



**On approval of the Model regulations on the commission for distribution of liquified petroleum gas allocated within the framework of the supply plan outside commodity exchanges**

*Unofficial translation*

Order of the Minister of Energy of the Republic of Kazakhstan dated September 14, 2018 № 372. Registered with the Ministry of Justice of the Republic of Kazakhstan dated October 12, 2018 № 17541.

**Unofficial translation**

Footnote. The heading as amended by the order of the Minister of Energy of the Republic of Kazakhstan dated 06.09.2023 № 330 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Pursuant to sub-paragraph 18-5) of Article 6 of the Law of the Republic of Kazakhstan “On Gas and Gas Supply”, **I HEREBY ORDER:**

**Footnote. The preamble – as revised by Order of the Minister of Energy of the Republic of Kazakhstan № 229 of 05.07.2022 (shall come into force ten calendar days after the date of its first official publication).**

1. To approve the attached the Model regulations on the commission for distribution of liquified petroleum gas allocated within the framework of the supply plan outside commodity exchanges (further - the Standard provision).

**Footnote. Paragraph 1 as amended by the order of the Minister of Energy of the Republic of Kazakhstan dated 06.09.2023 № 330 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).**

2. In accordance with the procedure established by the legislation of the Republic of Kazakhstan, the Department for the development of Gas Industry of the Ministry of Energy of the Republic of Kazakhstan shall:

1) provide the state registration of this order with the Ministry of Justice of the Republic of Kazakhstan;

2) within ten calendar days from the date of state registration of this order, direct it in the Kazakh and Russian languages to the Republican State Enterprise with the Right of Economic Management of the Republican Center of Legal Information of the Ministry of Justice of the Republic of Kazakhstan for official publication and inclusion in the Reference Control Bank of Regulatory Legal Acts of the Republic of Kazakhstan;

3) place this order on the Internet resource of the Ministry of Energy of the Republic of Kazakhstan;

4) within ten working days after the state registration of this order, direct the data to the Legal Department of the Ministry of Energy of the Republic of Kazakhstan on execution of the actions provided for in subparagraph 1), 2) and 3) of this paragraph.

3. Control over the execution of this order shall be entrusted to the Supervising Vice Minister of Energy of the Republic of Kazakhstan.

4. This order shall enter into force ten calendar days after the day of its first official publication, except for the fourth paragraph of subparagraph 1) of paragraph 5 of the Model Provision, which shall come into effect on January 1, 2019, the second paragraph of subparagraph 1) of paragraph 5 of the Model Provision which shall come into effect on January 1, 2022. The first paragraph of subparagraph 1) of paragraph 5 of the Model Provision shall be valid until December 31, 2021.

**Footnote. Paragraph 4 - as amended by the order of the Minister of Energy of the Republic of Kazakhstan dated 30.03.2021 № 107 (shall be enforced ten calendar days after the day of its first official publication).**

*Minister of Energy  
Republic of Kazakhstan*

*K. Bozumbayev  
Approved  
by order № 372  
of the Minister of Energy of the  
Republic of Kazakhstan  
dated September 14, 2018*

## **Model regulations on the commission for distribution of liquefied petroleum gas allocated within the framework of the supply plan outside commodity exchanges**

**Footnote. The heading as amended by the order of the Minister of Energy of the Republic of Kazakhstan dated 06.09.2023 № 330 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).**

### **Chapter 1 General provisions**

1. These Model Regulations on the Commission for the Formation of Consolidated Applications for the Supply of Liquefied Petroleum Gas (hereinafter referred to as the Model Regulations) have been developed under sub-paragraph 18-5) of Article 6 of the Law of the Republic of Kazakhstan “On Gas and Gas Supply” (hereinafter referred to as the Law).

**Footnote. Paragraph 1 - as revised by Order of the Minister of Energy of the Republic of Kazakhstan № 330 of 06.09.2023 (shall enter into force ten calendar days after the date of its first official publication).**

2. The commission for distribution of liquefied petroleum gas allocated within the framework of the supply plan outside commodity exchanges (hereinafter - the Commission)

shall carry out its activities in accordance with the Constitution of the Republic of Kazakhstan, the laws, acts of the President and the Government of the Republic of Kazakhstan, other regulatory legal acts and this Model regulations.

**Footnote. Paragraph 2 as amended by the order of the Minister of Energy of the Republic of Kazakhstan dated 06.09.2023 № 330 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).**

3. The commission shall be created under local executive bodies.

## **Chapter 2. Task and functions of the Commission**

4. The task of the Commission shall be submission of recommendations on distribution of liquefied petroleum gas, allocated within the framework of the supply plan outside commodity exchanges, between recipients of the relevant administrative-territorial unit to the corresponding local executive body.

