



On approval of the Rules for provision of state guarantee of the Republic of Kazakhstan for export support and the form of its provision

Unofficial translation

The Order of the Minister of Finance of the Republic of Kazakhstan dated June 24, 2025 № 317. Registered with the Ministry of Justice of the Republic of Kazakhstan on June 26, 2025 № 36317

Unofficial translation

In accordance with paragraph 2 of Article 143 of the Budget Code of the Republic of Kazakhstan, **I HEREBY ORDER:**

1. To approve:

1) the Rules for the provision of the state guarantee of the Republic of Kazakhstan for export support in accordance with Appendix 1 to this order;

2) the form of the state guarantee of the Republic of Kazakhstan for export support in accordance with Appendix 2 to this order.

2. To invalidate certain orders of the Ministry of Finance of the Republic of Kazakhstan in accordance with the appendix to this order.

3. The Department of state borrowing of the Ministry of Finance of the Republic of Kazakhstan, in accordance with the procedure established by the law, shall ensure:

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

2) posting of this order on the Internet resource of the Ministry of Finance of the Republic of Kazakhstan after its official publication;

3) within ten working days after the state registration of this order with the Ministry of Justice of the Republic of Kazakhstan, submit the information to the Department of Legal Service of the Ministry of Finance of the Republic of Kazakhstan on the implementation of measures provided for in subparagraphs 1) and 2) of this paragraph.

4. This order shall enter into force upon the expiration of ten calendar days after the date of its first official publication.

**Minister of finance of the
Republic of Kazakhstan M. Takiyev**

"AGREED"

Ministry of trade and integration of the
Republic of Kazakhstan

"AGREED"

The Rules for provision of the state guarantee of the Republic of Kazakhstan for export support
Chapter 1. General provisions

1. These Rules for provision of the state guarantee of the Republic of Kazakhstan for export support (hereinafter referred to as the Rules) have been developed in accordance with paragraph 2 of Article 143 of the Budget Code of the Republic of Kazakhstan (hereinafter referred to as the Budget Code) and define the procedure for provision of the state guarantee of the Republic of Kazakhstan for export support.

2. The state guarantee of the Republic of Kazakhstan for export support is provided to the Export Credit Agency of Kazakhstan (hereinafter referred to as the Agency) to ensure repayment of its debts to Kazakhstani and foreign policyholders and beneficiaries for insurance and guarantee payments in case of occurrence of insurance and guarantee cases under insurance and guarantee contracts under which the Agency acts as an insurer.

3. The following basic concepts and terms are used in these Rules:

1) the Agency is a legal entity determined by a decision of the Government of the Republic of Kazakhstan, which has the status of a national development institute for the development and promotion of non–primary exports and operates in accordance with the Law of the Republic of Kazakhstan "On Regulation of Trade Activities" and the legislation of the Republic of Kazakhstan;

2) special loan account – an account opened by the Agency in a second-tier bank or an organization engaged in certain types of banking operations authorized to service state-guaranteed obligations to support exports and intended for transferring funds from the republican budget in order to fulfill state-guaranteed obligations to support exports, as well as to return to the republican budget the funds allocated for the fulfillment of obligations for the state guarantee for export support;

3) a bank is a legal entity that is a commercial organization that, in accordance with the Law of the Republic of Kazakhstan "On Banks and Banking Activities in the Republic of Kazakhstan", is authorized to carry out banking activities;

4) the central authorized body for budget execution (hereinafter referred to as the authorized body for budget execution) is the central executive body responsible for the management, as well as, within the limits provided for by the legislation of the Republic of Kazakhstan, inter-sectoral coordination in the field of budget execution, accounting, budget accounting and budget reporting on the execution of the republican budget and within its competence – local budgets, extra-budgetary funds;

5) the central authorized body for budget planning (hereinafter referred to as the authorized body for budget planning) is the central executive body responsible for the management, as well as, within the limits provided for by the legislation of the Republic of Kazakhstan, inter-sectoral coordination in the field of budget planning, within the competence, the methodological guidance on budget planning, as well as the development of recommendations for improving the budget planning system;

6) the central authorized body for budgetary policy (hereinafter referred to as the authorized body for budgetary policy) – the central executive body responsible for the management, as well as, within the limits provided for by the legislation of the Republic of Kazakhstan, inter-sectoral coordination in the field of budget policy, including in the field of budget system development, public finance management and revenue forecasting, economic policy, investment attraction policy, public-private partnership, public investment projects, inter-budgetary relations, state and state-guaranteed borrowing and debt, management of state assets, to attract and, within the limits of the competencies established by the Budget Code, the use of grants;

