

On approval of the Rules for granting consent of the authorized body for regulation, control and supervision of the financial market and financial organizations to the appointment (election) of an executive of an insurance (reinsurance) organization, a branch of a non-resident insurance (reinsurance) organization of the Republic of Kazakhstan, an insurance holding, an insurance broker, a branch of a non-resident insurance broker of the Republic of Kazakhstan and the joint stock company “Insurance Payments Guarantee Fund”, including the criteria for the absence of an impeccable business reputation, documents required to obtain consent

Unofficial translation

Resolution of the Board of the Agency of the Republic of Kazakhstan on Regulation and Development of the Financial Market No. 43 dated March 30, 2020. Registered with the Ministry of Justice of the Republic of Kazakhstan on April 1, 2020, No. 20248.

Unofficial translation

Footnote. The title as amended by the resolution of the Board of the Agency of the Republic of Kazakhstan for Regulation and Development of the Financial Market dated 28.10.2022 №80 (shall be enforced ten calendar days after the date of its first official publication).

Pursuant to the laws of the Republic of Kazakhstan “On Insurance Activities”, “On Insurance Payments Guarantee Fund”, “On State Regulation, Control and Supervision of the Financial Market and Financial Organizations”, “On State Services”, the Board of the Agency of the Republic of Kazakhstan for Regulation and Development of the Financial Market **RESOLVES:**

Footnote. Preamble - as amended by the resolution of the Board of the Agency of the Republic of Kazakhstan for Regulation and Development of the Financial Market dated 28.10.2022 №80 (shall be enforced ten calendar days after the date of its first official publication).

1. Approve the attached Rules for granting consent of the authorized body for regulation, control and supervision of the financial market and financial organizations to the appointment (election) of an executive of an insurance (reinsurance) organization, a branch of a non-resident insurance (reinsurance) organization of the Republic of Kazakhstan, an insurance holding, an insurance broker, a branch of a non-resident insurance broker of the Republic of Kazakhstan and the joint stock company “Insurance Payments Guarantee Fund”, including the criteria for the absence of an impeccable business reputation, documents required to obtain consent.

Footnote. Paragraph 1 - as amended by the resolution of the Board of the Agency of the Republic of Kazakhstan for Regulation and Development of the Financial Market dated 28.10.2022 №80 (shall be enforced ten calendar days after the date of its first official publication).

2. To recognize as terminated the regulatory legal acts of the Republic of Kazakhstan, as well as structural elements of some regulatory legal acts of the Republic of Kazakhstan according to the list in accordance with the Annex to this Resolution.

3. The Department of the Insurance Market and Actuarial Calculations, in accordance with the procedure established by the legislation of the Republic of Kazakhstan, shall ensure:

1) jointly with the Legal Department, state registration of this Resolution with the Ministry of Justice of the Republic of Kazakhstan;

2) posting this Resolution on the official Internet resource of the Agency of the Republic of Kazakhstan for the Regulation and Development of the Financial Market after its official publication;

3) within ten working days after the state registration of this Resolution, the submission to the Legal Department of information on the implementation of the measures provided for in subparagraph 2) of this paragraph and paragraph 4 of this Resolution.

4. The Department of International Relations and External Communications shall ensure, within ten calendar days after the state registration of this Resolution, sending of a copy of it for official publication in periodicals.

5. Control over the implementation of this Resolution shall be entrusted to the supervising Deputy Chairman of the Agency of the Republic of Kazakhstan for the Regulation and Development of the Financial Market.

6. This Resolution shall come into effect upon the expiration of ten calendar days after the day of its first official publication.

*Chairman of the Agency of the
Republic of Kazakhstan
for Regulation and Development of the
Financial Market*

M. Abylkassymova

"AGREED"

Ministry of Digital Development,
Innovation and Aerospace Industry of the
Republic of Kazakhstan

_____ 2020

Approved
by the Resolution of the
Board of the Agency of the
Republic of Kazakhstan
on Regulation and Development
of the Financial Market
dated March 30, 2020, № 43

Rules for granting consent of the authorized body for regulation, control and supervision of the financial market and financial organizations to the appointment (election) of an executive of an insurance (reinsurance) organization, a branch of a non-resident insurance (reinsurance) organization of the Republic of Kazakhstan, an insurance holding, an insurance broker, a branch of a non-resident insurance broker of the Republic of Kazakhstan and the joint stock company "Insurance Payments Guarantee Fund", including the criteria for the absence of an impeccable business reputation, documents required to obtain consent

Footnote. The Rules - as amended by the resolution of the Board of the Agency of the Republic of Kazakhstan for Regulation and Development of the Financial Market dated 28.10.2022 №80 (shall be enforced ten calendar days after the date of its first official publication).

Chapter 1. General provisions

1. These Rules for granting consent of the authorized body for regulation, control and supervision of the financial market and financial organizations to the appointment (election) of an executive of an insurance (reinsurance) organization, a branch of a non-resident insurance (reinsurance) organization of the Republic of Kazakhstan, an insurance holding, an insurance broker, a branch of a non-resident insurance broker of the Republic of Kazakhstan and the joint stock company “Insurance Payments Guarantee Fund”, including the criteria for the absence of an impeccable business reputation, documents required to obtain consent (hereinafter the Rules), have been developed pursuant to Articles 66 and 73 of the Administrative procedural and process-related code of the Republic of Kazakhstan, , Articles 34 of the law of the Republic of Kazakhstan “On Insurance Activities” (hereinafter - the Law On Insurance Activities), subparagraph 8) of paragraph 1 of Article 4, Article 4-1 of the law of the Republic of Kazakhstan “On Insurance Payments Guarantee Fund” (hereinafter the Law on Guarantee Fund), laws of the Republic of Kazakhstan “On state regulation, control and supervision of the financial market and financial organizations” (hereinafter- the law on state regulation), "On state services" (hereinafter- the law on state services).

The rules determine the procedure for issuing consent from the authorized body for regulation, control and supervision of the financial market and financial organizations (hereinafter referred to as the authorized body, service provider) for the appointment (election) of an executive of an insurance (reinsurance) organization, a branch of a non-resident insurance (reinsurance) organization of the Republic of Kazakhstan, an insurance holding, an insurance broker, a branch of a non-resident insurance broker of the Republic of Kazakhstan and the joint stock company "Insurance Payments Guarantee Fund", including the criteria for the absence of an impeccable business reputation, documents required to obtain consent.

Information about changes and (or) additions to the Rules shall be posted on the official Internet resource of the authorized body and sent to the operator of the information and communication infrastructure of “electronic government”.

Information about changes and (or) additions to the Rules shall be posted on the official Internet resource of the authorized body and sent to the operator of the information and communication infrastructure of “electronic government”.

2. The concepts used in the Rules are applied in the meanings specified in the Law on “Insurance Activities”, the Law of the Republic of Kazakhstan “On Electronic Documents and Electronic Digital Signatures”, the Law on the Guarantee Fund, the Law on State Regulation.

The following definitions are used in the Rules:

1) responsible unit - a unit of the authorized body responsible for the provision of public services;

2) candidate - an individual who intends to occupy the position of an executive of an insurance (reinsurance) organization, a branch of a non-resident insurance (reinsurance) organization of the Republic of Kazakhstan, an insurance broker, a branch of a non-resident insurance broker of the Republic of Kazakhstan, a joint-stock company “Insurance Payments Guarantee Fund” or a person elected to the position of a manager or member of a management body who is an independent director;

3) consent - consent of the authorized body to the appointment (election) of an executive of an insurance (reinsurance) organization, a branch of a non-resident insurance (reinsurance) organization of the Republic of Kazakhstan, an insurance holding, an insurance broker, a branch of a non-resident insurance broker of the Republic of Kazakhstan and the joint-stock company “Insurance Payments Guarantee Fund”;

4) service recipient - an insurance (reinsurance) organization, an insurance broker, a branch of a non-resident insurance (reinsurance) organization of the Republic of Kazakhstan, a branch of a non-resident insurance broker of the Republic of Kazakhstan, an insurance holding, a joint-stock company “Insurance Payments Guarantee Fund”, or an individual intending to hold an executive position in an insurance (reinsurance) organization, a branch of a non-resident insurance (reinsurance) organization of the Republic of Kazakhstan, an insurance broker, a branch of a non-resident insurance broker of the Republic of Kazakhstan, an insurance holding, a joint-stock company “Insurance Payments Guarantee Fund”;