**Footnote. Paragraph 4 as amended by the order of the Minister of Energy of the Republic of Kazakhstan dated 06.09.2023 № 330 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).**

5. The Commission shall undertake the following functions:

1) evaluates the validity, completeness and timeliness of the information filed by the persons specified in paragraph 11 of Article 27-1 of the Law of the Republic of Kazakhstan “On Gas and Gas Supply”, for whom, as per the legislation of the Republic of Kazakhstan, state regulation of retail prices for liquefied petroleum gas through group tank installations has been established, – in the volumes to be subsequently sold to domestic and municipal consumers through group tank installations specified in the applications based on the rules for forming a plan for the supply of liquefied petroleum gas to the domestic market of the Republic of Kazakhstan, approved by the authorised body under sub-paragraph 18) of Article 6 of the Law;

evaluates the validity, completeness and timeliness of data provided by industrial consumers using liquefied petroleum gas as raw material for the production of oil and gas chemical products in applications as per the rules for forming a plan for the supply of liquefied petroleum gas to the domestic market of the Republic of Kazakhstan, approved by the authorised body under sub-paragraph 18) of Article 6 of the Law;

analyses the validity, completeness and timeliness of data filed formally by oil and gas exchange participants in their applications in line with the rules for forming the plan for the supply of liquefied petroleum gas to the domestic market of the Republic of Kazakhstan, approved by the authorised body under sub-paragraph 18) of Article 6 of the Law;

2) decides whether to approve the application and include it in the consolidated application or to change the volumes of liquefied petroleum gas to be supplied to the relevant applicant;

3) decides whether to approve the consolidated application.

Footnote. Paragraph 5 as revised by Order of the Minister of Energy of the Republic of Kazakhstan № 229 of 05.07.2022 (shall come into force ten calendar days after the date of its first official publication).

### **Chapter 3. Organization of activity of the Commission**

6. The Commission shall be comprised of a chairman, a vice-chairman, members of the Commission and a secretary. The Secretary of the Commission shall be determined from among the staff of the working body of the Commission and shall not be a member of it.

7. The Commission is a permanent body and shall consist of an odd number of members, but not less than five members.

8. The Chairman of the Commission shall be the Deputy Akim of the local executive body . During the absence of the Chairman of the Commission, his functions shall be performed by the Vice-Chairman.

9. The commission shall be established by the local executive body from among representatives of the relevant local executive body, the National Chamber of Entrepreneurs of the Republic of Kazakhstan and other persons, except for persons engaged in the sale of liquefied petroleum gas.

Footnote. Paragraph 9 as revised by Order of the Minister of Energy of the Republic of Kazakhstan № 229 of 05.07.2022 (shall come into force ten calendar days after the date of its first official publication).

9-1. The local executive body shall annually (the term is counted from the date of approval of the Commission membership) revise and update the Commission's composition.

Footnote. The standard regulation shall be supplemented with paragraph 9-1 in accordance with Order № 384 of the acting Minister of Energy of the Republic of Kazakhstan dated November 13, 2020 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

9-2. When forming the Commission, the local executive body shall avoid conflict of interests.

The standard regulation shall be supplemented with paragraph 9-2 in accordance with Order № 384 of the acting Minister of Energy of the Republic of Kazakhstan dated November 13, 2020 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

10. The working body of the Commission shall be the respective structural subunit of the local executive body.

11. Meetings of the Commission shall be convened by its chairman as required, but at least once a quarter.

Footnote. Paragraph 11 as amended by the order of the Minister of Energy of the Republic of Kazakhstan dated 06.09.2023 № 330 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

12. Meetings of the Commission shall be deemed duly constituted with more than half of the total number of the Commission members attending.

13. Decisions of the Commission shall be taken in an open vote by a majority of votes of the total number of the Commission members that are present at its meeting.

14. Members of the Commission shall have equal votes in the decision making. In the event of equal votes, the decision for which the Chairman of the Commission voted shall be considered adopted.

15. During the meeting of the Commission video recording shall be carried out, and video recordings of the meetings of the Commission shall be placed on the official Internet resource of the local executive body within three working days from the date of the meeting of the Commission.

16. The Chairman of the Commission shall:

- 1) convene meetings of the Commission;
- 2) perform general management of the Commission;
- 3) plan the work of the Commission;
- 4) preside at the meetings of the Commission;
- 5) exercise general control over the implementation of its decisions.

17. Members of the Commission shall:

- 1) familiarize themselves with the submitted applications of the applicants;
- 2) familiarize themselves with the project of distribution for the planned period;
- 3) make proposals regarding applications and the project of distribution;
- 4) consider issues subject to resolution at a meeting of the Commission;
- 5) participate in voting on the issues that are in the scope of the Commission's activity.

**Footnote. Paragraph 17 as amended by the order of the Minister of Energy of the Republic of Kazakhstan dated 06.09.2023 № 330 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).**

18. The Secretary of the Commission shall:

- 1) form the agenda of the meeting of the Commission;
- 2) notify the members of the Commission of the date and place of the meeting of the Commission no later than five calendar days before the date of the meeting;
- 3) ensure the preparation of the required documents and materials, document the minutes of the Commission meeting after it has been held (hereinafter - the Minutes);
- 4) introduce motions for improving organization of the Commission's activity.

19. In the event of disagreement with the decision taken, the member of the Commission shall set out his objections in writing, which shall be attached to the Minutes.

20. Decisions of the Commission shall be drawn up in the form of the Minutes that shall be signed by the chairman, deputy chairman, secretary, and the members of the Commission present.

21. The decision of the Commission may be appealed by an interested person in accordance with Article 9 of the Administrative Procedural - Processual Code of the Republic of Kazakhstan;

Footnote. Paragraph 21 as amended by the order of the Minister of Energy of the Republic of Kazakhstan dated 06.09.2023 № 330 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

22. Within three working days from the date of the meeting of the Commission, the Minutes shall be sent to its members and placed on the official Internet resource of the local executive body.