7) the state guarantee of the Republic of Kazakhstan for export support (hereinafter referred to as the state guarantee) is the obligation of the Government of the Republic of Kazakhstan to the Agency in accordance with the terms of the export support guarantee agreement, to fully or partially repay its debt on insurance and guarantee payments;

8) correction of the conclusion – a change in the established parameters of the conclusion, entailing the addition and (or) modification of its content, conclusions designed for the provision of a state guarantee;

9) conclusion of the authorized body for budgetary policy for the provision of state guarantees (hereinafter referred to as the Conclusion) – the conclusion of the authorized body for budgetary policy on the expediency of providing a state guarantee (its impact on the country's economy and compliance with strategic and (or) program documents, prepared on the basis of a positive industry opinion of the authorized body in the field of regulation of foreign trade) to the Agency;

10) application – an application from the Agency to the authorized body in the field of regulation of foreign trade (hereinafter referred to as the authorized body) for the provision of an industry opinion;

11) authorized body – the central executive body responsible for the development and promotion of exports of non-primary goods and services, as well as, within the limits provided for by the legislation of the Republic of Kazakhstan, inter-sectoral coordination in the field of regulation of foreign trade;

12) an industry opinion of an authorized body (hereinafter referred to as an industry opinion) is an opinion of an authorized body on compliance with industry development priorities by providing a state guarantee to the relevant Agency;

13) The export support guarantee agreement (hereinafter referred to as the guarantee Agreement) is a written agreement between the authorized body for budget execution and the Agency that establishes the legal relations, obligations and responsibilities of the parties when providing a state guarantee;

14) state-guaranteed export support obligation - the amount of outstanding obligations as of a certain date under insurance contracts and guarantees secured by a state guarantee for which the Agency has not made insurance and guarantee payments;

15) Agreement on the provision of a state guarantee for export support (hereinafter referred to as the Agreement) is an agreement between the central authorized body for budget execution, an attorney (agent) and the Agency that establishes legal relations between the parties for the provision of a state guarantee and the return of funds of the republican budget diverted in case of fulfillment of obligations under the state guarantee.

Other concepts used in these Rules are applied in the meaning in which they are used in the relevant branches of the legislation of the Republic of Kazakhstan, unless otherwise provided by the budget legislation of the Republic of Kazakhstan and these Rules.

Chapter 2. Procedure for providing the state guarantee of the Republic of Kazakhstan for export support

4. The state guarantee is provided on the basis of a resolution of the Government of the Republic of Kazakhstan and subject to the Agency's compliance with the requirements and conditions provided for in Article 143 of the Budget Code and paragraphs 5, 7 and 9 of these Rules.

To obtain a state guarantee, the Agency provides a positive opinion from the authorized body and the Conclusion of the authorized body on budgetary policy.

5. In order to receive an industry opinion, the Agency sends an application to the authorized body with an attachment of:

information on the state guarantee, which contains the amount of the state guarantee, its validity period, and the institutional scheme for using the state guarantee (information about all participants in the process, their interaction);

information about the Agency, which contains copies of the founding documents, as well as documents confirming the Agency's status, the Agency's development plan, and the rating report.

If the Agency fails to provide the specified documents, the authorized body within 5 (five) working days rejects the Agency's application without consideration.

6. The authorized body shall issue an industry opinion within 15 (fifteen) working days from the date of submission of the application by the Agency.

If the authorized body issues a negative industry opinion, the Agency's application is rejected, indicating the reasons for its return for further revision.

After eliminating the reasons for the return, the Agency resubmits the documents to the authorized body.

7. In order to receive an Opinion, the Agency submits documents in accordance with the Requirements for the development or correction of the opinion of the authorized body on budgetary policy for the provision of state guarantees for export support, approved by the authorized body on budgetary policy (hereinafter referred to as the Requirements).

8. The authorized body on budgetary policy provides an Opinion within the established time frame, in accordance with the Requirements.

9. The Agency submits to the authorized body for budget execution the documents, according to the list of documents provided by the Export Credit Agency of Kazakhstan, for obtaining the state guarantee of the Republic of Kazakhstan for export support, in accordance with the appendix to these Rules.

If the Agency provides an incomplete package of documents, the authorized budget execution body returns the documents without consideration within 5 (five) working days with a written notification to the Agency indicating the reasons for the return.