5) financial organization - bank, insurance (reinsurance) organization, insurance broker, branch of a non-resident bank of the Republic of Kazakhstan, branch of a non-resident insurance (reinsurance) organization of the Republic of Kazakhstan, branch of a non-resident insurance broker of the Republic of Kazakhstan, unified accumulative pension fund, voluntary accumulative pension fund, a legal entity licensed to carry out activities in the securities market, joint-stock company “Insurance Payments Guarantee Fund”, joint-stock company “Central Securities Depository” and a single operator in the accounting of state property in terms of performing the functions of nominal holding of securities owned by the

state, entities of the quasi-public sector, the list of which is approved by the authorized state property management body, or in respect of which the state, the specified entities of the quasi-public sector have property rights;

6) register of valid consents - register of valid consents for the appointment (election) of executives of insurance (reinsurance) organizations, insurance brokers, branches of non-resident insurance (reinsurance) organizations of the Republic of Kazakhstan, branches of non-resident insurance brokers of the Republic of Kazakhstan, joint-stock company “Insurance Payments Guarantee Fund”;

7) petition - a petition for issuing the authorized body’s consent for the appointment (election) of executives of an insurance (reinsurance) organization, insurance broker, branch of a non-resident insurance (reinsurance) organization of the Republic of Kazakhstan, branch of a non-resident insurance broker of the Republic of Kazakhstan, insurance holding, joint-stock company “Insurance Payments Guarantee Fund”;

8) state service –state service “Issue of consent to the appointment (election) of executives of financial organizations, branches of non-resident banks of the Republic of Kazakhstan, branches of non-resident insurance (reinsurance) organizations of the Republic of Kazakhstan , branches of non-resident insurance brokers of the Republic of Kazakhstan, banking and insurance holding companies , joint stock company “Insurance Payments Guarantee Fund” subtype of state service “issuance of consent to the appointment (election) of senior officials in the insurance sector”;

9) portal – web portal of “electronic government” www.egov.kz;

10) EDS – electronic digital signature

3. The list of executives of an insurance (reinsurance) organization, an insurance broker, a branch of an insurance (reinsurance) organization that is a non-resident of the Republic of Kazakhstan, a branch of an insurance broker that is a non-resident of the Republic of Kazakhstan, an insurance holding company and the joint-stock company “Fund for insurance payments guarantee”, subject to approval by the authorized body, has been defined by paragraphs 1, 1-1 and 14 of Article 34 of the Law on insurance activities and paragraph 1 of Article 4-1 of the Law on the Fund for guarantee.

The following shall not be subject to approval by the authorized body:

1) representatives of the authorized body who are members of the management body of the joint-stock company “Fund for insurance payments guarantee”;

2) executives of an insurance (reinsurance) organization, insurance broker, branch of an insurance (reinsurance) organization that is a non-resident of the Republic of Kazakhstan, branch of an insurance broker that is a non-resident of the Republic of Kazakhstan, insurance holding company and the joint-stock company “Fund for insurance payments guarantee”, transferred from a position agreed upon with the authorized body or newly appointed to a lower position within the same body of an insurance (reinsurance) organization, insurance broker, branch of an insurance (reinsurance) organization that is a non-resident of the

Republic of Kazakhstan, branch of an insurance broker that is a non-resident of the Republic of Kazakhstan, insurance holding company and the joint-stock company “ Fund for insurance payments guarantee”;

3) executives of an insurance (reinsurance) organization transferred from the position of the head or member of the executive body or the head or member of the management body agreed upon with the authorized body, or newly appointed to the position of another head of an insurance (reinsurance) organization, who coordinates and (or) controls the activities of two or more structural divisions of the insurance (reinsurance) organization and has the right to sign documents on the basis of which insurance and (or) investment activities are carried out;

4) executives of a branch of an insurance (reinsurance) organization that is a non-resident of the Republic of Kazakhstan, transferred from the position of the head or deputy head agreed upon with the authorized body, or newly appointed to the position of another head of a branch of an insurance (reinsurance) organization that is a non-resident of the Republic of Kazakhstan, who coordinates and (or) controls the activities of two or more structural divisions of a branch of an insurance (reinsurance) organization that is a non-resident of the Republic of Kazakhstan and has the right to sign documents on the basis of which insurance activities are carried out;

5) executives of an insurance holding company transferred from a position agreed upon with the authorized body as a head or member of the executive body or a head or member of the management body, or newly appointed to the position of another head of an insurance holding company that coordinates and (or) controls the activities of a subsidiary (subsidiaries) organization (organizations) and (or) an organization (organizations) in which the insurance holding company has a significant shareholding.

The executives specified in subparagraphs 2), 3), 4) and 5) of this paragraph shall not be subject to approval provided that they comply with the requirements established by Articles 16-2 and 34 of the Law of the Republic of Kazakhstan "On Insurance Activities", subparagraph 20) of Article 1, paragraph 4 of Article 54, paragraph 2 of Article 59 of the Law of the Republic of Kazakhstan "On Joint-Stock Companies" (hereinafter - the Law on joint-stock companies), Article 4-1 of the Law on the Fund for guarantee, Article 9 of the Law of the Republic of Kazakhstan "On Accounting and Financial Reporting" (hereinafter - the Law on accounting).

Footnote. Paragraph 3 is in the wording of the Resolution of the Board of the Agency of the Republic of Kazakhstan for Regulation and Development of the Financial Market dated 27.12.2024 № 88 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

4. The authorized body shall issue consent if the candidate meets the requirements established by Articles 16-2 and 34 of the Law on Insurance Activities, subparagraph 20) of

Article 1, paragraph 4 of Article 54, paragraph 2 of Article 59 of the Law on Joint Stock Companies, Article 4-1 of the Law on the Guarantee Fund, Article 9 of the Accounting Law.

Footnote. Paragraph 4 - as amended by the resolution of the Board of the Agency of the Republic of Kazakhstan for Regulation and Development of the Financial Market dated 05.05.2023 № 23 (shall be enforced ten calendar days after the date of its first official publication).

5. Consent (with the exception of executives appointed (elected) to the position of a manager or member of a management body who is an independent director) shall be issued before the appointment (election) of an executive to the corresponding position.

Consent to the election of an executive or member of a management body who is an independent director of an insurance (reinsurance) company, insurance broker, joint-stock company “Insurance Payments Guarantee Fund” shall be issued before his election to the position or after his election to the position.

6. A person who has a valid consent shall be appointed (elected) to the position (several positions) of an executive in insurance (reinsurance) organizations, insurance brokers, branches of non-resident insurance (reinsurance) organizations of the Republic of Kazakhstan, branches of non-resident insurance brokers of the Republic of Kazakhstan, insurance holdings and (or) in the joint-stock company “Insurance Payments Guarantee Fund”, which was agreed upon within the insurance sector of the financial market, without re-approval, subject to compliance with the requirements specified in paragraph 4 of the Rules.

Footnote. Paragraph 6 - as amended by the resolution of the Board of the Agency of the Republic of Kazakhstan for Regulation and Development of the Financial Market dated 05.05.2023 № 23 (shall be enforced ten calendar days after the date of its first official publication).

7. For the purposes of subparagraph 3) of paragraph 3 of Article 34 of the Law on Insurance Activities and subparagraph 3) of paragraph 2 of Article 4-1 of the Law on the Guarantee Fund, the criteria for the absence of an impeccable business reputation shall be:

1) presence of an unexpunged or outstanding criminal record, presence of an enforced court ruling on the application of penal sanction in the form of deprivation of the right to hold an executive position in a financial organization, banking or insurance holding company and to be a major participant (major shareholder) of a financial organization;

2) presence of information that the candidate was (is) a major participant in a financial organization (directly or indirectly), that failed to fulfill accepted obligations or requirements of the authorized body for ensuring the financial stability of a financial organization, banking conglomerate, insurance group;

3) presence of information that the candidate, being a senior executive of a financial organization or an actuary, repeatedly (two or more times during the last twelve consecutive months) did not comply with the requirements of supervisory response measures applied by the authorized body in relation to the financial organization or actuary;

4) presence of information that the candidate was a shareholder (participant), official, person performing managerial functions in a financial organization, non-resident financial organization of the Republic of Kazakhstan, which was declared insolvent;

5) the person is on the list of persons involved in terrorist activities, the list of organizations and persons associated with the financing of terrorism and extremism and (or) on the list of organizations and persons associated with the financing of the proliferation of mass destruction weapons, compiled in accordance with Articles 12 and 12 -1 of the Law of the Republic of Kazakhstan On combating the legalization (laundering) of incomes from crime and the financing of terrorism;

