

On Compulsory Social Insurance

Unofficial translation

The Law of the Republic of Kazakhstan dated 25 April 2003 No. 405. Abolished by the Law of the Republic of Kazakhstan dated 26.12.2019 No. 286-VI (shall be enforced from 01.01.2020).

U n o f f i c i a l t r a n s l a t i o n

Footnote. Abolished by the Law of the Republic of Kazakhstan dated 26.12.2019 No. 286-VI (shall be enforced from 01.01.2020).

Footnote. Through the whole text, the words “aul (rural)” are supplemented by the word “rural” in accordance with the Constitutional Law of the Republic of Kazakhstan dated 03.07.2013 No. 121-V (shall be enforced upon expiry of ten calendar days after its first official publication).

This Law establishes legal, economic and organizational grounds of compulsory social insurance as one of the form of social security of citizens carried out by the state.

Chapter 1. General provisions Article 1. Basic definitions used in this Law

The following basic definitions shall be used in this Law:

1) wage-earner – a person maintaining family members incapable for work, being on his (her) dependence at the expense of own income;

2) rate of number of dependents – rate considering the number of family members of died (recognized missed or declared decedent) wage-earner being on his (her) dependence;

3) social expenditures – compulsory payments established by this Law, paid to the State social insurance fund, granting the right to participant of compulsory social insurance system for which social expenditures were made, and in case of loss of wage-earner to his (her) family members, being on his (her) dependence, to receive social payments in accordance with this Law;

3-1) debt on social contributions – sums of social contributions calculated and not transferred in due time, as well as unpaid sums of penalty;

4) is excluded by the Law of the Republic of Kazakhstan dated 02.07.2018 No. 165-VI (shall be enforced upon expiry of ten calendar days after its first official publication);

5) is excluded by the Law of the Republic of Kazakhstan dated 17.11.2015 No. 408-V (shall be enforced from 01.03.2016);

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Subparagraph 6) is valid until 01.01.2024 in accordance with the Law of the Republic of Kazakhstan dated 26.12.2018 No. 203-VI.

6) payer of social contributions (hereinafter – payer) – an employer, an individual entrepreneur, a person engaged in private practice, as well as an individual who is the payer of a single aggregate payment in accordance with Article 774 of the Code of the Republic of Kazakhstan "On Taxes and other Obligatory Payments to the Budget" (Tax Code), carrying out calculation and payment of social contributions to the State social insurance fund in the manner established by this Law;

7) rate of social expenditures – flat amount of compulsory payments to the State social insurance fund expressed in percentage ratio to the size of object of calculating social expenditures;

8) social risk – occurrence of event entailing loss of earning capacity and (or) loss of work, loss of wage-earner, as well as loss of income due to pregnancy and childbirth, adoption of newly born child (children) and care for a child upon his (her) attainment of the age of one year, in the result of which a participant of compulsory social insurance system for which social expenditures were made, or in case of his (her) death, the family members being on his (her) dependence shall acquire the right to receive social payments in accordance with this Law;

9) social payments – payments carried out by the State social insurance fund in favour of recipient of social payment;

10) is excluded by the Law of the Republic of Kazakhstan dated 17.11.2015 No. 408-V (shall be enforced from 01.03.2016);

11) recipient of social payment (hereinafter – recipient) – an individual, for whom social contributions to the State social insurance fund were made before occurrence of social risk case and in respect of whom, the State social insurance fund made a decision on assignment of social payments, and in case of death of the person who is the participant of compulsory social insurance system, for whom social contributions were made, – family members of the deceased (recognized by the court as missing or declared dead) breadwinner, who were on his /her dependence;

12) loss of earning capacity – loss of ability of a worker to perform work, render services, degree of which shall be expressed in percentage ratio to lost earning capacity;

13) rate of loss of earning capacity – rate which shall be determined depending on degree of full loss of earning capacity of a participant of compulsory social insurance system for which social expenditures were made;

13-1) rate of number of days of incapacity for work – rate which shall be determined depending on number of days specified in the list of temporary disability;

13-2) is excluded by the Law of the Republic of Kazakhstan dated 06.04.2016 No. 483-V (shall be enforced upon expiry of ten calendar days after its first official publication);

13-3) person engaged in private practice – a private notary, a private bailiff, a lawyer, a professional mediator;

13-4) investment declaration – a document, defining goals, strategy, the list of objects for investment under the legislation of the Republic of Kazakhstan, conditions and restrictions of investment activity in respect of the Fund's assets, conditions of hedging and diversification of the Fund's assets;

13-5) investment income – money received (to be received) as a result of investment of the Fund's assets;

14) rate of length of participation – rate which shall be determined depending on total length of participation in compulsory social insurance system;

14-1) medical and social expertise division (hereinafter -MSE division) – a structural division of the authorized body for control in the sphere of compulsory social insurance, conducting medical and social expertise;

15) State social insurance fund (hereinafter – Fund) – a legal entity making accumulation of social contributions, assignment and implementation of social payments to the participants of compulsory social insurance system, for whom social contributions were made and in respect of whom the case of social risk occurred, including family members – dependents in case of loss of the breadwinner;

16) is excluded by the Law of the Republic of Kazakhstan dated 02.07.2018 No. 165-VI (shall be enforced upon expiry of ten calendar days after its first official publication);

17) compulsory social insurance – set of measures, organized, controlled and guaranteed by the state for compensation of part of income due to loss of earning capacity and (or) loss of work, as well as loss of wage-earner, loss of income due to pregnancy and childbirth, adoption of newly born child (children) and care for a child upon his (her) attainment of one year;

18) compulsory social insurance system – set of rules and regulations established and guaranteed by the state, regulating relations between participants of compulsory social insurance system;

18-1) total length of participation in compulsory social insurance system – total number of months for which social expenditures are received;

19) participants of compulsory social insurance system – payer; participant of compulsory social insurance system, for whom social contributions were made; recipient; State corporation "Government for citizens"; Fund; Government of the Republic of Kazakhstan; National Bank of the Republic of Kazakhstan; other authorized bodies;

20) participant of compulsory social insurance system for which social expenditures were made – an individual for which social expenditures are paid and which shall have the right to receive social payments upon occurrence of cases of social risk provided by this Law;

20-1) authorized body for control in the sphere of compulsory social insurance – territorial subdivision of the state body implementing the state policy in the sphere of social protection of the population;

21) is excluded by the Law of the Republic of Kazakhstan dated 02.07.2018 No. 165-VI (shall be enforced upon expiry of ten calendar days after its first official publication);

Self-employed persons in relation of peasant or farm enterprises, applying special tax regime shall be recognized as individual entrepreneurs – head, as well as adult members of peasant or farm enterprise from beginning of calendar year, next to the year of their attainment of majority age;

22) rate of income replacement – rate which determines ratio of social payment to amount of income, taken as the basis upon calculation of social expenditures;

23-1) the employment centre - a legal entity, created by local executive body of district, cities of regional and republican significance, the capital city in order to implement active measures for promotion of employment, organization of social protection against unemployment and other measures for promotion of employment in accordance with the Law of the Republic of Kazakhstan "On Employment of Population";

24) State corporation "Government for citizens" (hereinafter – State corporation) – a legal entity, created by the decision of the Government of the Republic of Kazakhstan for rendering state services, services on issuance of technical conditions for connection to networks of natural monopolies and services of quasi-public sector entities in accordance with the legislation of the Republic of Kazakhstan, organization of work on reception of applications for rendering state services, services on issuance of technical conditions for connection to networks of natural monopolies, services of quasi-public sector entities and issuance of their results to the service-recipient on the principle of "one window", as well as ensuring the provision of state services in electronic form, carrying out state registration of rights to immovable property at the place of his/her location.

Footnote. Article 1 is in the wording of the Law of the Republic of Kazakhstan dated 10.07.2012 No. 34-V (shall be enforced from the date of its first official publication); as amended by the Laws of the Republic of Kazakhstan dated 04.02.2013 No. 75-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 10.01.2014 No. 156-V (shall be enforced from 01.01.2014); dated 28.11.2014 No. 257 (shall be enforced from 01.01.2015); dated 17.03.2015 No. 293-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 17.11.2015 No. 408-V (shall be enforced from 01.03.2016); dated 06.04.2016 No. 483-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 25.12.2017 No. 122-VI (shall be enforced from 01.01.2018); dated 16.04.2018 No. 147-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 02.07.2018 № 165-VI (shall be enforced upon expiry of ten calendar days after its first official publication) ; dated 26.12.2018 № 203-VI (entry into force see Article 2);

Article 2. Relations regulated by this Law

This Law regulates relations linked with creation of additional forms of social security of participants of compulsory social insurance system depending on occurrence of the case of social risk by types of compulsory social insurance provided by this Law.

Article 3. Legislation of the Republic of Kazakhstan on compulsory social insurance

1. Legislation of the Republic of Kazakhstan on compulsory social insurance is based on the Constitution of the Republic of Kazakhstan and consists of this Law and other regulatory legal acts of the Republic of Kazakhstan.

2. If international treaty ratified by the Republic of Kazakhstan establishes other rules than those contained in this Law, the rules of international treaty shall be applied.