After eliminating the reasons for the return, the Agency resubmits the documents to the authorized body for budget execution.

Upon receipt of the full package of documents, the authorized body for budget execution, within 20 (twenty) working days, concludes an Agreement with the Agency and the attorney (agent).

10. The terms, deadlines, remuneration rates and the procedure for refunding funds diverted from the republican budget for the implementation of the state guarantee are determined in the Agreement in accordance with paragraph 5 of Article 144 of the Budget Code.

11. The authorized body for budget execution, within 10 (ten) working days after signing the Agreement, ensures the adoption by the Government of the Republic of Kazakhstan of a resolution on the provision of a state guarantee in accordance with paragraph 2 of Article 143 of the Budget Code.

12. The state guarantee is provided through the conclusion of a guarantee Agreement in the form of a state guarantee for export support, in accordance with Appendix 2 to this order, between the authorized body for budget execution and the Agency.

In accordance with the resolution of the Government of the Republic of Kazakhstan on the provision of a State guarantee, the authorized body for budget execution shall conclude a guarantee Agreement with the Agency within 20 (twenty) working days.

The guarantee Agreement is signed by the first head of the authorized body for budget execution and the Agency.

13. The export support guarantee Agreement is drawn up in 2 (two) copies, one copy for each of the parties in Kazakh and Russian, having the same legal force.

14. A document that meets the requirements of paragraphs 12 and 13 of these Rules is recognized as a state guarantee. Other acts and documents of state bodies and their officials have no legal force for the provision of a state guarantee.

15. The authorized budget execution body carries out the execution of the State guarantee, in case of exceeding the one-time sale of insurance and warranty cases that exceed the Agency's own capital, provided that there are conclusions from the attorney (agent), the Agency, statements from its accounts issued by second-tier banks, as well as audited financial statements for the financial year preceding the request for execution of the State guarantee, and financial statements at the time of applying for the execution of the State guarantee.

16. Planning of the volume of upcoming repayment of obligations guaranteed by the state is carried out by the authorized body for budget execution annually as part of the development of the draft republican budget for the next financial year.

In the absence of planning at the stage of forming the draft republican budget, the corresponding calculations are performed when clarifying the republican budget based on forecast calculations of the upcoming repayment volumes of state-guaranteed obligations.

17. The amount of repayment of obligations guaranteed by the state in the planned year is determined on the basis of the conclusions of the attorney (agent), the Agency and is reflected in the republican budget for the next financial year in national currency and by a separate budget program.

18. To plan expenditures of the republican budget, administrators of budget programs submit to the central authorized body for budget planning a budget request in accordance with the Rules for Drafting, Submitting, and Reviewing a budget request, approved by the Order of the Minister of Finance of the Republic of Kazakhstan dated April 22, 2025 № 185.

19. In case of non-fulfillment by the Agency of obligations to repay debts on previously diverted funds from the republican budget within the framework of the current State guarantee, the provision of subsequent amounts from the republican budget is not allowed.

20. The State guarantee is executed only for a part of the uncovered amount of insurance and guarantee payments, minus the Agency's own capital, and after the Agency has taken measures to recover the claim for compensation of insurance and guarantee payments to persons responsible for losses and (or) declaring such persons bankrupt or their liquidation, confirmed by judicial acts with a note on entry into legal force.

21. The funds allocated for the fulfillment of obligations under the State guarantee are subject to return by the Agency to the republican budget at the expense of reimbursement of insurance and guarantee payments.

The list of documents provided by the Export Credit Agency of Kazakhstan for obtaining the state guarantee of the Republic of Kazakhstan for export support

1. A positive industry conclusion of the authorized body in the field of regulation of foreign trade activities.
2. A positive conclusion of the central authorized body for budgetary policy.
3. Minutes of the Republican Budget Commission (if any).
4. Statement of payment of a one-time fee (duty) in the amount of 0.2 percent of the amount of the state guarantee for export support.
5. Notarized copies of the constituent documents.
6. Information on the absence of tax arrears and overdue debts in accordance with the credit report provided in accordance with the Law of the Republic of Kazakhstan "On credit bureaus and formation of credit records in the Republic of Kazakhstan".
7. Extract from the Register of shareholders of the Export Credit Agency of Kazakhstan (hereinafter – the Agency).
8. A copy of the document confirming the Agency's status.
9. Information on insurance and warranty payments within the framework of accepted insurance and warranty obligations.