6) presence of information that the candidate was a senior executive of a financial organization, banking or insurance holding company, whose actions (inaction) led to a violation (violations) of legal requirements, which led the authorized body or financial supervisory state body, the resident of which is a non-resident financial organization of the Republic of Kazakhstan, to the decision on classifying the bank (branch of a non-resident bank of the Republic of Kazakhstan) as an insolvent bank (branch of a non-resident bank of the Republic of Kazakhstan), deprivation of a license of the financial organization, which entailed their liquidation and (or) termination of activities in the financial market, or the entry into force of a court ruling on forced liquidation of the financial organization or declaring it bankrupt, or the entry into force of a court ruling on forced termination of the activities of the branch of non-resident bank of the Republic of Kazakhstan, a branch of a non-resident insurance (reinsurance) organization of the Republic Kazakhstan;

7) presence of information that the candidate was suspended from performing official duties as an executive of a financial organization on the basis of a supervisory response measure applied by the authorized body;

8) presence of information that the candidate exercised control (supervision) of financial organization units in whose activities the authorized body identified the following violations:

systematic (two or more times) during the last twelve consecutive months violations by a financial organization of prudential standards and (or) other mandatory norms and limits established by the authorized body;

reports by a financial organization that led to distortion of information on compliance with prudential standards and (or) other mandatory norms and limits established by the authorized body;

conclusion by an insurance (reinsurance) organization of reinsurance contracts on the terms that do not meet the requirements established by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated August 27, 2018 № 203 “On approval of the Rules and features of the implementation of reinsurance activities, as well as the insurance (reinsurance) pool”, registered in the Register of State Registration of Regulatory Legal Acts under № 17460 (hereinafter referred to as Resolution № 203);

the use of unreasonable amounts of insurance premiums, non-fulfillment or improper fulfillment of obligations arising from the conditions and procedure for conducting compulsory types of insurance;

systematic (two or more times) during the last twelve consecutive months non-payment, untimely payment of insurance payment or incomplete insurance payment;

breaching of the procedure for transferring insurance premiums to reinsurance, provided for by Resolution № 203, including absence of confirmation from the reinsurer, provided for by Resolution of the Board of the National Bank of the Republic of Kazakhstan dated December 26, 2016 № 304 “On establishing standard values and methods for calculating prudential standards of insurance (reinsurance)) organization and insurance group and other mandatory norms and limits, requirements for shares (participatory interests in the authorized capital) of legal entities acquired by insurance (reinsurance) organizations, subsidiaries of insurance (reinsurance) organizations or insurance holdings, the list of bonds of international financial organizations, acquired by insurance holdings, the minimum required rating for bonds acquired by insurance holdings, and the list of rating agencies, as well as the list of financial instruments (except for shares and participatory interests in the authorized capital) acquired by insurance (reinsurance) organizations” registered in the Register of State Registration of Regulatory Legal Acts under № 14794;

9) presence of the fact that the candidate signed an audit report that was recognized as knowingly false by a court decision;

10) presence of information that the candidate, being an actuary, systematically (two or more times during the last twelve consecutive months) did not notify the authorized body about the facts established by it of non-compliance by the insurance (reinsurance) organization with the requirements for the formation of insurance reserves;

11) presence of information that the candidate illegally disclosed or transferred information to third parties constituting an insurance secret or other secret protected by the laws of the Republic of Kazakhstan, information obtained during actuarial calculations and (or) carrying out activities as an independent actuary;

12) presence of information from financial organizations, non-resident financial organizations of the Republic of Kazakhstan, a supervisory authority of a foreign state or a legal entity regulating financial services and related activities in the “Astana” International Financial Center that the candidate lacks impeccable business reputation;

13) presence of the fact that the candidate has provided deliberately false information about his compliance with qualification requirements and (or) business reputation requirements, which will affect the decision of the authorized body;

14) existence of the fact of termination of the employment contract with the candidate at the initiative of the employer on the grounds provided for in subparagraphs 9), 12), 13), 14), 15), 16), 17), 18), 19), 20), 21) and 25) paragraph 1 of Article 52 of the Labor Code of the Republic of Kazakhstan (hereinafter referred to as the Code);

15) the candidate is in the Unified register of debtors, which is maintained in accordance with the Law of the Republic of Kazakhstan “On Enforcement Proceedings and the Status of Bailiffs” (if the debt exceeds 1000 (one thousand) monthly calculation indices established by the law on the republican budget);

16) the candidate’s lack of impeccable business reputation, identified on the basis of a motivated judgment formed in accordance with Article 13-5 of the Law on State Regulation.

The terms during which the criteria for lack of impeccable business reputation specified in this paragraph of the Rules, are established by the commission to determine the suitability of candidates for positions of executives of financial organizations, banking, insurance holding companies, the joint-stock company “Insurance Payments Guarantee Fund” (hereinafter referred to as the Commission) and are at least one year.

Footnote. Paragraph 7 - as amended by the resolution of the Board of the Agency of the Republic of Kazakhstan for Regulation and Development of the Financial Market dated 05.05.2023 № 23 (shall be enforced ten calendar days after the date of its first official publication).

8. The authorized body shall maintain the register of valid consents in accordance with the form of Appendix 1 to the Rules.

The register of valid consents shall be published on the official Internet resource of the authorized body and shall be updated no later than three working days from the date of change in the information contained in it.

9. The work experience of a candidate in international financial organizations, required for the appointment (election) in accordance with Article 34 of the Law on Insurance Activities, Article 4-1 of the Law on the Guarantee Fund includes the work of the candidate in the following international financial organizations:

Asian Development Bank;

Asian Infrastructure Investment Bank;

Inter-American Development Bank;

African Development Bank;

The World Bank;

World Trade Organization;

Eurasian Development Bank;

European Investment Bank;

European Bank for Reconstruction and Development;

European Securities and Markets Organization;

European Banking Organization;

European Banking Federation;

European Council Development Bank;

European Insurance and Pensions Organization;

Multilateral Investment Guarantee Agency;

International Center for Settlement of Investment Disputes;
Islamic Development Bank;
Islamic Financial Services Council;
International Association of Insurance Supervisors;
Northern Investment Bank;
International Securities Commission;
International Monetary Fund;
International Development Association;
International Association of Deposit Insurance Systems;
Bank for International Settlements;
International Organization of Pensions Supervisory Authorities;
International Bank for Reconstruction and Development;
International Finance Corporation;
Organization for Economic Cooperation and Development.

10. An insurance (reinsurance) organization, an insurance broker, a branch of a non-resident insurance (reinsurance) organization of the Republic of Kazakhstan, a branch of a non-resident insurance broker of the Republic of Kazakhstan, an insurance holding, joint-stock company “Insurance Payments Guarantee Fund”, when appointing (electing) a candidate, shall check him for compliance with the requirements of Article 34 of the Law on Insurance Activities, Article 4-1 of the Law on the Guarantee Fund and the Rules.

11. An insurance (reinsurance) organization, an insurance broker, a branch of a non-resident insurance (reinsurance) organization of the Republic of Kazakhstan, a branch of a non-resident insurance broker of the Republic of Kazakhstan, an insurance holding, joint-stock company “Insurance Payments Guarantee Fund” shall notify the authorized body of all changes that have occurred in the senior executives composition, including their appointment (election), transfer to another position, termination of an employment contract and (or) termination of powers, on bringing an executive to administrative liability for a corruption offense, also on changes in the last name, first name, patronymic (if it is indicated in the identity document of the executive with copies of supporting documents attached.

In the event of criminal prosecution of an executive, an insurance (reinsurance) organization, an insurance broker, a branch of a non-resident insurance (reinsurance) organization of the Republic of Kazakhstan, a branch of a non-resident insurance broker of the Republic of Kazakhstan, an insurance holding, joint stock company “Insurance Payments Guarantee Fund” shall notify the authorized body within five working days from the day when this information became known to the insurance (reinsurance) organization, insurance broker, branch of the non-resident insurance (reinsurance) organization of the Republic of Kazakhstan, branch of the non-resident insurance broker of the Republic of Kazakhstan, insurance holding company, joint-stock company “Insurance Payments Guarantee Fund”.

12. Information about changes in the senior executive's composition, including their appointment (election), transfer to another position, termination of an employment contract and (or) termination of authority, shall be sent in accordance with the form Appendix 2 to the Rules with copies of supporting documents attached.