Article 4. Types of compulsory social insurance

Compulsory social insurance shall be divided into the following types:

- 1) in case of loss of earning capacity;
- 2) in case of loss of wage-earner;
- 3) in case of loss of work;
- 4) in case of loss of income due to pregnancy and childbirth;
- 5) in case of loss of income due to adoption of newly born child (children);
- 6) in case of loss of income due to care for a child upon his (her) attainment of the age of one year.

Footnote. Article 4 as amended by the Law of the Republic of Kazakhstan dated 19 December 2007 No. 9-IV (the order of enforcement see Article2).

Article 5. Main principles of compulsory social insurance

Main principles of compulsory social insurance are:

- 1) generality of compliance and fulfillment of the legislation of the Republic of Kazakhstan on compulsory social insurance;
- 2) guaranteeing of measures by the state applied for ensuring of social payments;
- 3) obligatoriness of participating in compulsory social insurance payment;
- 4) use of social expenditures for social payments in accordance with this Law;
- 5) obligatoriness of social payments on conditions provided by this Law;
- 6) differentiation of amounts of social payments;
- 7) publicity in activity of state bodies ensuring compulsory social insurance.

Article 6. Right to receive social payments

The state shall guarantee the right to receive social payments for the citizens upon occurrence of cases of social risk by type of compulsory social insurance under the conditions, established by this Law.

Foreigners and stateless persons permanently residing in the territory of the Republic of Kazakhstan, repatriates shall enjoy the right to receive social payments on an equal basis with the citizens of the Republic of Kazakhstan.

Footnote. Article 6 is in the wording of the Law of the Republic of Kazakhstan dated 02.07.2018 No. 165-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 7. Ensuring safety of the Fund's assets

Footnote. The title of Article 7 is in the wording of the Law of the Republic of Kazakhstan dated 02.07.2018 No. 165-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

1. The state shall guarantee the safety and proper use of the Fund's assets.
2. The safety of the Fund's assets shall be ensured by:
 - 1) regulation of the activity of Fund by establishment of the relevant regulations and limits ensuring its financial strength determined by the Government of the Republic of Kazakhstan;
 - 2) carrying out of investment activity through the National Bank of the Republic of Kazakhstan;
 - 3) consideration of all operations on investment assets management of the Fund in the National Bank of the Republic of Kazakhstan;
 - 4) keep separate accounting of own funds and assets of the Fund;
 - 5) introduction of restrictions of expenses for ensuring of activity of the Fund;
 - 6) obligatoriness of conducting annual audit;
 - 7) regular financial accountability of the Fund in the manner established by the legislation of the Republic of Kazakhstan;
 - 8) determination of the list of financial tools for investment of assets of the Fund by the Government of the Republic of Kazakhstan.

Footnote. Article 7 as amended by the Law of the Republic of Kazakhstan dated 19.03.2010 No. 258-IV; ; dated 02.07.2018 No. 165-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

Note of the RCLI!

Article 8 is valid until 01.01.2024 in accordance with the Law of the Republic of Kazakhstan dated 26.12.2018 No. 203-VI.

Article 8. Persons subject to compulsory social insurance

Article 8. Persons subject to compulsory social insurance:

Employees, individual entrepreneurs, persons engaged in private practice, individuals who are the payers of a single aggregate payment in accordance with Article 774 of the Code of the Republic of Kazakhstan "On Taxes and other Obligatory Payments to the Budget" (Tax Code), as well as foreigners and stateless persons permanently residing in the territory of the Republic of Kazakhstan and carrying out activities that generate income in the territory of the

Republic of Kazakhstan, except for the persons who have reached the age, provided by paragraph 1 of Article 11 of the Law of the Republic of Kazakhstan "On Pension Provision in the Republic of Kazakhstan" shall be subject to compulsory social insurance.

Footnote. Article 8 is in the wording of the Law of the Republic of Kazakhstan dated 26.12.2018 No. 203-VI (shall be enforced from 01.01.2019).

Article 8-1. Competence of the Government of the Republic of Kazakhstan in the scope of compulsory social insurance

Government of the Republic of Kazakhstan in the scope of compulsory social insurance shall:

1) establish limit value of percentage rate of commission remuneration received from the assets of the Fund;

2) approve the procedure and terms of calculation and transfer of social contributions to the Fund and penalties for them;

3) is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after its first official publication);

4) adopt decision on increase of amounts of social payments from the Fund in cases of loss of earning capability and loss of wage-earner;

5) perform other functions imposed on it by the Constitution of the Republic of Kazakhstan, this Law, other Laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan.

Footnote. Chapter 1 is supplemented by Article 8-1 in accordance with the Law of the Republic of Kazakhstan dated 04.02.2013 No. 75-V (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by the Law of the Republic of Kazakhstan dated 10.01.2014 No. 156-V (shall be enforced from 01.01.2014); dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 02.07.2018 No. 165-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 9. Competence of the authorized body for control in the sphere of compulsory social insurance

Authorized body for control in the sphere of compulsory social insurance shall:

1) establish the degree of disability;

2) provide control over the timely and correct assignment of social payments by the Fund;

3) provide control over the timely and complete transfer of social payments to the recipient by the State corporation;

4) consider the complaints of participants of the compulsory social insurance system on the issues of assignment, refusal to assign social payments by the Fund, as well as timely and complete transfer of social payments by the State corporation.

Footnote. Article 9 is in the wording of the Law of the Republic of Kazakhstan dated 17.11.2015 No. 408-V (shall be enforced from 01.03.2016).

Article 10. Rights and obligations of State corporation

Footnote. The title of Article 10 is in the wording of the Law of the Republic of Kazakhstan dated 17.11.2015 No. 408-V (shall be enforced from 01.03.2016).

1. The State corporation shall have the right to:

1) is excluded by the Law of the Republic of Kazakhstan dated 02.07.2018 No. 165-VI (shall be enforced upon expiry of ten calendar days after its first official publication);

2) is excluded by the Law of the Republic of Kazakhstan dated 17.11.2015 No. 408-V (shall be enforced from 01.03.2016);

3) receive the funds from republican budget for rendering of services provided by this Law in the manner established by the legislation of the Republic of Kazakhstan;

4) is excluded by the Law of the Republic of Kazakhstan dated 02.07.2018 No. 165-VI (shall be enforced upon expiry of ten calendar days after its first official publication);

5) exercise other rights in accordance with the legislation of the Republic of Kazakhstan on compulsory social insurance.

2. The State corporation shall be obliged to:

1) carry out receipt and verification of completeness of documents, form models of cases for assignment, recalculation, suspension, renewal, termination of social payments and transfer them to the Fund;

1-1) is excluded by the Law of the Republic of Kazakhstan dated 02.07.2018 No. 165-VI (shall be enforced upon expiry of ten calendar days after its first official publication);

2) is excluded by the Law of the Republic of Kazakhstan dated 02.07.2018 No. 165-VI (shall be enforced upon expiry of ten calendar days after its first official publication);

3) if necessary to return through the State corporation of excessively credited (paid) amounts of social payments to inform the recipient of this;

4) ensure equal conditions of servicing of persons subject to compulsory social insurance, independently from the size and terms of expenditure to the Fund;

5) is excluded by the Law of the Republic of Kazakhstan dated 02.07.2018 No. 165-VI (shall be enforced upon expiry of ten calendar days after its first official publication);

6) is excluded by the Law of the Republic of Kazakhstan dated 02.07.2018 No. 165-VI (shall be enforced upon expiry of ten calendar days after its first official publication);

7) ensure transfer of social payments to recipients in due time;

7-1) carry out, suspend, renew and stop social payments on the basis of the Fund's decision;

8) is excluded by the Law of the Republic of Kazakhstan dated 02.07.2018 No. 165-VI (shall be enforced upon expiry of ten calendar days after its first official publication);

9) protect the confidentiality of information on condition and movement of social expenditures and social payments except for the cases provided by the legislative acts of the Republic of Kazakhstan;

10) submit the necessary reports to the authorized body and the Fund in accordance with the legislation of the Republic of Kazakhstan;

11) give necessary explanations on the issues of compulsory social insurance.