Appendix 2 to the Order of the
Minister of finance of the
Republic of Kazakhstan
dated June 24, 2025 № 317
Form
for provision of state guarantee for
export support

Export Support Guarantee Agreement № _____

city _____

" ____ " _____ 20__

Government institution "Ministry of finance of the Republic of Kazakhstan"

(full name of the person providing the state guarantee),
hereinafter referred to as the "Guarantor"
represented by

_____,
(last name, first name, patronymic (if any), position)
acting on the basis of

_____,
(name of the document (№, date)
Export Credit Agency of Kazakhstan

(full name of the person receiving the state guarantee),
hereinafter referred to as the "Agency",
represented by

(last name, first name, patronymic (if any), position)
acting on the basis of

(name of the document (№, date)
hereinafter collectively referred to as the "Parties", and each individually as the "Party",
or as indicated above in accordance with:

(name of the document, № and date)
concluded this Export Support Guarantee Agreement (hereinafter referred to as the
Agreement) on the following terms:

Chapter 1. Subject of the agreement

1.1. Under the terms of this Agreement, the Guarantor, on behalf of the Government of the Republic of Kazakhstan, undertakes to repay to the Agency its arrears of insurance and guarantee payments that are not covered by the amount of the Agency's own capital.

1.2. The State guarantee for export support (hereinafter referred to as the State guarantee) is provided to ensure repayment of the Agency's debt to Kazakhstani and foreign policyholders and beneficiaries for insurance and guarantee payments in the event of insurance and guarantee events under insurance and guarantee agreements under which the Agency acts as an insurer.

1.3. The State guarantee is provided for the amount of _____ (amount in words) tenge with a validity period of 10 years.

1.4. The State guarantee is terminated in the following cases:

- 1) full fulfillment of the obligations stipulated in this Agreement;
- 2) its expiration dates.

1.5. The State guarantee is provided on the terms of repayment by the Agency of budgetary funds spent by the Government of the Republic of Kazakhstan to fulfill the State guarantee.

1.6. Obligations under the State guarantee will be fulfilled by the Guarantor, provided that the relevant claim is submitted by the Agency before the termination of the State guarantee.

Chapter 2. Final provisions

2.1. All amendments and additions to the Agreement are made in writing, signed by authorized representatives of the Parties and sealed with the seals of the Parties.

2.2. This Agreement is drawn up in 2 (two) copies, one copy for each of the Parties in Kazakh and Russian, having the same legal force.

2.3. In all other matters not provided for by this Agreement, the Parties are guided by the civil and budgetary legislation of the Republic of Kazakhstan.

2.4. The Agreement comes into force from the moment of its registration with the Treasury Committee of the Ministry of Finance of the Republic of Kazakhstan.

Chapter 3. Legal addresses, bank details and signatures of the Parties

Guarantor:

Republic of Kazakhstan

City _____

Street _____

Business Identification Number

Individual Identification Code

Bank Identification Code

last name, first name, patronymic (if any)

The Agency:

Republic of Kazakhstan

City _____

Street _____

Business Identification Number

Individual Identification Code

Bank Identification Code

last name, first name, patronymic (if any)

Appendix 3 to the Order of the
Minister of finance of the
Republic of Kazakhstan
dated June 24, 2025 № 317

The List of invalid orders of the Ministry of Finance of the Republic of Kazakhstan

- 1) Order of the First Deputy Prime Minister of the Republic of Kazakhstan - Minister of Finance of the Republic of Kazakhstan dated July 2, 2019 № 674 "On approval of the Rules for provision of the state guarantee of the Republic of Kazakhstan for export support" (registered in the Register of state registration of regulatory legal acts under № 19026);
- 2) Order of the Deputy Prime Minister - Minister of Finance of the Republic of Kazakhstan dated August 8, 2022 № 799 "On amendments to the Order of the First Deputy Prime Minister of the Republic of Kazakhstan – Minister of Finance of the Republic of Kazakhstan dated July 2, 2019 № 674 "On approval of the Rules for provision of the state guarantee of the Republic of Kazakhstan for export support" (registered in the Register of state registration of regulatory legal acts under № 29057);
- 3) Order of the Minister of Finance of the Republic of Kazakhstan dated May 2, 2024 № 254 "On amendments to the Order of the First Deputy Prime Minister of the Republic of Kazakhstan - Minister of Finance of the Republic of Kazakhstan dated July 2, 2019 № 674 " On approval of the Rules for provision of the state guarantee of the Republic of Kazakhstan

for export support" (registered in the Register of state registration of regulatory legal acts under № 34329).

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