To the information on appointed (elected) executives, results shall be attached of checking the candidate for compliance with the requirements of Article 34 of the Law on Insurance Activities, Article 4-1 of the Law on the Guarantee Fund and the Rules.

If the copies of supporting documents provided in accordance with part one of this paragraph do not contain the date of appointment (election), transfer to another position, dismissal (termination of authority), the date of appointment (election), transfer to another position or dismissal (termination of authority) of the executives shall be the date of adoption of the decision (order) of the authorized body of the insurance (reinsurance) organization, insurance broker, branch of the non-resident insurance (reinsurance) organization of the Republic of Kazakhstan, branch of the non-resident insurance broker of the Republic of Kazakhstan, insurance holding company, joint-stock company "Insurance Payments Guarantee Fund", or the date of occurrence of the event specified in the decision (order).

An extract from the decision of the authorized body of an insurance (reinsurance) organization, an insurance broker, a branch of a non-resident insurance (reinsurance) organization of the Republic of Kazakhstan, a branch of a non-resident insurance broker of the Republic of Kazakhstan, an insurance holding, joint stock company "Insurance Payments Guarantee Fund" shall contain the following information:

full name of the insurance (reinsurance) organization, insurance broker, branch of a non-resident insurance (reinsurance) organization of the Republic of Kazakhstan, branch of a non-resident insurance broker of the Republic of Kazakhstan, insurance holding, joint-stock company "Insurance Payments Guarantee Fund" and location of the executive body of the insurance (reinsurance) company organization, insurance broker, branch of a non-resident insurance (reinsurance) organization of the Republic of Kazakhstan, branch of a non-resident insurance broker of the Republic of Kazakhstan, insurance holding, joint-stock company "Insurance Payments Guarantee Fund";

date, time and place of the general meeting of shareholders (meeting of the management body);

information about the persons presents at the meeting (for a meeting of the governing body);

quorum of the general meeting of shareholders (meeting of the management body);

agenda of the general meeting of shareholders (meeting of the management body) regarding the appointment (election), transfer to another position or dismissal (termination of powers) of an executive;

issues put to vote, voting results on them in terms of appointment (election), transfer to another position or dismissal (termination of powers) of an executive;

decisions made regarding the appointment (election), transfer to another position or dismissal (termination of powers) of an executive.

An extract from the resolution of the authorized body of an insurance (reinsurance) organization, an insurance broker, a branch of a non-resident insurance (reinsurance) organization of the Republic of Kazakhstan, a branch of a non-resident insurance broker of the Republic of Kazakhstan, an insurance holding, joint-stock company “Insurance Payments Guarantee Fund” shall be certified by the signature of the employee (employees), authorized to sign this document and contain an indication of the accuracy of the extract.

Chapter 2. The procedure of reviewing documents for issuing consent

13. The service recipient shall file an application to the authorized body electronically through the portal, attaching the documents specified in the List of basic requirements for the provision of state service in accordance with Appendix 3 to the Rules (hereinafter referred to as the List of basic requirements for the provision of state service).

When a service recipient sends an application through the portal, the status of acceptance of the request for the state service is automatically displayed in the “personal account”, indicating the date and time of receipt of the result.

14. The request, certified by the digital signature of the service recipient, is drawn up in a free form indicating in it:

1) consent to the use of information constituting a secret protected by law, contained in the information systems for individuals and legal entities;

2) consent to the collection and processing of personal data in accordance with Article 8 of the Law of the Republic of Kazakhstan “On Personal Data and Their Protection”, for access to limited access personal data necessary for the provision of the state service (for individual service recipients);

3) confirmation of the candidate’s compliance with the requirements for executives of an insurance (reinsurance) organization, insurance broker, branch of a non-resident insurance (reinsurance) organization of the Republic of Kazakhstan, branch of a non-resident insurance broker of the Republic of Kazakhstan, insurance holding, joint-stock company “Insurance Payments Guarantee Fund”;

4) confirmation that information about the candidate, head or member of the management body, who is an independent director of an insurance (reinsurance) company, insurance broker, insurance holding company, joint-stock company “Insurance Payment Guarantee Fund” has been documented by the service recipient (for legal entities);

5) executive position (positions) for which the candidate is being agreed upon.

The application of the service recipient - insurance (reinsurance) organization, insurance broker, insurance holding, joint-stock company “Insurance Payments Guarantee Fund” shall be certified by the digital signature of the head of:

the management body, and in his absence one of the members of the management body by decision of the management body (with the submission of a copy of this decision of the management body), one of the shareholders of the service recipient in the absence of the head and members of the management body, one of the participants of the service recipient authorized to sign this document (for a service recipient created in the organizational and legal form of a limited liability partnership) - when sending documents for approval to the head of the executive body (the person solely performing the functions of the executive body) , a member of the management body who is the head of the executive body;

the executive body (the person solely performing the functions of the executive body) or the person performing his duties (with the submission of a copy of the decision on the assignment of duties) - in other cases.

The application of the service recipient -branch of a non-resident insurance (reinsurance) organization of the Republic of Kazakhstan, a branch of a non-resident insurance broker of the Republic of Kazakhstan shall be certified by the digital signature of:

the person authorized by the non-resident insurance (reinsurance) organization of the Republic of Kazakhstan, non-resident insurance broker of the Republic of Kazakhstan to sign this document (with a copy of the supporting document attached) - when sending documents for approval to the head of a branch of a non-resident insurance (reinsurance) organization of the Republic of Kazakhstan, a branch of the insurance non-resident broker of the Republic of Kazakhstan;

the head of a branch of a non-resident insurance (reinsurance) organization of the Republic of Kazakhstan, a branch of a non-resident insurance broker of the Republic of Kazakhstan or a person performing his duties (with the submission of a copy of the decision on assigning duties) - in other cases.

15. Information about a candidate for the executive position shall be drawn up in accordance with Appendix 4 to the Rules.

16. Documents issued by competent authorities or officials of foreign states are subject to legalization or apostille as required by the legislation of the Republic of Kazakhstan or international treaties ratified by the Republic of Kazakhstan (with the exception of identity documents of an individual non-resident of the Republic of Kazakhstan).

Documents submitted in a foreign language shall be translated into Kazakh and (or) Russian and are subject to notarization in accordance with the legislation of the Republic of Kazakhstan on notaries and are presented in the form of electronic copies.

17. The service recipient shall provide a complete package of documents (indicating contact telephone numbers and email addresses of contact persons).

For approval by the head or management body member who is an independent director, after his election to the position, the service recipient shall provide a complete package of documents no later than 60 (sixty) calendar days from the date of his election.

18. On the day of the document's delivery, an employee of the service provider authorized to receive and register correspondence, shall accept, register and send them for execution to the responsible department. When a service recipient applies after working hours, on weekends and holidays in accordance with the Labor Code of the Republic of Kazakhstan and the Law of the Republic of Kazakhstan "On Holidays in the Republic of Kazakhstan", documents are accepted on the next working day.

Within 5 (five) working days from the application registration date the employee of the responsible department shall check the completeness of the submitted documents and their validity term.

If it is established that the submitted documents are incomplete and (or) expired, the employee of the responsible department, within the specified period, shall prepare and send to the service recipient's "personal account" a reasoned rejection of the application.

A reasoned rejection of the application, signed with the digital signature of an authorized person of the authorized body, shall be sent to the service recipient in the form of an electronic document.

19. If it is established that the provided documents are complete and (or) have not expired, the responsible unit's employee, within 5 (five) working days, shall review them for compliance with the requirements established by the List of basic state service provision requirements and send appropriate requests to the concerned units of the service provider, state bodies of the Republic of Kazakhstan and authorized supervisory authorities of foreign states (if necessary), and also send requests to the Information System of Special Accounts of the Prosecutor General's Office of the Republic of Kazakhstan and the State Database "Individuals".

In the event of identified inconsistencies in the submitted documents with the requirements of the List of Basic Requirements for the state service provision during the state service provision period, the authorized body shall send a letter with comments through the portal to the service recipient for their elimination and filing by the service recipient of revised (corrected) documents through the portal. In this case, the period for processing by the authorized body of documents for approval of the candidate is not interrupted.

If a candidate has work experience in non-resident financial organizations of the Republic of Kazakhstan, then in order to confirm the candidate's impeccable business reputation, the authorized body shall request information from the authorized supervisory authority of a foreign state about the presence (absence) of information characterizing the candidate's impeccable business reputation, or retrieve the relevant data from the official Internet resource of the supervisory authority of the foreign state (if available).