Footnote. Article 10 as amended by the Laws of the Republic of Kazakhstan dated 12.01.2007 No. 224 (shall be enforced from 01.01.2012); dated 12.01.2012 No. 538-IV (the order of enforcement see Article 2); dated 04.02.2013 No. 75-V (shall be enforced upon expiry of ten calendar days after its first official publication); ; dated 07.11.2014 No. 248-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 17.11.2015 No. 408-V (shall be enforced from 01.03.2016);dated 02.07.2018 No. 165-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 10-1. Competence of the State corporation in the sphere of compulsory social insurance

1. The State corporation in the sphere of compulsory social insurance shall carry out the following types of activity related to the state monopoly:

1) personified accounting of participants of compulsory social insurance system for whom social contributions to the Fund were made, their social contributions and social payments;

2) organization of social payments from the Fund;

3) filling and updating of information systems in the sphere of compulsory social insurance;

4) is excluded by the Law of the Republic of Kazakhstan dated 02.07.2018 No. 165-VI (shall be enforced upon expiry of ten calendar days after its first official publication);

5) formation of monthly needs, schedules of social payments and applications for the needs of funds for social payments;

6) provision of information from information systems in the sphere of compulsory social insurance to the authorized body and the Fund;

7) is excluded by the Law of the Republic of Kazakhstan dated 02.07.2018 No. 165-VI (shall be enforced upon expiry of ten calendar days after its first official publication);

8) provision of information services to the participants of compulsory social insurance system in accordance with the types of activity of the State corporation, taking into account the requirements of the legislation of the Republic of Kazakhstan to ensure the confidentiality of information on the status and movement of social contributions and social payments;

9) transfers of social contributions and (or) penalties for untimely and (or) incomplete payment of social contributions from payers, returns of excessively credited (paid) amounts of social payments and compulsory pension contributions withheld from them to the Fund not later than one operational day following the day of their receipt on the account of the State corporation;

9-1) ensuring the return to the payers of excessively (wrongly) paid amounts of social contributions and (or) penalties for untimely and (or) incomplete payment of social contributions not later than one operational day following the day of receipt of the Fund's funds to the account of the State corporation;

10) submission to the authorized state body, performing management in the sphere of ensuring receipts of taxes and payments to the budget, registers of received and returned social contributions of payers;

11) return to the payer of the amounts of social contributions transferred for the participant of compulsory social insurance system who does not have individual identification number and (or) in whose banking details mistakes are made.

2. The State corporation shall interact and exchange information with the Fund on the issues of accounting and transfer of:

1) social contributions and (or) penalties for untimely and (or) incomplete payment of social contributions;

2) returns of excessively (wrongly) paid amounts of social contributions and (or) penalties on them;

3) social payments and compulsory pension contributions withheld from them;

4) returns of excessively credited (paid) amounts of social payments and compulsory pension contributions withheld from them.

3. Prices for goods (works, services) produced and (or) sold by the State corporation shall be established by the authorized body, determined by the decision of the Government of the Republic of Kazakhstan from among the central state bodies, in coordination with the antimonopoly body and the authorized body.

Footnote. Chapter 1 is supplemented by Article 10-1 in accordance with the Law of the Republic of Kazakhstan dated 10.07.2012 No. 34-V (shall be enforced from the date of its first official publication); as amended by the Law of the Republic of Kazakhstan dated 11.17.2015 No. 408-V (shall be enforced from 01.03.2016); as amended by the Laws of the Republic of Kazakhstan dated 06.06.2017 No. 76-VI (shall be enforced from 01.07.2017); dated 02.07.2018 No. 165-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated December 26, 2018 No. 203-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication).

Article 11. Competence of the authorized body

Authorized body shall:

1) carry out analysis, assessment and control of financial stability of the Fund;

2) determine the list, forms, terms of submission of financial and other reporting by the Fund and the State corporation;

3) give a consent to appointment of leading employees of the Fund;

- 4) have the right to receive details on activity of the Fund, as well as details from state bodies and organizations required for carrying out own control and supervision functions;
- 5) carry out internal control over the activities of the Fund in the manner prescribed by the Law of the Republic of Kazakhstan "On Administrative Procedures";
- 6) develop standards and limits ensuring financial stability of the Fund;
- 7) develop the list of financial tools for investing the assets of the Fund;
- 8) develop the procedure for carrying out of the activity by the Fund, linked with securities and other financial tools;
- 9) develop proposal on establishment of limit value of percentage rate of commission remuneration received from the assets of the Fund on an annual basis;
- 10) develop the procedure and terms of calculation and transfer of social contributions and penalties on them;
- 11) develop and approve the rules of assignment, calculation (determination), recalculation of the amounts of social payments from the Fund, as well as their implementation;
- 12-1) carry out an audit of the activities of the State corporation within the competence;
- 12-2) develop and approve the rules of support of information systems in the sphere of compulsory social insurance;
- 12-3) develop and approve the rules of access to information systems and databases in the sphere of compulsory social insurance;
- 12-4) determine the order of conducting the personified accounting of participants of compulsory social insurance system and their social contributions and social payments;
- 12-5) develop and approve the rules for provision of statistical and other reporting information in the sphere of compulsory social insurance by the State corporation;
- 13) is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after its first official publication);
- 14) carry out other powers provided by this Law, other Laws of the Republic of Kazakhstan, acts of the President of the Republic of Kazakhstan and Government of the Republic of Kazakhstan.

Footnote. Article 11 is in the wording of the Law of the Republic of Kazakhstan dated 04.02.2013 No. 75-V (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by the Law of the Republic of Kazakhstan dated 10.01.2014 No. 156-V (shall be enforced from 01.01.2014); dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 29.10.2015 № 376-V (shall be enforced from 01.01.2016); dated 17.11.2015 No. 408-V (shall be enforced from 01.03.2016); dated 26.12.2018 No. 203-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 12. Rights and obligations of a participant of compulsory social insurance system for which social expenditures were made and a recipient

1. Participant of compulsory social insurance system for which social expenditures were made and a recipient shall have the right to:

1) submit an application to the State corporation for assignment of a social payment in case of disability (if the person has a degree of loss of general disability at the time of address), in case of loss of a breadwinner, in case of loss of work (if the person is registered as unemployed), in cases of loss of income due to pregnancy and childbirth, adoption of a newborn child (children), in connection with the childcare upon reaching the age of one year;

1-1) is excluded by the Law of the Republic of Kazakhstan dated 17.11.2015 No. 408-V (shall be enforced from 01.03.2016);

1-2) submit an application to the MSE division on assignment of a social payment in case of disability in the primary establishment of the degree of loss of general disability;

1-3) submit an application to the employment center for assignment of a social benefit in case of loss of work when registering as unemployed;

1-4) submit an application through the web portal of "electronic government" on assignment of a social benefit in case of loss of work, except for the persons, who lost their jobs on the grounds provided for in subparagraphs 1), 2) and 3) of paragraph 1 of Article 52 of the Labor code of the Republic of Kazakhstan, in case of loss of income in connection with the childcare upon reaching the age of one year;

2) receive social payments from the Fund in the manner provided by this Law independently from recipient of state social benefits;

3) request and receive free of charge information from the payer, the State corporation and the Fund on the completeness and timeliness of the transfer and crediting of social contributions and social payments, as well as the procedure for assignment and receipt of social payments;

4) appeal against the actions of the Fund and other state bodies or organizations, specified in this paragraph related to the restriction of the rights to receive additional forms of social security established by this Law.

2. Participant of compulsory social insurance system for which social expenditures were made and recipient shall be obliged to:

1) submit reliable documents (information) necessary for assignment of social payments in the manner determined by the legislation of the Republic of Kazakhstan;

2) is excluded by the Law of the Republic of Kazakhstan dated 19 December 2007 No. 9-IV (the order of enforcement see Article 2);

3) make refund of excessively credited (paid) amounts of social payments;

4) pass recertification and comply with the terms of undergoing recertification in cases provided by the legislation of the Republic of Kazakhstan;

5) notify the State corporation of all changes affecting the fulfillment of the Fund's obligations on social payments within ten calendar days from the date of such changes in the period of receipt of social payments.

Footnote. Article 12 as amended by the Laws of the Republic of Kazakhstan dated 19.12.2007 No. 9-IV (the order of enforcement see Article 2); dated 04.02.2013 No. 75-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 17.03.2015 No. 293-V (the order of enforcement see Article 2); dated 17.11.2015 No. 408-V (shall be enforced from 01.03.2016); dated 06.04.2016 No. 483-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 02.07.2018 No. 165-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 13. Rights and obligations of a payer

1. A payer shall have the right to:

1) on return of excessively (wrongly) paid amounts of social contributions and (or) penalty for untimely and (or) incomplete payment of social contributions;

1-1) return of sums of social expenditures transferred for participant of compulsory social insurance system not having individual identification number and (or) in banking details of which there are mistakes;

2) request and receive free of charge from the State corporation the necessary information on the amounts transferred in the manner established by the legislation of the Republic of Kazakhstan;

3) implementation of other rights in accordance with this Law.

Note of the RCLI!

Passage one of paragraph 2 is valid until 01.01.2024 in accordance with the Law of the Republic of Kazakhstan dated 26.12.2018 No. 203-VI.

2. The payer, except for individuals who are the payers of a single aggregate payment in accordance with Article 774 of the Code of the Republic of Kazakhstan "On Taxes and other Obligatory Payments to the Budget" (Tax Code), shall be obliged to:

1) pay social expenditures and late fee for untimely and (or) incomplete payment of social expenditures in due time and in full measure;

2) carry out calculation and recalculation of amounts of social expenditures paid to the Fund on an independent basis, as well as calculation of late fee in case of untimely and (or) incomplete payment of social expenditures;

3) submit calculations on accrued and transferred social contributions to the state revenue bodies.

Footnote. Article 13 as amended by the Laws of the Republic of Kazakhstan dated 04.02.2013 No. 75-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 10.01.2014 No. 156-V (shall be enforced from 01.01.2014); dated

07.11.2014 No. 248-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 17.11.2015 No. 408-V (shall be enforced from 01.03.2016); dated 02.07.2018 No. 165-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 26.12.2018 No. 203-VI (shall be enforced from 01.01.2019).

