

On Approval of the Rules for Maintaining a Unified Register of the Special Economic Zone Participants and a Unified Register of Persons Engaged in Non-Core Activities

Unofficial translation

Order of the Minister of Industry and Infrastructure Development of the Republic of Kazakhstan № 468 of July 1, 2019. Registered with the Ministry of Justice of the Republic of Kazakhstan on July 5, 2019 under № 18978.

Unofficial translation

Footnote. The title - as revised by order of the Minister of Industry and Infrastructural Development of the Republic of Kazakhstan № 307 of 28.04.2023 (shall come into effect upon expiration of ten calendar days after the date of its first official publication).

Under sub-paragraph 14) of Article 11 of the Law of the Republic of Kazakhstan of April 3, 2019 “On Special Economic and Industrial Zones in the Republic of Kazakhstan”, I **HEREBY ORDER:**

1. That the attached Rules for Maintaining a Unified Register of the Special Economic Zone Participants and a Unified Register of Persons Engaged in Non-Core Activities shall be approved.

Footnote. Paragraph 1 - as revised by order of the Minister of Industry and Infrastructure Development of the Republic of Kazakhstan № 307 of 28.04.2023 (shall become effective ten calendar days after the date of its first official publication).

2. That the following documents shall be declared null and void:

1) order № 454 of the Deputy Prime Minister of the Republic of Kazakhstan - Minister of Industry and New Technologies of the Republic of Kazakhstan dated December 12, 2011 “On Approval of the Instruction on Maintaining a Unified Register of Special Economic Zone Participants” (recorded in the Register of State Registration of Regulatory Legal Acts under № 7354, published in the newspapers ‘Kazakhstanskaya Pravda’ on November 20, 2013 under № 319 (27593), ‘Yegemen Kazakhstan’ on November 20, 2013 under № 257 (28196)) ;

2) order of the Acting Minister for Investment and Development of the Republic of Kazakhstan № 15 of September 2, 2014 “On Amendments to Order of the Deputy Prime Minister of the Republic of Kazakhstan - Minister of Industry and New Technologies of the Republic of Kazakhstan № 454 of December 12, 2011 “On Approval of the Instruction on Maintaining a Unified Register of Special Economic Zone Participants” (recorded in the Register of State Registration of Regulatory Legal Acts under № 9780, published in the Adilet Information and Legal System of Regulatory Legal Acts on October 17, 2014.

3. In compliance with the procedure established by law the Committee for Industrial Development and Industrial Safety of the Ministry of Industry and Infrastructural Development of the Republic of Kazakhstan shall ensure the following:

1) state registration hereof with the Ministry of Justice of the Republic of Kazakhstan;
2) within ten calendar days from the date of state registration hereof sending in the Kazakh and Russian languages to the Institute of Legislation and Legal Information of the Republic of Kazakhstan Republican State Enterprise under the Right of Economic Management for official publication and inclusion in the Reference Control Bank of regulatory legal acts of the Republic of Kazakhstan;

3) placement hereof on the Internet resource of the Ministry of Industry and Infrastructural Development of the Republic of Kazakhstan.

4. Control over the execution hereof shall be vested in the Supervising Vice-Minister of Industry and Infrastructural Development of the Republic of Kazakhstan.

5. This order shall be put into effect ten calendar days after the date of its first official publication.

**Minister of Industry
and Infrastructure Development
of the Republic of Kazakhstan R. Sklyar**

Approved by order № 468 of the
Minister of Industry and Infrastructure
Development of the Republic of
Kazakhstan of July 1, 2019

Rules for Maintaining a Unified Register of the Special Economic Zone Participants and a Unified Register of Persons Engaging in Non-Core Activities

Footnote. The Rules - as revised by order of the Minister of Industry and Infrastructural Development of the Republic of Kazakhstan № 307 of 28.04.2023 (shall take effect ten calendar days after the date of its first official publication).

Chapter 1. General provisions

1. These Rules for Maintaining a Unified Register of the Special Economic Zone Participants and a Unified Register of Persons Engaging in Non-Core Activities have been developed under sub-paragraph 14) of Article 11 the Law of the Republic of Kazakhstan ‘On Special Economic and Industrial Zones’ (hereinafter - the Law) and establish the procedure for maintaining a unified register of special economic zone participants and a unified register of persons engaged in non-core activities.

2. Basic concepts used herein are as follows:

1) a special economic zone means a part of the territory of the Republic of Kazakhstan with precisely marked boundaries, where a special legal regime of a special economic zone for the implementation of activities under the Law is in force.;

2) a unified register of special economic zone participants means a register of participants of all special economic zones established on the territory of the Republic of Kazakhstan;

3) a managing company of the special economic zone is a legal entity established or designated in conformity with the Law and the Law of the Republic of Kazakhstan “On Innovation Cluster “Park of Innovative Technologies” to ensure the functioning of the special economic zone;

4) participant of a special economic zone means a legal entity engaged in priority types of activities on the territory of a special economic zone and included in the unified register of participants of special economic zones;

5) a unified register of persons involved in non-core activities means a register of persons involved in non-core activities in all special economic zones established in the territory of the Republic of Kazakhstan;

6) an agreement on the implementation of activities means an agreement concluded between a participant or several participants of a special economic or industrial zone and the management company of the special economic or industrial zone, establishing the conditions for the implementation of activities on the territory of the special economic or industrial zone and (or) in their legal regime, rights, obligations and responsibility of the parties;

7) Unified Coordination Centre means a legal entity that coordinates the activities of special economic and industrial zones;

8) non-core activities are activities that are not included in the list of priority activities, belonging to the branches of the processing industry, related to the processing of raw materials, substances, components for a new product;

9) person involved in non-core activities means a person included in the unified register of persons involved in non-core activities and performing such activities on the territory of a special economic zone;

10) an agreement on implementation of non-core activities means an agreement concluded between a person engaged in non-core activities or several persons engaged in non-core activities and the management company of a special economic zone, establishing the conditions for implementing activities on the territory of the special economic zone, the rights, duties and responsibilities of the parties.