20. When identifying grounds for rejecting the state service, provided for in the List of basic requirements for the state service provision, the authorized body shall notify the service

recipient of the preliminary decision to reject the state service, as well as the time and place (method) of the hearing to give the applicant an opportunity to express his position on the preliminary decision.

Notice of the hearing shall be sent at least 3 (three) business days before the end of the state service provision period. The hearing shall be held no later than 2 (two) working days from the date of notification.

The service recipient, within 2 (two) working days after familiarization, has the right to make his comments in the hearing minutes.

Upon the results of processing the documents submitted by the applicant and the hearing, the employee of the responsible department shall send a letter to the service recipient about the decision of the authorized body.

Footnote. Paragraph 20 - as amended by the resolution of the Board of the Agency of the Republic of Kazakhstan for Regulation and Development of the Financial Market dated 05.05.2023 № 23 (shall be enforced ten calendar days after the date of its first official publication).

21. Withdrawal of documents for issuing consent is permitted before the authorized body makes a decision to approve the candidate, and if agreed upon with an invitation to test - before the date of testing by a written application through the portal by the service recipient in any form indicating the reason for their withdrawal.

Chapter 3. The approval procedure of an invitation to undergo testing or without an invitation and granting the consent

22. To approve a candidate, a Commission shall be formed in the authorized body, whose membership shall be approved by order of the chief executive of the authorized body or his deputy.

23. The approval shall be carried out by the authorized body by decision of the Commission with the invitation of candidates to undergo testing or without their invitation, subject to the conditions specified in paragraphs 26 and 27 of the Rules.

Footnote. Paragraph 23 - as amended by the resolution of the Board of the Agency of the Republic of Kazakhstan for Regulation and Development of the Financial Market dated 05.05.2023 № 23 (shall be enforced ten calendar days after the date of its first official publication).

24. The decision of the Commission shall be adopted by a simple majority of votes. In case of equality of votes, the vote of the Chairman of the Commission or the person replacing him shall be decisive. The Commission's decision is also made by poll.

25. Members of the Commission shall review the documents and express their opinion on the issue under consideration in the minutes drawn up in accordance with Appendix 5 to the Rules.

26. When considering approval of a candidate without an invitation to undergo testing based on the provided documents, the following shall be taken into account:

1) more than 5 (five) years of experience of the candidate in international financial organizations, listed in paragraph 9 of the Rules, or by an auditor who directly audited financial organizations;

2) continuous work experience of the candidate, within 10 (ten) years preceding the application date, of more than 5 (five) years as an executive of a financial organization, an executive of an insurance holding, the head of an independent structural unit (department, management, branch and other independent structural unit), whose activities were related to the provision of financial services, financial and (or) managing director, executive director, who oversaw issues related to the provision of financial services.

For the purposes of this sub-paragraph, an interruption of service is considered to be a period between holding positions that exceeds 90 (ninety) calendar days;

3) approval of candidates with work experience in the insurance sector of more than 15 (fifteen) years, previously agreed with the authorized body;

4) holding of a valid license to carry out actuarial activities;

5) holding of an international certificate in risk management, FRM - Financial Risk Manager, PRM - Professional Risk Manager, CFA (Chartered Financial Analyst) (SFA Chartered Financial Analyst) - Certified Financial Analyst) and (or) certificate of the ISO 31000 series standard;

6) approval of a candidate for the position of member of the executive body of an insurance (reinsurance) organization, insurance holding, which involves overseeing exclusively security issues, administrative and economic issues, and information technology issues;

7) previous experience of the candidate as a member of the board, chief executive or deputy chief executive, head (deputy head) of an independent structural unit (department, administration, branch and other independent structural unit) of a state body that carries out (carried out) regulation, control and (or) supervision of the financial market and financial organizations;

8) the candidate's previous experience as a member of the board, chief executive or deputy chief executive, executive secretary, head of staff of a state body;

9) the candidate's being or having been, on the application filing date, a manager or member of the management body, head or member of the executive body of the national management holding;

10) approval of a candidate for the position of chief accountant;

11) approval of a candidate for the position of a manager or member of the management body who is an independent director.

The requirements of this paragraph shall not apply to persons indicated in subparagraph 1) of paragraph 27 of the Rules.

Footnote. Paragraph 26 - as amended by the resolution of the Board of the Agency of the Republic of Kazakhstan for Regulation and Development of the Financial Market dated 05.05.2023 № 23 (shall be enforced ten calendar days after the date of its first official publication).

27. A mandatory invitation to take the test shall apply to:

1) persons whose documents are submitted to the authorized body to obtain consent for the first time after the authorized body made a decision to revoke consent to appointment (election) to the position of an executive of a financial organization, insurance and (or) bank holding company;

2) persons whose documents are submitted to the authorized body for the first time to obtain consent, with the exception of the persons indicated in paragraph 26 of the Rules.

Footnote. Paragraph 27 - as amended by the resolution of the Board of the Agency of the Republic of Kazakhstan for Regulation and Development of the Financial Market dated 05.05.2023 № 23 (shall be enforced ten calendar days after the date of its first official publication).

28. When the Commission decides on approving a candidate with an invitation to testing, the authorized body shall notify the service recipient by sending a message certified by the digital signature of the service provider's authorized person to the service recipient's "personal account" containing the testing date, time and venue.

The service recipient (candidate) shall assure attendance at the authorized body's place for testing on the date and time appointed by the authorized body.

If the candidate is outside the authorized body's location and, due to circumstances beyond his control is unable to assure attendance at the authorized body's place for testing on the date and time appointed by the authorized body, the service recipient shall present documents (information) to the authorized body confirming the existence of these circumstances that cannot be helped.

The authorized body examines the documents (information) submitted by the service recipient, and if there are objective reasons for the candidate's non-appearance, testing of the candidate is carried out remotely.

When testing remotely, a service shall be used for holding conferences and online meetings with audio, video communications and tools for collaboration on documents; the authorized body shall record the testing procedure. In order to confirm this requirement, the person being tested shall use at least three devices for audio and video recording of the testing process and provide an overview of the entire room in which testing is conducted.

Footnote. Paragraph 28 - as amended by the resolution of the Board of the Agency of the Republic of Kazakhstan for Regulation and Development of the Financial Market dated 05.05.2023 № 23 (shall be enforced ten calendar days after the date of its first official publication).

29. Testing of candidates shall be conducted as computer testing in the state or Russian or English languages for 45 minutes on 30 questions.

30. During the testing, only employees of the authorized body are allowed to be present in the same room with the person being tested.

In the premises of the authorized body where candidates are tested, the testing process shall be audio and video recorded.

Footnote. Paragraph 30 - as amended by the resolution of the Board of the Agency of the Republic of Kazakhstan for Regulation and Development of the Financial Market dated 05.05.2023 № 23 (shall be enforced ten calendar days after the date of its first official publication).

31. When taking the test, the test taker must not use any written, electronic or other information materials. Violation of the conditions set out in this paragraph shall be equivalent to a negative test result.

32. The test taker shall be familiarized with the test results against signature immediately after passing it.

33. A positive test result is considered to be at least seventy percent of the correct answers of the candidate.

34. Testing shall be carried out with online transmission on the authorized body's Internet resource.

35. Within one working day after the candidate has passed the test (if the test result is positive) or the Commission has made a decision on approval without an invitation to undergo testing, an employee of the responsible department shall prepare a draft letter containing information on the state service result.

36. On the day of signing a letter addressed to the service recipient containing information about the approval result or a motivated response on rejecting the state service on the grounds indicated in the List of basic requirements for the provision of state service, an employee of the responsible department shall send the state service result to the service recipient's "personal account" in the form of an electronic document certified by the digital signature of the service provider's authorized person.

37. Information about the result of the state service on the issue of approval and (or) rejection of a candidate shall be published by an employee of the responsible department on the official Internet resource of the authorized body.

38. Information on the progress of state service processing is updated automatically in the information system for monitoring the state services rendering.

Chapter 4. The procedure for appealing decisions, actions (inaction) of the authorized body and (or) its officials on the state service provision

39. A complaint regarding the state service provision shall be examined by the head of the authorized body, the authorized body for assessing and supervising the state services quality (hereinafter referred to as the complaint examining body).

The complaint shall be submitted to the service provider, the official whose decision, action (inaction) is being appealed.

