

On approval of the Rules for generation and maintenance of the Register of groups of entities

Unofficial translation

Order of the Minister of Energy of the Republic of Kazakhstan dated December 10, 2018 No. 489. Registered with the Ministry of Justice of the Republic of Kazakhstan on December 12, 2018 No. 17923.

Unofficial translation

In compliance with sub-paragraph 311) of paragraph 15 of the Regulations on the Ministry of Energy of the Republic of Kazakhstan, approved by Decree of the Government of the Republic of Kazakhstan № 994 dated 19 September 2014, **I HEREBY ORDER:**

Footnote. Preamble - as revised by Order of the Minister of Energy of the Republic of Kazakhstan № 368 of 14.10.2024 (shall enter into force ten calendar days after the date of its first official publication).

1. Approve the attached Rules for generation and maintenance of the Register of groups of entities.

2. In accordance with the procedure established by the legislation of the Republic of Kazakhstan, the Department for Implementation of the State Policy in the Field of Electric Power Industry of Ministry of Energy of the Republic of Kazakhstan shall:

1) ensure 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 with the Ministry of Justice of the Republic of Kazakhstan, send its copies in the Kazakh and Russian languages to the Republican State Enterprise on the Right of Economic Management "Republican Center of Legal Information of the Ministry of Justice of the Republic of Kazakhstan" for official publication and placement in the Reference Control Bank of the 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 state registration of this order with the Ministry of Justice of the Republic of Kazakhstan, report to the Department of Legal Services of the Ministry of Energy of the Republic of Kazakhstan on performance of activities, stipulated by sub-items 1) , 2) and 3) of this item.

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 come into effect upon the day of its state registration and be subject to official publication.

Approved by
Order № 489 of the Minister of
Energy of the Republic
of Kazakhstan dated
December 2018

Rules for generation and maintenance of the Register of groups of entities

Глава 1. General Provisions

1. These Rules for the Formation and Maintenance of the Register of Groups of Persons (hereinafter referred to as the Rules) have been developed as per sub-paragraph 311) of paragraph 15 of the Regulations on the Ministry of Energy of the Republic of Kazakhstan, approved by the Resolution of the Government of the Republic of Kazakhstan dated 19 September 2014 № 994, and determine the procedure for the formation and maintenance of the Register of Groups of Persons.

Footnote. Paragraph 1 as revised by Order of the Minister of Energy of the Republic of Kazakhstan № 368 of 14.10.2024 (shall enter into force ten calendar days after the date of its first official publication).

2. The following basic concepts shall be used in these Rules:

1) The Register of Groups of Persons (hereinafter referred to as the Register) shall be a list of energy-producing organisations and consumers belonging to a single group of persons, compiled and published on the official website of the authorised body, only if control is exercised as per parts two, three and four of paragraph 1-1 of Article 9 of the Law of the Republic of Kazakhstan “On Electric Power Industry” (hereinafter referred to as the Law).

2) authorized body - a state body exercising management in the field of the electric power industry;

Other concepts and definitions used in these Rules shall be applied in accordance with the legislation of the Republic of Kazakhstan in the field of the electric power industry.

Footnote. Paragraph 2 - as amended by the order of the Minister of Energy of the Republic of Kazakhstan dated 04.08.2022 № 259 (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); with amendments made by Order of the Minister of Energy of the Republic of Kazakhstan № 368 dated 14.10.2024 (shall be effective ten calendar days after the date of its first official publication).

Chapter 2. Procedure for generation of the Register

3. A legal entity under whose control are consumers and energy-producing organizations in accordance with parts two, three and four of paragraph 1-1 of Article 9 of the Law (hereinafter referred to as the Applicant), to include a group of persons in the Register, shall submit the following documents to the authorized body:

- 1) an application for inclusion of a group of persons in the Register;
- 2) constituent documents of the Applicant representing the interests of a group of persons;
- 3) the charter of a legal entity, an extract from the trade register for a foreign legal entity or another document confirming that consumers and energy-producing organizations are part of the same group of persons;
- 4) power of attorney or agreement confirming the Applicant's right to represent the interests of consumers and energy-producing organizations.

Footnote. Paragraph 3 - as amended by the order of the Minister of Energy of the Republic of Kazakhstan dated 04.08.2022 № 259 (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).

4. The Applicant's application shall contain:

- 1) a list of energy-producing organizations at the expense of which consumers who are part of the same group of persons will be provided with electric power, subject to the presence of control determined in accordance with parts two, three and four of paragraph 1-1 of Article 9 of the Law;

- 2) a list of consumers who will be provided with power at the expense of energy-producing organizations that are part of the same group of persons, subject to the presence of control determined in accordance with parts two, three and four of paragraph 1-1 of Article 9 of the Law.

Footnote. Paragraph 4 - as amended by the order of the Minister of Energy of the Republic of Kazakhstan dated 04.08.2022 № 259 (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).

5. The Authorized body shall consider the application of the Applicant with attached documents, specified in item 3 of these Rules, within ten working days from the date of receipt of the application.

6. In case of failure to provide documents, specified in item 3 of these Rules by the Applicant, the authorized body shall return the application indicating the reasons of return within five working days from the date of their receipt.

After elimination of comments of the authorized body, the Applicant shall repeatedly send the application attaching documents specified in item 3 of these Rules.

7. Within five working days upon the expiration of deadlines for consideration of the application of the Applicant, the authorized body shall include the corresponding group of entities into the Register and place the Register on the internet-resource of the authorized body.

8. The Register shall include lists of energy producing organizations and consumers, specified in sub-items 1) and 2) item 4 of these Rules.

9. Amendments and (or) modifications to the generated Register of the group of entities of the corresponding group of entities shall be made by the authorized body based on the application of the Applicant, with the attachment of documents, specified in item 3 of these

Rules, which shall be submitted to authorized body within the period no later than July 1 of each year. The application of the Applicant of a corresponding group of entities shall be submitted no more than once a year.

10. Implementation of amendments and modifications to the Register shall be made from August 1 of a relevant year, in which the application, specified in item 9 of these Rules have been submitted.