a single buyer of electric energy applies to the authorized body as the administrator of the budget program for state financial support.

5. The budget application, calculations, justifications, socio-economic effect and other required budget planning documents are formed and submitted by the budget program administrator in accordance with the procedure provided for by the budget legislation of the Republic of Kazakhstan.

The administrator of the budget program ensures the relationship of the indicators of the specified budget program with the target indicators of the development plan of the authorized

body, as well as documents of the state planning System approved in accordance with the Resolution of the Government of the Republic of Kazakhstan dated November 29, 2017 № 790 "On approval of the state planning System in the Republic of Kazakhstan".

6. State financial support to a single buyer of electric energy is provided only if the following cases occur simultaneously:

1) the actual overdue debt in the amount of at least the maximum three-month value of the obligations of the single buyer of electric energy for the previous year to energy-producing organizations using renewable energy sources;

2) the lack of funds in the reserve fund to cover debts to energy-producing organizations using renewable energy sources, confirmed by documents and information in accordance with paragraph 7 of these Rules;

3) the inability of subjects of the wholesale electric energy market to execute a court decision(s) on debt collection within a period of more than 6 (six) months from the date of initiation of enforcement proceedings, after all necessary and exhaustive measures have been taken to enforce the court decision provided for by the Law of the Republic of Kazakhstan "On enforcement proceedings and the status of bailiffs".

The time period for enforcement proceedings does not include the time during which the execution of enforcement documents was suspended, postponed or delayed in installments on the grounds provided for by the Law of the Republic of Kazakhstan "On enforcement proceedings and the status of bailiffs".

7. In order to receive state financial support, a single buyer of electric energy sends to the administrator of the budget program an application substantiating the amount of necessary state financial support and the following documents confirming the lack of funds to pay obligations to energy-producing organizations using renewable energy sources:

1) copies of contracts for the sale of electric energy by a single buyer, according to which there was a non-payment or delay in payment by subjects of the wholesale electric energy market for the electric energy supplied by them;

2) copies of volume reconciliation reports, invoices for contracts specified in subparagraph 1) of this paragraph;

3) acts of reconciliation of mutual settlements for the sale of electric energy under the contracts specified in subparagraph 1) of this paragraph, as of a date not earlier than 3 (three) working days prior to the date of submission of an application by a single buyer of electric energy to the administrator of the budget program to receive state financial support for the current financial year;

4) decryption of accounts receivable under the contracts specified in subparagraph 1) of this paragraph, as of a date not earlier than 3 (three) working days prior to the date of submission of an application from a single buyer of electric energy to the administrator of the budget program to receive state financial support;

5) bank statements reflecting the status of the accounts of the single buyer of electric energy as of the date not earlier than 2 (two) working days prior to the date of submission of the request of the single buyer of electric energy to the administrator of the budget program for state financial support;

6) court decisions on debt collection, as well as executive documents confirming the impossibility for entities of the wholesale electric energy market to execute the court decision (s) on debt collection within the time period specified in subparagraph 3) of paragraph 6 of these Rules.

8. A single buyer of electric energy ensures the correctness and reliability of documents and information submitted to the administrator of the budget program by providing the substantiating materials specified in paragraph 7 of these Rules for obtaining state financial support.

9. The budget program administrator reviews the application and the submitted documents within no more than 10 (ten) working days from the date of their receipt. If a single buyer of electric energy fails to submit the documents provided for in paragraph 7 of these Rules in full, as well as expired documents and/or containing false information, the administrator of the budget program shall send a reasoned refusal to the single buyer of electric energy within 5 (five) working days from the date of their receipt, indicating the reasons for the refusal. The single buyer of electric energy, within 5 (five) working days from the date of receipt of the reasoned refusal, sends the missing documents and (or) eliminates the comments of the administrator of the budget program in order to bring the submitted documents and information in accordance with the requirements of these Rules.

The budget program administrator reviews the submitted repeated request within no more than 5 (five) working days from the date of its receipt.

In case of disagreement with the decision of the administrator of the budget program, it is appealed by a single buyer of electric energy in accordance with the procedure provided for by the Administrative Procedural Code of the Republic of Kazakhstan.

10. The administrator of the budget program on the basis of the received documents and information from the single buyer of electric energy:

- 1) determines the amount of state financial support;
- 2) includes expenses for the payment of state financial support in the budget application for the relevant financial year in accordance with the procedure provided for by the budget legislation of the Republic of Kazakhstan;
- 3) through electronic document management, it brings documents and information about the amount of state financial support to a single buyer of electric energy.

11. In accordance with paragraph 5 of Article 7-1 of the Law, a single buyer of electric energy conducts an audit of the annual financial statements in accordance with the Law of the Republic of Kazakhstan "On Auditing Activities" and submits its results to the authorized body within one month after its approval.

12. The state financial support received by a single buyer of electric energy is credited to a special account of the reserve fund of a single buyer of electric energy and is used only to cover the debt owed by a single buyer of electric energy to energy-producing organizations using renewable energy sources arising from the inability of entities of the wholesale electric energy market to pay for the electricity supplied to them, produced by renewable energy facilities.

13. The funds received as a result of state financial support and used by a single buyer of electric energy to cover obligations to energy-producing organizations using renewable energy sources are credited in accordance with paragraph 12 of these Rules and are taken into account when calculating the size of the reserve fund in accordance with the Rules for the formation and use of the reserve fund, approved by the Order of the Acting Minister of Energy of the Republic of Kazakhstan dated July 29, 2016 № 361 (registered in the Register of State registration of regulatory legal acts under № 14210).