At least 3 (three) working days from the date of the complaint receipt, the service provider, official, whose decision, action (inaction) is being appealed, shall direct it to the complaint examining body.

The service recipient's complaint received by the service provider, in accordance with paragraph 2 of Article 25 of the Law on State Services, is subject to consideration within 5 (five) working days from the date of its registration.

A service recipient's complaint sent to the authorized body for assessing and supervising the state services quality is subject to consideration within 15 (fifteen) working days from the date of its registration.

Unless otherwise provided by the Law on Insurance Activities, the Law on the Guarantee Fund, going to court is allowed after appealing in a pre-trial order.

40. The complaint shall indicate:

1) surname, first name, patronymic (if any) of the head of the service provider or the person replacing him;

2) surname, first name, patronymic (if indicated on the identity card), individual identification number, postal address of an individual or name, postal address, business identification number of a legal entity;

3) the address of the actual residence of the individual and the location of the legal entity;

4) the name of the service provider and (or) surname, first name, patronymic (if any) of the official, whose decision, action (inaction) is (are) being appealed;

5) the circumstances on which the person filing the complaint bases his claims and the evidence;

6) file number and date of filing the complaint;

7) the list of documents attached to the complaint.

41. The complaint shall be signed by the service recipient or a person representing him.

Confirmation of acceptance of the complaint by the head of the authorized body is its registration (stamp, entry number and date) in the authorized body's office, indicating the surname and initials of the person who accepted the complaint, the date and place of receipt of the response to the filed complaint.

When applying through the portal, information on the appeal procedure can be obtained by calling the Unified Contact Center telephone numbers indicated in the List of basic requirements for the state service provision.

When sending a complaint through the portal, information about the complaint is available to the service recipient from the "personal account", which is updated during the

processing of the complaint by the authorized body (marks on delivery, registration, execution, response on consideration or dismissed request for consideration).

Appendix 1
to the Rules for granting consent
of the authorized body
for regulation, control and supervision
of the financial market and financial
organizations
to the appointment (election) of an
executive
of an insurance (reinsurance) organization
a branch of a non-resident insurance (reinsurance)
organization of the Republic of
Kazakhstan,
an insurance holding, an insurance broker,
a branch of a non-resident insurance
broker
of the Republic of Kazakhstan
and the joint stock company "Insurance
Payment
Guarantee Fund", including the criteria for
the
absence of an impeccable business
reputation,
documents required to obtain consent

Register of valid consents for the appointment (election) of executives of insurance (reinsurance) organizations, insurance brokers, branches of non-resident insurance (reinsurance) organizations of the Republic of Kazakhstan, branches of non-resident insurance brokers of the Republic of Kazakhstan, insurance holdings, joint-stock company "Insurance Payment Guarantee Fund"

№	Surname, first name, patronymic (if any)	Position (and), for which the candidate was granted consent	Date of issue of consent, № of the minutes	Termination of consent	
				Date	Grounds*
1	2	3	4	5	6
Insurance sector					

Note: * a reference is indicated to the corresponding subparagraph of paragraph 5-2 of Article 34 of the Law on Insurance Activities, paragraph 3 of Article 4-1 of the Law on the Guarantee Fund

Appendix 2
to the Rules for granting consent
of the authorized body
for regulation, control and supervision
of the financial market and financial
organizations
to the appointment (election) of an
executive
of an insurance (reinsurance) organization

a branch of a non-resident insurance (reinsurance) organization of the Republic of Kazakhstan, an insurance holding, an insurance broker, a branch of a non-resident insurance broker of the Republic of Kazakhstan and the joint stock company "Insurance Payment Guarantee Fund", including the criteria for the absence of an impeccable business reputation, documents required to obtain consent

Information on changes in the composition of executives

(name of the insurance (reinsurance) organization, insurance broker, branch of a non-resident insurance (reinsurance) organization of the Republic of Kazakhstan, branch of a non-resident insurance broker of the Republic of Kazakhstan, insurance holding, joint stock company "Insurance Payment Guarantee Fund"

№ П№ п/п	Surname, first name, patronymic (if any) of the executive	Position	Date and the occurred change*	Number, date of the decision (order) on appointment (election), transfer to another position, dismissal, (termination of powers)	Grounds for dismissal (termination of powers) in accordance with the legislation of the Republic of Kazakhstan
1	2	3	4	5	6

Note: * the date is indicated and changes that occurred in the composition of executives (appointment (election) to a position, transfer to another position, dismissal (termination of authority).

Appendix (indicating the number of sheets):

surname, first name, patronymic (if any) of the chief executive

(signature)

" ____ " ____ 20 ____

Appendix 3
to the Rules for granting consent
of the authorized body

for regulation, control and supervision
of the financial market and financial
organizations
to the appointment (election) of an
executive
of an insurance (reinsurance) organization
a branch of a non-resident insurance (reinsurance)
organization of the Republic of
Kazakhstan,
an insurance holding, an insurance broker,
a branch of a non-resident insurance
broker
of the Republic of Kazakhstan
and the joint stock company "Insurance
Payment
Guarantee Fund", including the criteria for
the
absence of an impeccable business
reputation,
documents required to obtain consent

List of main requirements for the provision of the state service

“Granting consent to the appointment (election) of executives of financial organizations, branches of non-resident banks of the Republic of Kazakhstan, branches of non-resident insurance (reinsurance) organizations of the Republic of Kazakhstan, branches of non-resident insurance brokers of the Republic of Kazakhstan, banking, insurance holdings, joint-stock company "Insurance Payments Guarantee Fund" under the subtype "issuance of consent to the appointment (election) of executives in the insurance sector"

Footnote. Appendix 3 - as amended by the resolution of the Board of the Agency of the Republic of Kazakhstan for Regulation and Development of the Financial Market dated 05.05.2023 № 23 (shall be enforced ten calendar days after the date of its first official publication).

Name of the state service	Granting consent to appointment (election) of executives of financial organizations, branches of non-resident banks of the Republic of Kazakhstan, branches of non-resident insurance (reinsurance) organizations of the Republic of Kazakhstan, branches of non-resident insurance brokers of the Republic of Kazakhstan, banking, insurance holdings, joint stock company “Insurance Payments Guarantee Fund”

Name of the state service subtypes		Issuance of consent to appointment (election) of executives in the insurance sector
1.	Name of the service provider	Agency of the Republic of Kazakhstan for Regulation and Development of the Financial Market (further- the authorized body).
2.	Ways of the state service rendering	Web-portal “electronic government” www.egov.kz (further-the portal).
3.	State service rendering term	Within 30 (thirty) working days from the date of the service recipient’s filing of the full package of documents to the portal. This period is suspended in the case provided for in paragraph 6-2 of Article 34 of the Law of the Republic of Kazakhstan “On Insurance Activities”, from the date of sending the draft motivated response to the person who filed documents for approval of a candidate for the position of an executive until the date of the decision by the authorized body using the motivated reasoning.
4.	State service rendering form	Electronic (fully automated)/ provided on the “one application” principle.
5.	State service rendering result	A letter of the authorized body to the service recipient, containing information on the issued consent to the appointment (election) of an executive in the insurance sector to a specific position (specific positions) of an executive, or a reasoned response on rejected state service on the grounds provided for in paragraph 9 of this List. The form for issuing the state service rendering result is electronic.
6.	Fee charged to the service recipient at the state service rendering and ways of collecting it in cases stipulated by the legislation of the Republic of Kazakhstan	25 (twenty-five) monthly calculation indicators (for issuing consent to the appointment (election) of executives in the insurance sector in accordance with Article 554 of the Code of the Republic of Kazakhstan “On taxes and other obligatory payments to the budget (Tax Code)”). The fee is paid in cash or non-cash form through second-tier banks, branches of non-resident banks of the Republic

		of Kazakhstan or organizations carrying out certain types of banking operations, also in non-cash form through the “electronic government” payment gateway.
7.	Work schedule of the service provider and information objects	1) portal - around the clock, with the exception of technical breaks due to repair work (if the service recipient contacts after the end of working hours, on weekends and holidays, in accordance with the Labor Code of the Republic of Kazakhstan (hereinafter referred to as the Code) and the Law of the Republic of Kazakhstan “On Holidays in the Republic of Kazakhstan”(hereinafter referred to as the Law on Holidays), applications are accepted and the state service rendering results are issued on the next working day). 2) authorized body - Monday to Friday from 9.00 to 18.30 with a lunch break from 13.00 to 14.30, except weekends and holidays, in accordance with the Code and the Law on Holidays.
		1) a petition in the electronic document form drawn up in accordance with paragraph 14 of the Rules; 2) an electronic copy of the document confirming payment of the fee, except for cases of payment through the “electronic government” payment gateway (in cases where payment of the fee is provided for by the legislation of the Republic of Kazakhstan); 3) an electronic copy of information about the candidate for the position of an executive in accordance with the form Appendix 4 to the Rules; 4) an electronic copy of a document confirming the absence of unexpunged or outstanding convictions for crimes in the country of citizenship (for foreigners) or in the country of permanent residence (for stateless persons), issued by a state body of the country of their citizenship (country of their permanent residence - for stateless persons) or the country where the

8.