11) a competent authority means a central executive body exercising state regulation in the sphere of creation, functioning and abolition of special economic and industrial zones.

Chapter 2: Procedure for maintaining a unified register of the special economic zone participants and a unified register of persons engaged in non-core activities

3. The unified registers shall include special economic zones participants and persons engaged in non-core activities on the territory of special economic zones.

4. Unified registers of special economic zones participants and persons engaged in non-core activities shall be formed and maintained by the unified coordination centre in electronic format in the state and Russian languages using the forms as per the annex hereto.

5. Not later than the next working day after the conclusion of the agreement on the implementation of activities or the agreement on the implementation of non-core activities, the managing company of the special economic zone shall send to the unified coordination centre a copy of the agreement on the implementation of activities or the agreement on the implementation of non-core activities and shall post information on the conclusion of the agreement on the Internet resource of the unified coordination centre.

6. Within five working days after receiving a copy of the relevant agreement, the Unified Coordination Centre shall enter information on the applicant into the Unified Register of Special Economic Zone Participants and issue a certificate confirming registration of the person as a participant of a special economic zone or into the unified register of persons engaged in non-core activities without issuing a certificate.

7. Maintenance of the unified register shall involve:

1) entering (inclusion) of information on participants of special economic zones and persons engaged in non-core activities;

2) updating (renewal) of information on participants of special economic zones and persons engaged in non-core activities.

8. Updating (renewal) of information in the unified register of participants of special economic zones and the unified register of persons engaged in non-core activities shall take place when one of the following cases occurs:

1) change of the name of the special economic zone;

2) change of information on the participant entered in the unified register earlier;

3) conclusion of an additional agreement to the contract on the implementation of activities or to the contract on the implementation of non-core activities;

4) termination of an agreement on the implementation of activities or an agreement on the implementation of non-core activities.

9. Updating (renewal) of data of the Unified Register of Special Economic Zone Participants and the unified register of persons engaged in non-core activities shall be made within 5 (five) working days from the date of receipt of the relevant notification from the managing company of the special economic zone.

10. Should the management company of a special economic zone be changed, the latter shall notify the competent authority and the Unified Coordination Centre thereof within 2 (two) working days from the date of making a decision on such change.

11. Within one working day from the date of entering information in the unified register of participants of special economic zones or in the unified register of persons engaged in

non-core activities, the unified coordination centre shall notify on obtaining the status of a participant of a special economic zone or a person engaged in non-core activities such persons and the management company of the special economic zone.

Within one working day from the date of entering information into the unified register of participants of special economic zones, the Unified Coordination Centre shall also inform the state revenue authorities on entering a person into the unified register of participants of special economic zones.

Information on inclusion of the mentioned persons in the unified register of participants of special economic zones or in the unified register of persons engaged in non-core activities shall be placed on the Internet resource of the unified coordination centre.

12. The managing company of the special economic zone shall notify the unified coordination centre and state revenue authorities of the termination of the agreement on the implementation of activities or the agreement on the implementation of non-core activities not later than five working days from the date of termination of the respective agreement.

13. The information available in the unified register shall be posted on the Internet resource of the unified coordination centre.

Annex to the
Rules for Maintaining a Unified Register
of the Special Economic Zone Participants
and a Unified Register of Persons
Engaged in Non-Core Activities

Document form 1

Unified Register of Special Economic Zones Participants

№ s/o	Full name of the legal entity with indication of the organisational and legal form	Abbreviated name of the legal entity	Legal address	BIN	Name of SEZ, where SEZ participant is operating on its territory	Name of the project implemented by the SEZ participant in compliance with the concluded agreement on activity implementation	Date of making an entry in the register of SEZ participants on registration of the person as a SEZ participant or on deprivation of the person of the SEZ participant status
1	2	3	4	5	6	7	8
1.							

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Details of the operating agreement	Series, number of the certificate of registration of the person as a participant of SEZ	Details of addenda to the operating agreement (if any)	Grounds for conclusion (scope) of addenda
9	10	11	12

Document form 2

Unified register of persons/entities engaged in non-core activities

№ s/o	Full name of the person/entity	Abbreviated name of the person/entity	Registered address	BIN/ BIN	Name of the SEZ, where S E Z participant performs its activities	Name of the non-core activity in compliance with the concluded agreement on non-core activity implementation	Date of making an entry in the unified register of persons engaged in non-core activities or on removing a person from the register
1	2	3	4	5	6	7	8
1.							

table continued

Details of the non-core activity agreement	Details of addenda to the agreement on non-core activities (if any)	Grounds for conclusion (scope) of addenda
9	10	11