Chapter 2. Social expenditures

Article 14. Amount of social contributions

1. Social contributions subject to payment to the Fund for the participants of compulsory social insurance system shall be established in the amount:

from January 1, 2005 – 1.5 percent from the object of calculation of social contributions;
from January 1, 2006- 2 percent from the object of calculation of social contributions;
from January 1, 2007- 3 percent from the object of calculation of social contributions;
from January 1, 2009- 4 percent from the object of calculation of social contributions;
from January 1, 2010- 5 percent from the object of calculation of social contributions;
from January 1, 2018 – 3.5 percent from the object of calculation of social contributions;
from January 1, 2025 – 5 percent from the object of calculation of social contributions.

2. For individual entrepreneurs and peasant or farm enterprises applying a special tax regime in accordance with the tax legislation of the Republic of Kazakhstan, the amount of social contributions paid by them in their favor shall be:

from January 1, 2005 – 1.5 percent from the minimum wage established by the Law on republican budget for the corresponding financial year;

from January 1, 2006- 2 percent from the minimum wage established by the Law on republican budget for the corresponding financial year;

from January 1, 2007- 3 percent from the minimum wage established by the Law on republican budget for the corresponding financial year;

from January 1, 2009- 4 percent from the object of calculation of social contributions, but not less than 4 percent from the minimum wage established by the Law on republican budget for the corresponding financial year;

from January 1, 2010-5 percent from the object of calculation of social contributions, but not less than 5 percent from the minimum wage established by the Law on republican budget for the corresponding financial year;

from January 1, 2018 – 3.5 percent from the object of calculation of social contributions, but not less than 3.5 percent from the minimum wage established by the Law on republican budget for the corresponding financial year;

from 1 January 2025 - 5 percent from the object of calculation of social contributions, but not less than 5 percent from the minimum wage established by the Law on republican budget for corresponding financial year.

Note of the RCLI!

Paragraph 3 is valid until 01.01.2024 in accordance with the Law of the Republic of Kazakhstan dated 26.12.2018 No. 203-VI.

3. For individuals who are the payers of a single aggregate payment in accordance with Article 774 of the Code of the Republic of Kazakhstan "On Taxes and other Obligatory Payments to the Budget" (Tax Code), the amount of social contributions paid by them in their favor is 20 percent from the object of calculation of social contributions.

Footnote. Article 14 is in the wording of the Law of the Republic of Kazakhstan dated 25.12.2017 No. 122-VI (shall be enforced from 01.01.2018); as amended by the Law dated 02.07.2018 No. 165-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 26.12.2018 No. 203-VI (shall be enforced from 01.01.2019).

Article 15. The object of calculation of social contributions

1. The object of calculation of social contributions for the employees shall be the employer's expenses paid to the employee in the form of income as wages, except for income, from which social contributions to the Fund are not paid.

At the same time, the employer's expenses include monetary maintenance of servicemen, employees of special state and law enforcement agencies.

2. The objects of calculation of social contributions for the persons engaged in private practice, individual entrepreneurs shall be:

for themselves – the amount of received income, determined by them independently for the purposes of calculating social contributions in their favor, but not more than income, determined for tax purposes in accordance with the Code of the Republic of Kazakhstan "On Taxes and other Obligatory Payments to the Budget" (Tax Code);

for the employees-expenses paid to the employee in the form of income as wages, except for income from which social contributions to the Fund are not paid.

Note of the RCLI!

Paragraph 2-1 is valid until 01.01.2024 in accordance with the Law of the Republic of Kazakhstan dated 26.12.2018 No. 203-VI.

2-1. The objects for calculation of social contributions for individuals who are the payers of single aggregate payment in accordance with Article 774 of the Code of the Republic of Kazakhstan "On Taxes and other Obligatory Payments to the Budget" (Tax Code), shall be 1-fold size of monthly calculation index in the cities of republican and regional significance, the capital city, and 0.5-fold size of monthly calculation index – in other settlements.

In this case, the size of monthly calculation index, established by the Law on the republican budget and effective on January 1 of the corresponding financial year shall be applied.

3. The monthly object of calculation of social contributions from one payer shall not exceed seven times the minimum wage, established for the corresponding financial year by the Law on the republican budget.

If the object of calculation of social contributions for a calendar month is less than the minimum wage established by the Law on the republican budget and effective on January 1 of the corresponding financial year, the social contributions shall be calculated, transferred on the basis of the minimum wage.

Footnote. Article 15 is in the wording of the Law of the Republic of Kazakhstan dated 02.07.2018 No. 165-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 26.12.2018 No. 203-VI (entry into force see Article 2).

Article 16. Procedure for paying social expenditures

1. Social contributions to the Fund shall be paid by the payer monthly by making payments through the bank account of the State corporation not later than the 25th day of the month following the reporting month, indicating the month for which social contributions are paid, unless otherwise provided by this Article.

2. (Is excluded).

2-1. Peasant or farm enterprises applying a special tax regime, individual entrepreneurs and legal entities applying a special tax regime on the basis of a simplified declaration, individual entrepreneurs applying a special tax regime on the basis of a patent shall pay the amounts of social contributions within the terms provided by the tax legislation of the Republic of Kazakhstan.

Note of the RCLI!

Paragraph 2-2 is valid until 01.01.2024 in accordance with the Law of the Republic of Kazakhstan dated 26.12.2018 No. 203-VI.

2-2. Individuals who are the payers of a single aggregate payment in accordance with Article 774 of the Code of the Republic of Kazakhstan "On Taxes and other Obligatory Payments to the Budget" (Tax Code), shall pay social contributions in the manner determined by the Government of the Republic of Kazakhstan.

3. The date of paying social expenditures carried out in non-cash form shall be the date of receiving the bill of acceptance of payment commission to amount of social expenditures from the bank or organization carrying out separate types of banking operations, in cash form – from the moment of introduction of social expenditures to the bank.

Footnote. Article 16 as amended – by the Law of the Republic of Kazakhstan dated 13 December 2004 No. 11 (shall be enforced from 1 January 2005); dated 10.12.2008 No. 101-IV (shall be enforced from 01.01.2009); dated 17.11.2015 No. 408-V (shall be enforced from 01.03.2016); dated 02.07.2018 No. 165-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 26.12.2018 No. 203-VI (shall be enforced from 01.01.2019).

Article 17. Responsibility of a payer for untimely transfer of social contributions

Paragraph 1 is valid until 01.01.2024 in accordance with the Law of the Republic of Kazakhstan dated 26.12.2018 No. 203-VI.

1. Sums of social contributions not transferred in due time, shall be recovered by the state revenue bodies or subject to payment by the payer with accrued penalty to the account of the Fund in the amount of 1.25 –fold of the official refinancing rate established by National Bank of the Republic of Kazakhstan for each day of delay (including the day of payment to the Fund), with the exception of payments of individuals, who are the payers of single aggregate payment in accordance with Article 774 of the Code of the Republic of Kazakhstan "On Taxes and other Obligatory Payments to the Budget" (Tax Code).

2. Not later than five working days from the date of formation of debt on social contributions from the payer, referred in accordance with the risk management system provided by the tax legislation of the Republic of Kazakhstan, to the category of high or medium level of risk, the state revenue body shall send the payer a notification on the amount of debt.

The form of notification shall be approved by the authorized body exercising management in the sphere of ensuring the receipt of taxes and other obligatory payments to the budget.

3. In case of non-payment of debts on social contributions, the state revenue body shall suspend expenditure operations on bank accounts and cash of:

1) the payer referred in accordance with the risk management system provided by the tax legislation of the Republic of Kazakhstan to the category of high level of risk - upon expiry of one working day from the date of delivery of the notification;

2) the payer referred in accordance with the risk management system provided by the tax legislation of the Republic of Kazakhstan to the category of average level of risk – upon expiry of ten working days from the date of delivery of the notification.

By the order of the state revenue bodies, banks and organizations engaged in certain types of banking operations shall be obliged to suspend expenditure operations on the bank accounts of payers and to comply with the instructions concerning the transfer of obligatory pension contributions, obligatory professional pension contributions, social contributions, deductions and (or) contributions to the social health insurance fund, tax debts and debts on customs payments, taxes and penalties in the manner prescribed by the legislation of the Republic of Kazakhstan.

The order of the state revenue body on suspension of expenditure operations on the cash register shall be subject to unconditional execution by the payer by transferring the incoming cash to the fund not later than one working day following the day of their receipt.

The form of the order on suspension of expenditure operations on cash register of the payer shall be approved by the authorized body performing the management in the sphere of ensuring receipt of taxes and other obligatory payments to the budget.

4. Orders of the state revenue body on suspension of expenditure operations on bank accounts and the payer's cash register shall be canceled by the state revenue body, which issued such orders, not later than one working day following the day of repayment of the debt on social contributions.