List of documents and information required from the service recipient for the state service rendering

candidate has permanently resided for the last 15 (fifteen) years. The date of issue of the specified document must not exceed 3 (three) months preceding the date of filing the application (except for cases when a different validity term is indicated in the document provided). If the legislation of the country whose state body is authorized to confirm information about the absence of an unexpunged or outstanding criminal record does not envisage the issuance of validating documents to persons in respect of whom the specified information is requested, then the corresponding confirmation is sent by letter from the state body of the country of citizenship (for foreigners) or the country of permanent residence (for stateless persons) to the authorized body;

5) an electronic copy of a qualified accountant certificate issued as established by the legislation of the Republic of Kazakhstan on accounting and financial reporting (for a candidate for the chief accountant position);

6) an electronic copy of a document certifying membership in an accredited professional organization of accountants (for a candidate for the chief accountant position);

7) electronic copies of international certificates (if available) in accordance with subparagraph 5) of paragraph 26 of the Rules;

8) an electronic copy of the candidate's identity document (for foreigners, stateless persons).

The authorized body retrieves from the relevant state information systems through the "electronic government" gateway the information specified in the documents:

identity documents of an individual - a resident of the Republic of Kazakhstan;

confirmation that an individual resident of the Republic of Kazakhstan does not have an

		unexpunged or outstanding criminal record.
		1) non-compliance of candidates with the requirements established by Articles 16-2 and 34 of the Law of the Republic of Kazakhstan “On Insurance Activities”, subparagraph 20) of Article 1, paragraph 4 of Article 54, paragraph 2 of Article 59 of the Law of the Republic of Kazakhstan “On Joint-Stock Companies”, Article 4-1 of the Law of the Republic of Kazakhstan “On the Insurance Payments Guarantee Fund”, Article 9 of the Law of the Republic of Kazakhstan “On Accounting and Financial Reporting” or the Rules; 2) negative test result; 3) failure by the service recipient to eliminate the objections of the authorized body or filing by the service recipient of the documents revised after the authorized body’s comments, after the termination of the deadline established by paragraph 3 of this List; 4) breach of the procedure established by the legislation of the Republic of Kazakhstan for the election (appointment) of a candidate for the position of an executive; 5) filing of documents after the expiration of the period established by part two of paragraph 6-1 of Article 34 of the Law of the Republic of Kazakhstan “On Insurance Activities” and part eight of paragraph 3 of Article 4-1 of the Law of the Republic of Kazakhstan “On the Insurance Payments Guarantee Fund”, during which the candidate for the position of an executive or a member of the management body, who is an independent director, holds his position without the authorized body’s approval. This requirement applies to the position of an executive or a member of the management body who is an independent director;

9.

Grounds for rejecting the state service

6) information (facts) known to the authorized body about the commission by a candidate for the executive position of actions recognized as committed for the purpose of manipulating the securities market and (or) resulting in damage to a third party (third parties).

This requirement applies for one year from the date of the earliest of the following events:

recognition by the authorized body of the candidate's actions as committed for the purpose of manipulating the securities market; learning by the authorized body of facts confirming damage caused to a third party (third parties) resulting from such actions;

7) information (facts) known to the authorized body that the candidate was an employee of a financial organization in respect of which the authorized body applied supervisory response measures and (or) which was subject to an administrative penalty for an administrative offense provided for in Article 259 of the Code of the Republic of Kazakhstan on Administrative Infractions, for committing actions recognized as committed for the purpose of manipulating the securities market, and (or) by an employee of a financial organization, whose actions caused damage to the financial organization and (or) a third party (third parties) participating in the transaction.

This requirement applies for one year from the date of the earliest of the following events:

recognition by the authorized body of the candidate's actions as committed for the purpose of manipulating the securities market; learning by the authorized body of facts confirming the caused damage that resulted from the candidate's actions to a financial organization and (or) a third party (third parties).

For the purposes of this subparagraph, an employee of a

		financial organization is understood as an executive or a person performing his duties and (or) a stock exchange trader whose competence included making decisions on issues that entailed the above violations; 8) lack of the service recipient's consent, as required by Article 8 of the Law of the Republic of Kazakhstan "On Personal Data and Their Protection," to access to restricted personal data that is required for the state service provision (for individual service recipients). The information specified in subparagraphs 6) and 7) of this paragraph also includes information received by the authorized body from the financial supervisory authority of the state of which the non-resident financial organization of the Republic of Kazakhstan is a resident.
10.	Other requirements given the state service rendering specifics	Addresses of state service places and contact numbers of help desks regarding the state service provision are posted on the official Internet resource of the authorized body. The service recipient has the opportunity to obtain information about the procedure and status of the state service in remote access mode through the "personal account" of the portal, as well as the Unified Contact Center. If a failure or technical problem is detected on the portal, one can contact the Unified Contact Center. Unified contact center: 8-800-080-7777 or 1414. In the event of the information system failure, the authorized body shall notify the operator of the information and communication infrastructure of the "electronic government" (hereinafter referred to as the operator) within one working day. In this case, the operator, within

	the specified period, shall draw up a protocol on the technical problem and sign it with the authorized body. State service “Issue of consent to the appointment (election) of an executive of financial organizations, branches of non-resident banks of the Republic of Kazakhstan, branches of non-resident insurance (reinsurance) organizations of the Republic of Kazakhstan, branches of non-resident insurance brokers of the Republic of Kazakhstan, banking, insurance holdings, joint-stock company “Insurance Payments Guarantee Fund” under the subtypes “issuance of consent to the appointment (election) of executives in the banking sector”, “issuance of consent to the appointment (election) of executives in the securities market sector” shall be carried out in accordance with the regulatory legal acts of the authorized body.
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Appendix 4
 to the Rules for granting consent
 of the authorized body
 for regulation, control and supervision
 of the financial market and financial
 organizations
 to the appointment (election) of an
 executive
 of an insurance (reinsurance) organization
 a branch of a non-resident insurance (reinsurance)
 organization of the Republic of
 Kazakhstan,
 an insurance holding, an insurance broker,
 a branch of a non-resident insurance
 broker
 of the Republic of Kazakhstan
 and the joint stock company "Insurance
 Payment
 Guarantee Fund", including the criteria for
 the
 absence of an impeccable business
 reputation,
 documents required to obtain consent

фотография
3x4

Photo 3x4

Information on the candidate for an executive position(s)

Footnote. Appendix 4 - as amended by the resolution of the Board of the Agency of the Republic of Kazakhstan for Regulation and Development of the Financial Market dated 05.05.2023 № 23 (shall be enforced ten calendar days after the date of its first official publication).

full name of the candidate for the position of an executive of an insurance (reinsurance) organization, insurance broker, a branch of a non-resident insurance (reinsurance) organization of the Republic of Kazakhstan, a branch of a non-resident broker of the Republic of Kazakhstan, insurance holding, joint-stock company “Insurance Payments Guarantee Fund” _____

position (position), for which the candidate is being approved

1. General information:

Date and place of birth	
Citizenship	
Details of identity document, individual identification number (if available)	
Name of the insurance (reinsurance) organization, insurance broker, branch of a non-resident insurance (reinsurance) organization of the Republic of Kazakhstan, branch of a non-resident insurance broker of the Republic of Kazakhstan, insurance holding, joint-stock company “Insurance Payments Guarantee Fund” (for service recipient – legal entity)	

2. Education:

№ п/п	Name of educational institution	Year of enrollment - year of graduation	Qualification	Details of the diploma of education (date and number if available)
1	2	3	4	5

3. Information about the spouse, close relatives (parents, brother, sister, children) and in-laws (parents, brother, sister, children of the spouse):

№ п/п	Surname, name, patronymic (in existence)	Year of birth	Kinship relationship	Place of work and position

1	2	3	4	5
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4. Information about legal entities of which the candidate is a major shareholder or in which he is entitled to a corresponding share in the property:

№ п/п	Name and location of the legal entity	Statutory activities of the legal entity	Participatory interest in the authorized capital or the ratio of the number of shares owned by the candidate to the total number of voting shares of the legal entity (in percentage) *
1	2	3	4

Note: * in column 4, it is necessary to indicate the shares (shareholding) taking into account the shares (shareholding) of the candidate held in trust, as well as the number of shares (shareholding), holding which makes the candidate, together with other persons, a major participant.

5. Employment history.

№ п/п	Dates of employment *	Place of employment *	Position	Disciplinary sanctions	Reasons for dismissal, termination of office	Other details**
1	2	3	4	5	6	7

Note: In this paragraph information is indicated about the candidate's labor activity (also membership in the management body), including from the time of graduation from a higher educational institution, indicating the position, as well as the period during which the candidate did not work.

* in financial organizations (including non-resident financial organizations of the Republic of Kazakhstan authorized to carry out financial activities within the framework of the legislation of the country of origin), banking or insurance holding companies, in one of the international financial organizations specified in paragraph 9 of the Rules, audit organizations, government bodies, as well as information on membership in the management bodies of financial organizations (including non-resident financial organizations of the Republic of Kazakhstan authorized to carry out financial activities within the framework of the legislation of the country of origin), banking or insurance holding companies, the date, month, year are indicated. In other cases, the year is indicated;

** if the organization is a non-resident of the Republic of Kazakhstan, the country of its registration is indicated;

*** in the case of occupying the position of head (deputy head) of an independent structural unit (department, management, branch), financial, manager and (or) executive director, the supervised units and issues related to the provision of financial services in this organization are indicated.

6. Information about the candidate's participation in auditing financial organizations, including tax audits:

(indicate the name of the financial organization, period

of the audit, as well as the period for drawing up the financial report over which the audit was conducted, signed by the candidate as a performing auditor (if any)

7. Information on membership in investment committees in the financial organization(s) and (or) in other organizations:

No	Period (date, month, year)	Name of the organization
1	2	3

8. Involvement, as the head of a financial organization, banking or insurance holding, as a defendant in legal proceedings regarding the activities of a financial organization, banking or insurance holding company

(yes (no), indicate the date, Name of the organization,

defendant in legal proceedings, matter at issue and enforced _____

court judgment (if it was passed)

9. Prosecution of the candidate for committing economic activity crimes, corruption crimes within three years before the date of appointment (election), filing of documents for approval (not to be filled out by a candidate for the position of an executive of the joint stock company "Insurance Payments Guarantee Fund")

(yes (no), brief description of the infraction, crime _____

details of the act on imposing a disciplinary sanction or a court decision, indicating the grounds for prosecution)

10. Presence of enforced court ruling (sentence) in relation to the candidate on prohibiting an activity or certain types of activity, requiring the receipt of a certain state service or a court ruling on which the service recipient is deprived of a special right related to the receipt of the state service. _____

I confirm that this information has been checked by me, verified with the data of JSC "Unified Accumulative Pension Fund" regarding the periods of pension contributions from employers with the periods of labor activity specified in the information about the candidate, and is reliable and complete, and I also confirm my compliance with the requirements, requirements for executives and the presence of an impeccable business reputation.

I consent to the collection and processing of personal data necessary for the state service provision and to the use of information constituting a secret protected by law contained in information systems.

Surname, first name, patronymic (if any)

(filled out by the candidate in his own hand in block letters)

Signature _____

Date _____

Filled out by the candidate for the position of independent director of a financial organization, holding, Fund:

I confirm that I,

(surname, first name, patronymic (if any) meet the requirements established by the Law of the Republic of Kazakhstan "On Joint Stock Companies" for (election) to the position of an independent director _____

name of the insurance (reinsurance) organization, insurance broker, branch of a non-resident insurance (reinsurance) organization of the Republic of Kazakhstan, branch of a non-resident insurance broker of the Republic of Kazakhstan, insurance holding company, joint-stock company "Insurance Payments Guarantee Fund"

Signature _____

Date _____

Appendix 5
to the Rules for granting consent
of the authorized body
for regulation, control and supervision
of the financial market and financial
organizations
to the appointment (election) of an
executive
of an insurance (reinsurance) organization
a branch of a non-resident insurance (reinsurance)
organization of the Republic of
Kazakhstan,
an insurance holding, an insurance broker,
a branch of a non-resident insurance
broker
of the Republic of Kazakhstan
and the joint stock company "Insurance
Payment
Guarantee Fund", including the criteria for
the
absence of an impeccable business

Form

Minutes № ____ on consideration by the Commission of a candidate for the position (and) of an executive of an insurance (reinsurance) organization, an insurance broker, a branch of a non-resident insurance (reinsurance) organization of the Republic of Kazakhstan, a branch of a non-resident insurance broker of the Republic of Kazakhstan, insurance holdings, joint-stock company “Insurance Payments Guarantee Fund”

(surname, first name, patronymic (if any) of the candidate for the position of an executive of an insurance (reinsurance)

organization, an insurance broker, a branch of a non-resident insurance (reinsurance) organization

of the Republic of Kazakhstan, a branch of a non-resident insurance broker of the Republic of Kazakhstan,

insurance holding, joint-stock company “Insurance Payments Guarantee Fund”, position (s)

(position (and), insurance sector)

" ____ " ____ year

№	Surname, first name, patronymic (if any) of the chairman of the Commission	Approval without invitation to test	Refer to testing and approval upon positive test result	Without approval
	Surname, first name, patronymic (if any) of members of the Commission			

Annex
to the Resolution of the
Board of the Agency of the
Republic of Kazakhstan
on Regulation and Development of
the Financial Market
dated March 30, 2020, № 43

The list of regulatory legal acts of the Republic of Kazakhstan, as well as structural elements of some regulatory legal acts of the Republic of Kazakhstan, recognized as terminated

1. Resolution of the Board of the National Bank of the Republic of Kazakhstan dated December 26, 2016, № 305 "On approval of the Rules for issuing consent to the appointment

(election) of senior executives of financial organizations, banking, insurance holdings, the Insurance Payments Guarantee Fund Joint Stock Company, including the criteria for the absence of an impeccable business reputation, and the list of documents required to obtain consent" (registered in the State Register of Normative Legal Acts under № 14784, published on March 10, 2017, in the Reference Control Bank of Normative Legal Acts of the Republic of Kazakhstan).

2. Resolution of the Board of the National Bank of the Republic of Kazakhstan dated December 22, 2017, № 260 "On amendments to the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated December 26, 2016, № 305 "On approval of the Rules for issuing consent to the appointment (election) of executives of financial organizations, banking, insurance holdings, Insurance Payments Guarantee Fund Joint Stock Company and the list of documents required to obtain consent" (registered in the State Register of Normative Legal Acts under № 16234, published on January 22, 2018, in the Reference Control Bank of Normative Legal Acts of the Republic of Kazakhstan).

3. Resolution of the Board of the National Bank of the Republic of Kazakhstan dated February 26, 2018, № 26 "On amendments and additions to the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated December 26, 2016, № 305 "On approval of the Rules for granting consent to the appointment (election) of executives of financial organizations, banking, insurance holdings, Insurance Payments Guarantee Fund Joint Stock Company and the list of documents required to obtain consent" (registered in the State Register of Normative Legal Acts under № 16563, published on March 27, 2018, in the Reference Control Bank of Normative Legal Acts of the Republic of Kazakhstan).

4. Paragraph 6 of the List of regulatory legal acts of the Republic of Kazakhstan on financial market regulation, which are amended and supplemented, approved by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated October 29, 2018, № 246 "On amendments and additions to some regulatory legal acts of the Republic of Kazakhstan on financial market regulation" (registered in the State Register of Normative Legal Acts under № 17972, published on December 26, 2018, in the Reference Control Bank of Normative Legal Acts of the Republic of Kazakhstan).

5. Paragraph 3 of the List of regulatory legal acts of the Republic of Kazakhstan on the provision of public services, which are amended, approved by the Resolution of the Board of the National Bank of the Republic of Kazakhstan dated December 31, 2019, № 263 "On amendments to some regulatory legal acts of the Republic of Kazakhstan on the provision of state services" (registered in the State Register of Normative Legal Acts under № 19845, published on January 9, 2020, in the Reference Control Bank of Normative Legal Acts of the Republic of Kazakhstan).