5. In case of non-payment of debts on social contributions, the state revenue body shall recover the amounts of such debts forcibly from bank accounts of:

1) the payer referred in accordance with the risk management system provided by the tax legislation of the Republic of Kazakhstan to the category of high level of risk – upon expiry of five working days from the date of delivery of the notification;

2) the payer referred in accordance with the risk management system provided by the tax legislation of the Republic of Kazakhstan to the category of average level of risk – upon expiry of twenty working days from the date of delivery of the notification.

Recovery of debts on social contributions from bank accounts of payers shall be made on the basis of the collection order of the state revenue body.

In cases of absence or insufficiency of money on the bank account (s) to meet all the requirements imposed on the client, the bank shall withdraw the client's money in the order of priority established by the Civil code of the Republic of Kazakhstan.

In cases of absence of money on the payer's bank account in the national currency, the debt on social contributions shall be recovered from the payer's bank accounts in foreign currency on the basis of collection orders issued in the national currency by the state revenue bodies.

6. Banks and organizations carrying out certain types of banking operations shall be obliged to transfer the amounts of social contributions to the Fund through the State corporation on the day of writing off these amounts from the bank accounts of payers.

7. The state revenue bodies shall annually publish in the media the lists of payers, having debts on social contributions, not repaid in time of more than six months from the date of its occurrence, indicating the identification number of the agent, surname, name, patronymic (if it is specified in the identity document) of the head and the amounts of debts on social contributions.

Footnote. Article 17 is in the wording of the Law of the Republic of Kazakhstan dated 25.12.2017 No. 122-VI (the order of enforcement see Article 11); as amended by the Law dated 26.12.2018 No. 203-VI (shall be enforced from 01.01.2019).

Article 18. Notification on made contributions

N o t e o f t h e R C L I !

Part one of Article 18 is valid until 01.01.2024 in accordance with the Law of the Republic of Kazakhstan dated 26.12.2018 No. 203-VI.

A payer, with the exception of individuals who are the payers of a single aggregate payment in accordance with Article 774 of the Code of the Republic of Kazakhstan "On Taxes and other Obligatory Payments to the Budget" (Tax Code), quarterly within the term,

established by tax legislation of the Republic of Kazakhstan, shall submit a declaration on individual income tax and social tax, which reflects information on accrued social contributions for the participants of compulsory social insurance system, unless otherwise established by the legislation of the Republic of Kazakhstan.

The form of declaration and the rules for its preparation shall be approved by the authorized state body carrying out management in the sphere of ensuring tax revenues and payments to the budget.

Footnote. Article 18 is in the wording of the Law of the Republic of Kazakhstan dated 26.12.2018 No. 203-VI (shall be enforced from 01.01.2019).

Article 19. Return of excessively (wrongly) paid social contributions and (or) penalties for untimely and (or) incomplete payment of social contributions

The amount of excessively (wrongly) paid social contributions and (or) penalties by the payer for untimely and (or) incomplete payment of social contributions subject to transfer into the bank account of the State corporation within seven banking days from the date of receipt of the payer's application to the Fund for subsequent transfer by the State corporation not later than one operational day following the day of receipt of the Fund's assets, to the payer in the manner established by the Government of the Republic of Kazakhstan.

Footnote. Article 19 is in the wording of the Law of the Republic of Kazakhstan dated 02.07.2018 No. 165-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

Chapter 3. Assignment of social payments Article 20. Application for assignment of social payments and terms of considering the documents for assignment of social payments

1. Application for assignment of social payments shall be carried out by submission of an application in the form established by the authorized body to the relevant state bodies or organizations provided by paragraph 1 of Article 12 of this Law, with the identity document of the applicant. The application shall be accompanied by the documents, the list of which shall be determined by the authorized body.

1-1. When submitting electronic documents, confirming absence of requested information in information systems by state bodies and (or) organizations, the body or organization, that carried out the request shall notify the applicant of the need to submit the original documents on paper.

2. The State corporation within four working days from the date of acceptance of the documents necessary for assignment of social payments shall transfer them to the Fund.

3. The Fund within four working days from the date of receipt of documents shall consider them and make the decision on assignment or refusal in assignment of social payments.

In case of refusal in assignment of social payments, it shall notify the applicant of the reasons for refusal and return the submitted documents to the applicant through the State corporation.

4. The Fund shall have the right to verify the authenticity of documents (information) necessary for assignment of social payments.

For these purposes, it may send requests to state bodies and relevant organizations, the payer of social contributions.

In this case, the applicant must be notified in writing about the delay in the decision on assignment of social payments and the terms of extension of the decision, but not more than one month.

5. At the subsequent addresses, social payments shall be assigned in the order and terms which are established by paragraphs 2, 3 and 4 of this Article.

The decision of the Fund may be appealed in the court.

6. Social payments from the Fund shall be assigned from the date of occurrence of the right to social payments from the Fund.

The right to social payments from the Fund shall arise:

in case of disability-from the date of establishment by the MSE division of the degree of loss of general disability of the participant of the compulsory social insurance system, for whom social contributions to the Fund were made;

in case of loss of the breadwinner – from date of death specified on the death certificate or from the date specified in the court decision on recognizing the citizen as missing or declaring a citizen as deceased.

The right to allocate a share of social payment in case of loss of the breadwinner shall arise from the date of application for its allocation to the Fund;

in case of loss of work - from the date of application of the participant of the compulsory social insurance system, for whom social contributions to the Fund were made, for registration as unemployed in the employment center;

in case of loss of income due to pregnancy and childbirth-from the date of maternity leave specified in the temporary disability sheet;

in case of loss of income in connection with adoption of a newborn child (children) - from the date of leave to the employees, who adopted a newborn child (children) specified in the temporary disability sheet;

in case of loss of income due to childcare upon reaching the age of one year - from date of birth, specified in the birth certificate of a child, in cases of adoption of a child (children) and assignment of guardianship over the child left without parental care, aged up to one year - from the date of entry into force of the court decision on adoption of a child (children) or from the date of assignment of a trustee.

Terms of applying for assignment of social payments from the Fund in case of work loss, loss of income in connection with pregnancy and childbirth, adoption of a newborn child (

children) and childcare upon reaching the age of one year, and for recalculation of social payments in case of loss of income in connection with pregnancy and childbirth with complicated delivery, birth of two or more children may not exceed twelve months from the date of occurrence of the right to social payments from the Fund.

Terms of applying for assignment of social payments in case of loss of the breadwinner may not exceed the term of reaching the age of twenty-three by the children, including the adopted ones, siblings and grandchildren, who were dependent on the deceased (recognized by the court as missing or declared dead) breadwinner on the date of application for assignment of social payment, with the exception of persons, who have become disabled before reaching the age of eighteen.

7. The day of application for assignment of social payments from the Fund shall be the day of registration of the application in the body or organization specified in paragraph 1 of Article 12 of this Law.

The term of assignment of social payments does not exceed eight working days from the date of registration of the application with all necessary documents in the State corporation.

8. The amount of social payments, not received in time or received partially by the fault of the State corporation and (or) the Fund, shall be paid for the past time without restriction of the terms and subject to indexation in the amount of not more than 2-fold official rate of refinancing established by the National Bank of the Republic of Kazakhstan on the day of payment of these amounts for each day of delay (including payment day), in the manner determined by the authorized body.

Footnote. Article 20 as amended by the Laws of the Republic of Kazakhstan dated 19.12.2007 No. 9-IV (the order of enforcement see Article 2); dated 04.02.2013 No. 75-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 10.01.2014 No. 156-V (shall be enforced from 01.01.2014); dated 29.09.2014 No. 239-V(shall be enforced upon expiry of ten calendar days after its first official publication); dated 17.03.2015 No. 293-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 17.11.2015 No. 408-IV (shall be enforced from 01.03.2016); dated 06.04.2016 No. 483-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 02.07.2018 No. 165-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 21. Assignment and amount of social payment in case of loss of earning capacity

1. Social payment in case of loss of earning capacity shall be assigned to participant of compulsory social insurance system for which social expenditures were made, independently from that if the work is terminated at the time of applying for social payment or is continued.

2. Is excluded by the Law of the Republic of Kazakhstan dated 17.03.2015 No. 293-V (shall be enforced upon expiry of ten calendar days after its first official publication).

3. Examination and determination of the degree of loss of general working capacity of a person shall be carried out by means of medical and social expertise by the MSE division in accordance with the legislation of the Republic of Kazakhstan on social protection of the disabled.

4. Social payment for the case of loss of earning capacity shall be assigned from the date of creation of the right to social payments from the Fund for the whole established period of loss of earning capacity.

In case of change in the degree of disability, the social payment shall be made in the amount corresponding to the newly established degree of disability from the date of change in the degree of disability. In this case, the Fund within three working days shall notify the State corporation in respect of the decision to change the amount of social payments.

5. The amount of the monthly social payment in case of disability shall be determined by multiplying the average monthly income recorded as the object of calculation of social contributions, minus fifty-five percent of the minimum wage established by the Law on the republican budget, on the corresponding coefficients of income replacement, disability and length of participation.

Average amount of income considered as object of calculating social expenditures shall be determined by division of sum of incomes from which social expenditures were made for the last twenty four calendar months by twenty four (independently from if there were suspensions in social expenditures in this period) preceding the month in which the right to social payment is occurred.

Note of the RCLI!

Part three of paragraph 5 is valid until 01.01.2024 in accordance with the Law of the Republic of Kazakhstan dated 26.12.2018 No. 203-VI.

For individuals who are the payers of a single aggregate payment in accordance with Article 774 of the Code of the Republic of Kazakhstan "On Taxes and other Obligatory Payments to the Budget" (Tax Code), the income for each month from which social contributions were made shall be accepted at the level of one minimum wage, established for the corresponding financial year by the Law on the republican budget.

By this, the rate of income replacement is 0,6.

Rate of loss of earning capacity is:

for persons that lost earning capacity, the degree of total loss of earning capacity of which is from eighty to one hundred percent – 0,7;

for persons that lost earning capacity, the degree of total earning capacity of which is from sixty to eighty percent – 0,5;

for persons that lost earning capacity, the degree of total loss of earning capacity of which is from thirty to sixty percent – 0,3.

Rate of length of participation for participant of compulsory social insurance system for which social expenditures were made is:

less than six months – 0,1;

from six to twelve months – 0,7;

from twelve to twenty four months – 0,75;

from twenty four to thirty six months – 0,85;

from thirty six to forty eight months – 0,9;

from forty eight to sixty months – 0,95;

from sixty and more months – 1,0.

6. Social payment in case of loss of earning capacity shall be terminated:

1) from the date of reaching by the recipient of the age provided by paragraph 1 of Article 11 of the Law of the Republic of Kazakhstan "On Pension Provision in the Republic of Kazakhstan";

2) due to death of recipient (recognition as missed or declaration as decedent). Social payment shall be carried out on month of death of recipient (from the date of entering of court decision into force on recognition as missed or declaration as decedent) included;

3) from the date of the decision of the MSE division on recognition of a recipient as capable to work.

7. Social payment in case of loss of earning capacity shall be suspended from the date of end of established period of loss of earning capacity of recipient up to establishment of regular period of loss of earning capacity.

Footnote. Article 21 is in the wording of the Law of the Republic of Kazakhstan dated 04.02.2013 No. 75-V (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by the laws of the Republic of Kazakhstan dated 17.03.2015 No. 293-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 17.11.2015 No. 408-V (shall be enforced from 01.03.2016)); dated 26.12.2018 No. 203 -VI (shall be enforced from 01.01.2019).

Article 22. Assignment and amount of social payment in case of loss of wage-earner

1. The right to assignment and receipt of social payments in case of loss of a breadwinner shall have the following family members, who were dependent on the deceased (recognized by the court as missing or declared deceased) breadwinner – participant of the compulsory social insurance system, for whom social contributions were made:

1) children, including the adopted ones, siblings and grandchildren under the age of eighteen and older, if they have become disabled before the age of eighteen.

In this case, siblings, and grandchildren – provided that they do not have parents, capable to work or if they do not receive alimony from their parents. Specified in this subparagraph persons over eighteen years of age, studying or studied in full-time education in the

organizations of secondary, technical and vocational, postsecondary, higher and (or) post-graduate education, shall have the right to assignment and receipt of social payments until the time of graduation, but no more than reaching the age of twenty-three;

2) one of parents or spouse or grandfather, grandmother, brother or sister independently from the age and capability for work, if he (she) is engaged in care for children, brothers, sisters or grandchildren of decedent (recognized as missed or declared decedent by court) wage-earner not attained three years.

2. Social payments assigned to children left without parental custody – participants of compulsory social insurance system for which social expenditures were made, shall be paid to adoptee, trustee for each lost parent in accordance with the legislative acts of the Republic of Kazakhstan.

3. Social payments for persons recognized as disabled persons of groups I or II shall be assigned for the term of establishment of disability.

4. *Is excluded by the Law of the Republic of Kazakhstan dated 17.03.2015 No. 293-V (shall be enforced upon expiry of ten calendar days after its first official publication).*

5. One social payment shall be assigned to all family members being in dependence on decedent (recognized as missed or declared decedent by court) wage-earner having the right to assignment and receipt of social payments in case of loss of wage-earner.

6. Upon written application of a family member being in dependence on decedent (recognized as missed or declared decedent by court) wage-earner, his (her) share of social payment shall be allocated and paid to him (her) separately.

Allocation of the share of social payment shall be made from the date of application to the Fund.

7. In case of change in the number of family members, who were dependent on the deceased (recognized by the court as missing or declared dead) breadwinner, the Fund shall decide to recalculate social payments. In this case, the amount of social payment shall increase or decrease, respectively, according to the number of family members having the right to social payments.

8. The amount of monthly social payment in case of loss of the breadwinner shall be determined by multiplying the average monthly income taken into account as the object of calculation of social contributions, minus fifty-five percent of the minimum wage established by the Law on the republican budget, on the corresponding coefficients of income replacement, number of dependents and the length of participation.

Average amount of income considered as the object of calculating social expenditures shall be determined by division of sum of incomes from which social expenditures were made for the last twenty four calendar months by twenty four (independently from if there were suspensions in social expenditures in this period) preceding the month in which the right to social payment is occurred.

Social payments in case of loss of wage-earner shall be paid to family members of decedent (recognized as missed or declared decedent by court) wage-earner being in his (her) dependence on a monthly basis during the period within which family member (members) of decedent (recognized as missed or declared decedent by court) wage-earner shall preserve the right to receive social payments.

Note of the RCLI!

Part three of paragraph 8 is valid till 01.01.2024 in accordance with the Law of the Republic of Kazakhstan dated 26.12.2018 No. 203-VI.

For individuals who are the payers of a single aggregate payment in accordance with Article 774 of the Code of the Republic of Kazakhstan "On Taxes and other Obligatory Payments to the Budget" (Tax Code), the income for each month from which social contributions were made shall be accepted at the level of one minimum wage established for the corresponding financial year by the Law on the republican budget.

9. Rate of number of dependence shall be determined depending on number of persons being in dependence on participant of compulsory social insurance system for which social expenditures were made before occurrence of death and is 0,4 upon one dependent, 0,5 – two dependents, 0,6 – three dependents, 0,8 – four and more dependents.

By this the rate of income replacement and rate of length of participation shall be calculated in accordance with Article 21 of this Law.

10. Social payment in case of loss of wage-earner shall be suspended:

1) from the date of expiration of term of establishing disability for persons recognized as disabled persons of groups I and II from childhood being in dependence on decedent (recognized as missed or declared decedent by court) wage-earner before recertification;

2) from the date of expiration of validity term of certificate of secondary, technical and professional, post-secondary and higher education organizations that family members are those studying or students of full time course of study. Social payment in case of loss of wage-earner shall be reproduced upon regular representation of certificate from the moment of suspension.

11. Social payment in case of loss of wage-earner shall be terminated:

1) due to death of person being in dependence of decedent (recognized as missed or declared decedent by court) wage-earner. Social payment in case of loss of wage-earner shall be carried out on month of death included;

2) from the date of expiration of the term of establishing disability for person being in dependence on decedent (recognized as missed or declared decedent by court) wage-earner;

3) from the date of attainment of the age of eighteen years by person being in dependence of decedent (recognized as missed or declared decedent by court) wage-earner (with the exception of persons being disabled persons upon attainment of eighteen years), and in case

of study of mentioned person in general secondary, technical and professional, post-secondary and higher education organizations in full time of study – the age of twenty four years.

Footnote. Article 22 is in the wording of the Law of the Republic of Kazakhstan dated 04.02.2013 No. 75-V (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by the Law of the Republic of Kazakhstan dated 10.01.2014 No. 156-V (shall be enforced from 01.01.2014) ; dated 17.03.2015 No. 293-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 17.11.2015 No. 408-V (shall be enforced from 01.03.2016); dated 02.07.2018 No. 165-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 26.12.2018 No. 203-VI (shall be enforced from 01.01.2019).

Article 23. Assignment and amount of social payment in case of loss of work

N o t e o f t h e R C L I !

Paragraph 1 is valid until 01.01.2024 in accordance with the Law of the Republic of Kazakhstan dated 26.12.2018 No. 203-VI.

1. Social payment in case of loss of work shall be assigned from the date of application of the participant of the compulsory social insurance system, for whom social contributions were made, for registration as unemployed in the employment center.

The provisions of part one of this paragraph shall not apply to the individuals who are the payers of a single aggregate payment in accordance with Article 774 of the Code of the Republic of Kazakhstan "On Taxes and other Obligatory Payments to the Budget" (Tax Code)

2. Is excluded by the Law of the Republic of Kazakhstan dated 17.03.2015 No. 293-V (shall be enforced upon expiry of ten calendar days after its first official publication).

3. Amount of social payment in case of loss of work shall be determined by multiplying average amount of income considered as the object of social expenditures by the relevant rates of income replacement and rate of length of participation.

Average amount of income considered as the object of calculating social expenditures shall be determined by division of sum of incomes from which social expenditures were made for the last twenty four calendar months by twenty four (independently from if there were suspensions in social expenditures in this period) preceding the month in which the right to social payment on loss of work was occurred.

By this the rate of income replacement is 0,3, and the rate of length of participation shall be considered in accordance with Article 21 of this Law.

4. For the participant of the compulsory social insurance system for whom social contributions were made, social payments in case of loss of work shall be assigned:

for one month – in case when social contributions for him/her were made from six to twelve months;

for two months – in case when social contributions were made for him/her from twelve to twenty-four months;

for three months – in case when social contributions were made for him/her from twenty-four to thirty-six months;

for four months – in case when social contributions were made for him/her from thirty-six and more months;

for six months – in case when for a person, who lost his/her job on the grounds provided for in subparagraphs 1), 2) and 3) of paragraph 1 of Article 52 of the Labor code of the Republic of Kazakhstan, social contributions were made from thirty-six months or more.

5. Social payment in case of loss of work upon the following application shall be assigned proceeding from that for each month of previously received social payment in case of loss of work; twelve months shall be deducted from the general length of participation in compulsory social insurance system.

6. Is excluded by the Law of the Republic of Kazakhstan dated 17.11.2015 No. 408-V (shall be enforced from 01.03.2016).

7. In cases of direction of the unemployed by the employment centre as part of active employment promotion measures to social jobs, public works and vocational training, social payments in case of loss of work shall not stop.

8. Social payments in case of loss of work shall be terminated from the first day of the month following the month of receipt of information from the employment centers on the removal of the recipient from the register as unemployed.

9. The decision on termination of social payment in case of loss of work shall be made by the Fund with the obligatory notification of the recipient with indication of the reasons through the State corporation.

Footnote. Article 23 is in the wording of the Law of the Republic of Kazakhstan dated 04.02.2013 No. 75-V (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by the Law of the Republic of Kazakhstan dated 10.01.2014 No. 156-V (shall be enforced from 01.01.2014); dated 17.03.2015 No. 293-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 17.11.2015 No. 408-V (shall be enforced from 01.03.2016); dated 06.04.2016 No. 483-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 26.12.2018 No. 203-VI (shall be enforced from 01.01.2019).

Article 23-1. Assignment and amount of social payment in case of loss of income due to pregnancy and childbirth, adoption of newly born child (children)

1. Social payment in case of loss of income due to pregnancy and childbirth, adoption of newly born child (children) shall be assigned to participant of compulsory social insurance system having the right to receive social payments from the Fund beginning from 1 January 2008.

2. Is excluded by the Law of the Republic of Kazakhstan dated 17.03.2015 No. 293-V (shall be enforced upon expiry of ten calendar days after its first official publication).

3. Social payment in cases of loss of income in connection with pregnancy and childbirth, adoption of a newborn child (children) shall be assigned for the entire period, specified in the list of temporary disability issued in accordance with the procedure established by the authorized state body in the field of health care.

Social payment for cases of loss of income due to pregnancy and childbirth, adoption of newly born child (children) shall be assigned to inhabitants of the city of Baikonur being participants of compulsory social insurance system on the basis of sheet of temporary incapacity for work issued by federal health care organizations of the Russian Federation and their subdivisions located in the territory of the city of Baikonur for the period of leave due to pregnancy and childbirth, adoption of newly born child (children) in accordance with Labour Code of the Republic of Kazakhstan.

4. Amount of social payment in case of loss of income due to pregnancy and childbirth, adoption of newly born child (children) shall be determined by multiplying average amount of income considered as the object of calculating social expenditures by the relevant rate of quantity of disability days.

Average amount of income considered as the object of calculating social expenditures shall be determined by division of sum of incomes from which social expenditures were made for the last twelve calendar months by twelve (independently from if there were suspensions in social expenditures in this period) preceding the month in which the right to social payment is occurred.

Rate of quantity of disability days shall be determined by division of quantity of days, for which the sheet of temporary disability is issued, by thirty calendar days.

Note of the RCLI!

Part three of paragraph 4 is valid until 01.01.2024 in accordance with the Law of the Republic of Kazakhstan dated 26.12.2018 No. 203-VI.

The income for each month from which social contributions were made, shall be accepted at the level of one minimum wage, established for the corresponding financial year by the Law on the republican budget for the individuals, who are the payers of a single aggregate payment in accordance with Article 774 of the Code of the Republic of Kazakhstan "On Taxes and other Obligatory Payments to the Budget" (Tax Code).

5. An employer shall pay leave on pregnancy and childbirth, leave of workers, adopted newly born child (children) with preservation of average salary, if this is provided by conditions of labour and (or) collective agreement, act of the employer with the deduction of

sum of social payment in case of loss of income due to pregnancy and childbirth, adoption of newly born child (children) in accordance with labour legislation of the Republic of Kazakhstan.

Footnote. Chapter 3 is supplemented by Article 23-1 in accordance with the Law of the Republic of Kazakhstan dated 19.12.2007 No. 9-IV (the order of enforcement see Article 2); is in the wording of the Law of the Republic of Kazakhstan dated 04.02.2013 No. 75-V (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by the Law of the Republic of Kazakhstan dated 10.01.2014 No. 156-V (shall be enforced from 01.01.2014); dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 07.11.2014 No. 248-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 17.03.2015 No. 293-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 26.12.2018 No. 203-VI (shall be enforced from 01.01.2019).

Article 23-2. Assignment and amount of social payment in case of loss of income due to care for child upon his (her) attainment of the age of one year

1. Social payment in case of loss of income due to childcare upon reaching the age of one year shall be assigned to the participant of the compulsory social insurance system for whom social contributions were made, carrying out childcare and having the right to receive social payments from the Fund starting from 1 January 2008.

2. Upon birth of two and more children, social payment in case of loss of income due to care for child upon his (her) attainment of the age of one year shall be assigned separately for each child.

3. Is excluded by the Law of the Republic of Kazakhstan dated 17.03.2015 No. 293-V (shall be enforced upon expiry of ten calendar days after its first official publication).

4. Social payment in case of loss of income due to care for child upon his (her) attainment of the age of one year shall be assigned from the date of birth mentioned in birth certificate of the child till the date of his (her) attainment of the age of one year included.

In case of death of child not attained the age of one year, social payments shall be performed on month of death included.

5. Monthly social payments in case of loss of income due to care for child upon his (her) attainment of one year shall be determined by multiplying average monthly amount of income by the rate of income replacement.

Average monthly amount of income considered as object of calculating social expenditures shall be determined by division of the sum of incomes from which social expenditures were made for the last twenty four months by twenty four (independently from if there were suspensions in social expenditures in this period) preceding the month in which the right to social payment is occurred.

Note of the RCLI!

Part three of paragraph 5 is valid until 01.01.2024 in accordance with the Law of the Republic of Kazakhstan dated 26.12.2018 No. 203-VI.

The income for each month from which social contributions were made, shall be accepted at the level of one minimum wage, established for the corresponding financial year by the Law on the republican budget for the individuals, who are the payers of a single aggregate payment in accordance with Article 774 of the Code of the Republic of Kazakhstan "On Taxes and other Obligatory Payments to the Budget" (Tax Code).

Rate of income replacement is 0,4.

At the same time, the maximum amount of social payment in case of loss of income due to childcare upon reaching the age of one year must not exceed forty percent of the seven-fold minimum wage established by the Law on the republican budget and the minimum amount of social payment – not less than the amount of monthly state benefit for childcare upon reaching the age of one year.

6. In case of death (recognition as missed or declared decedent by court), deprivation or restriction of parental rights, serving punishment in places of deprivation of freedom of recipient, social payment in case of loss of income due to care for child upon his (her) attainment of the age of one year shall be made to person carried out care for child upon his (her) attainment of the age of one year, with the exception of cases of placing the child on full state security, on the basis of the following documents:

1) document certifying identity;

2) copies of death certificate, court decision on recognition as missed or declaration as decedent, deprivation or restriction of parental rights, court verdict on serving punishment at the places of deprivation of freedom of recipient of social payment in case of loss of income due to care for child upon his (her) attainment of the age of one year;

3) copy of court decision entered into force on adoption;

4) certificates on appointment as trustee.

7. Social payment in case of loss of income due to care for child (children) upon his (her) attainment of the age of one year shall be terminated:

1) upon expiry of month in which death of child (children) is occurred;

2) upon expiry of month in which child (children) is (are) placed on full state security;

3) upon expiry of month in which parents were deprived or restricted in parental rights, decisions on adoption are recognized invalid or annulled, trustees are released or suspended from fulfilling their obligations, in cases established by matrimonial legislation of the Republic of Kazakhstan.

Footnote. Chapter 3 is supplemented by Article 23-2 in accordance with the Law of the Republic of Kazakhstan dated 19.12.2007 No. 9-IV (the order of enforcement see Article 2); is in the wording of the Law of the Republic of Kazakhstan dated 04.02.2013 No. 75-V (shall be enforced upon expiry of ten calendar days after its first official publication); as amended

by the Law of the Republic of Kazakhstan dated 10.01.2014 No. 156-V (shall be enforced from 01.01.2014); dated 17.03.2015 No. 293-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 02.07.2018 No. 165-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 26.12.2018 No. 203-VI (shall be enforced from 01.01.2019).

Article 24. Calculation, recalculation and increase of amount of social payment

Footnote. Article 24 is excluded by the Law of the Republic of Kazakhstan dated 04.02.2013 No. 75-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Chapter 4. Social payments and deductions from them

Article 25. Social payments from the Fund

Social payments shall be made for the current month through the State corporation by transfer to the bank accounts of the recipient. For delay of payments the penalty fee according to paragraph 8 of Article 20 of this Law shall be charged.

Footnote. Article 25 is in the wording of the Law of the Republic of Kazakhstan dated 17.11.2015 No. 408-V (shall be enforced from 01.03.2016).

Article 26. Deductions from social payments

In case of loss of earning capacity and (or) loss of work, as well as loss of income due to pregnancy and childbirth, adoption of newly born child (children) and care for child upon his (her) attainment of the age of one year, compulsory pension contributions shall be deducted from social payments and directed to unified pension savings fund in accordance with the legislation of the Republic of Kazakhstan on pension provision.

Footnote. Article 26 is in the wording of the Law of the Republic of Kazakhstan dated 21.06.2013 No. 106-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Chapter 5. State social insurance fund Article 27. State social insurance fund

1. State social insurance fund – non-commercial organization if the form of joint stock company, the single chairman and participant of which is the state.
2. Fund shall entail responsibility on own obligations by all its property.

Article 27-1. Requirements submitted to leading employees of the Fund

1. Leading employees of the Fund are the chief executive officer of executive body and his (her) deputies, accountant.

2. The following requirements shall be established to leading employees of the Fund:

1) for the chief executive officer of executive body and his (her) deputies:

education – higher professional (legal, financial and economic);

work experience on leading positions no less than five years linked immediately with professional activity on securities market and in organizations carrying out activity on financial market, or existence of work experience no less than six years on leading positions in the scope of social protection of population;

2) for senior accountant:

education – higher professional (financial, economic);

financial and accounting work experience no less than five years, as well as no less than five years on leading positions.

3. The person as follows may not be elected (appointed) as leading employee of the Duns:

1) not having higher professional education;

2) not having minimal required work experience in the scopes of activity provided by paragraph 2 of this Article;

3) not having unblemished business reputation;

4) previously being the chief executive officer, senior accountant of legal entity that was recognized bankrupt or subject to sanction, conservation, compulsory liquidation in the period when the person was in position of chief executive officer, deputy of chief executive officer, senior accountant of this legal entity.

Footnote. Chapter 5 is supplemented by Article 27-1 in accordance with the Law of the Republic of Kazakhstan dated 04.02.2013 No. 75-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 28. Activity of the Fund

The Fund shall carry out its activity at the expense of commission remuneration, received from the assets of the Fund.

The Fund's own funds shall be formed and consist of the charter capital of the Fund and commission remuneration.

The Fund shall carry out the following types of activity:

1) keeping records of social contributions, penalties for untimely and (or) incomplete payment of social contributions, returns of excessively (wrongly) paid social contributions and (or) penalties for untimely and (or) incomplete payment of social contributions, as well as of investment income;

2) keeping records of social payments and refunds of excessively credited (paid) amounts of social payments;

3) creation and development of information system in the sphere of compulsory social insurance.

In the part not regulated by this Law, the legislation of the Republic of Kazakhstan on joint-stock companies shall apply to the activity of the Fund.

Footnote. Article 28 is in the wording of the Law of the Republic of Kazakhstan dated 02.07.2018 No. 165-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 29. Rights and obligations of the Fund

1. Fund shall have the right to:

1) carry out accumulation of social expenditures;

2) engage in activity linked with securities and other financial tools in the manner determined by the Government of the Republic of Kazakhstan;

2-1) conduct advisory and explanatory work on the issues of compulsory social insurance;

3) receive commission remuneration on carrying out of the activity of the Fund;

4) receive information from the State corporation;

5) request and receive information from participants of compulsory social insurance system required for ensuring of activity of the Fund with the exception of cases provided by the legislative acts of the Republic of Kazakhstan;

6) is excluded by the Law of the Republic of Kazakhstan dated 02.07.2018 No. 165-VI (shall be enforced upon expiry of ten calendar days after its first official publication);

7) is excluded by the Law of the Republic of Kazakhstan dated 02.07.2018 No. 165-VI (shall be enforced upon expiry of ten calendar days after its first official publication);

8) verify the accuracy of the documents (information) required for assignment of social payments, by requesting information through state bodies and relevant organizations, payers of social contributions;

9) open branches on the territory of the Republic of Kazakhstan.

2. Funds shall be obliged to:

1) ensure timely transfer of funds for implementation of social payments by the State corporation;

1-1) carry out return of excessively (wrongly) paid amounts of social contributions and (or) penalties for untimely and (or) incomplete payment of social contributions to the payer, as well as ensure the return of excessively credited (paid) amounts of social payments and obligatory pension contributions withheld from them to the Fund through the State corporation;

2) place temporary free funds of the Fund in financial tools through the National Bank of the Republic of Kazakhstan;

3) ensure conduct of annual audit;

4) fulfill other obligations in accordance with the legislative acts of the Republic of Kazakhstan;

5) make decisions on assignment or refusal in assignment, recalculation, suspension, renewal, termination of social payments;

5-1) generate forecast data on calculation of the need for social payments from the Fund;

5-2) make daily financing of the State corporation for implementation of social payments according to the schedule;

6) provide necessary explanations on the issues of assignment and receipt of social payments;

7) have an automated information system in the form of software and hardware for accounting of the Fund's assets and ensuring reliability, safety of information and its protection from unauthorized access;

8) have a backup center to store information;

9) provide confidentiality of information on the received amounts of social contributions for the participant of compulsory social insurance system for whom social contributions were made, and the amounts of social payments to the recipients;

10) conduct audit of software and hardware, including information, communication systems and technologies used by the Fund in its activity, at least once every three years.

3. Fund shall not have the right to:

1) transfer assets of the Fund in gage;

2) engage in entrepreneurial and other activity not provided by this Law.

Footnote. Article 29 as amended by the Laws of the Republic of Kazakhstan dated 04.02.2013 No. 75-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 21.06.2013 No. 106-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 10.01.2014 No. 156-V (shall be enforced from 01.01.2014) ; dated 17.11.2015 No. 408-V (shall be enforced from 01.03.2016); dated 02.07.2018 No. 165-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 30. Investment activity of the Fund

1. The Fund shall carry out investment activity by placing the Fund's assets in financial instruments through the National Bank of the Republic of Kazakhstan on the basis of the investment declaration, approved by the economic policy Council and the contract concluded between the Fund and the National Bank of the Republic of Kazakhstan.

2. National Bank of the Republic of Kazakhstan shall keep records of all operations on accumulation and placing the assets of the Fund, on receipt of investment income and represent report to the Fund on quarter basis on condition of accounts and investment activity with the assets of the Fund in accordance with concluded agreement.

Footnote. Article 30 as amended by the Law of the Republic of Kazakhstan dated 02.07.2018 No. 165-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 31. Formation of assets of the Fund

1. The Fund's assets shall be formed at the expense of social contributions, penalties for late payment of social contributions, investment income, returns of excessively credited (paid) sums of social payments and other receipts to the Fund, stipulated by the legislation of the Republic of Kazakhstan, minus a commission remuneration for ensuring the activity of the Fund, funds for social payments and return of excessively (wrongly) paid amounts of social contributions and (or) penalties for untimely and (or) incomplete payment of social contributions.

2. Assets of the Fund may be used exclusively for the following purposes:

- 1) carrying out of social payments in accordance with this Law;
- 2) placement into financial tools, the list of which shall be determined by the Government of the Republic of Kazakhstan;
- 3) return of excessively (wrongly) paid amounts of social contributions and (or) penalties for untimely and (or) incomplete payment of social contributions, as well as amounts of other wrongly credited funds.

3. Levy of executions on the assets of the Fund shall not be allowed.

Footnote. Article 31 as amended by the Law of the Republic of Kazakhstan dated 04.02.2013 No. 75-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 02.07.2018 No. 165-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 32. Accounting and reporting

1. Fund shall keep business accounting and represent financial reporting separately on own funds and assets of the Fund in the manner established by the legislation of the Republic of Kazakhstan.

2. Fund shall be obliged to ensure accounting and keeping of documents used in business accounting and upon drawing up of reporting. The list of main documents subject to keeping, and terms of their keeping shall be established by the legislation of the Republic of Kazakhstan.

Chapter 6. Final provisions

Article 33. Disputes resolution

All disputes arising between the Fund, State corporation, state bodies, individuals and legal entities on implementation of this Law shall be resolved in accordance with the legislation of the Republic of Kazakhstan.

Footnote. Article 33 is in the wording of the Law of the Republic of Kazakhstan dated 17.11.2015 No. 408-V (shall be enforced from 01.03.2016).

34. Responsibility for violation of the legislation of the Republic of Kazakhstan on compulsory social insurance

Persons guilty in violation of the legislation of the Republic of Kazakhstan on compulsory social insurance shall bear responsibility in accordance with the Laws of the Republic of Kazakhstan.

Article 35. Procedure for enforcement of this Law

This Law enters into force from 1 January 2005.

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of the Republic of Kazakhstan

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