

On collection activity

Unofficial translation

The Law of the Republic of Kazakhstan dated 6 May 2017 № 62-IV.

Unofficial translation

Footnote. Throughout the text, the words “informatization objects” shall be replaced with the words “digital objects” in accordance with the Law of the Republic of Kazakhstan № 256-VIII dated 09.01.2026 (shall enter into force upon expiry of six months after the date of its first official publication).

This Law regulates public relations related to the implementation of collection activities, establishes the peculiarities of creating and acting of collection agencies, and also determines the specifics of state regulation of collection agencies, control over their activities.

Chapter 1. GENERAL PROVISIONS

Article 1. Basic concepts used in this Law

The following basic concepts are used in this Law:

- 1) a debt under the bank loan agreement or a microcredit agreement (hereinafter - debt) is the debtor's obligations to the creditor for payment of principal, remuneration, commissions, forfeits (fines, penalties) under a bank loan agreement or microcredit agreement;
- 2) a debtor is an individual or a legal entity that has committed a failure to perform or improper performance of obligations under a bank loan agreement or a microcredit agreement ;
- 3) accounting registration is an inclusion of a legal entity that intends to carry out collection activities into the register of collection agencies;
- 4) collection agency is a legal entity that is a commercial organization included in the register of collection agencies;
- 5) register of collection agencies is a single list of collection agencies of the authorized body in the field of collection activity;
- 6) collection activity is the activity of a collection agency aimed at pre-judicial collection and settlement of debts, as well as collection of information related to debt;
- 7) the authorized body in the field of debt collection activities (hereinafter referred to as the authorized body) - the state body for regulation, control and supervision of the financial market and financial organizations;
- 8) a creditor - a second-tier bank, a branch of a non-resident bank of the Republic of Kazakhstan, an organization carrying out certain types of banking operations or an

organization engaged in microfinance activities, having the right of claim against a debtor in respect of the debt;

9) a service company - a subsidiary organization for managing distressed assets, a collection agency, which, within the framework of a trust management agreement, has rights (claims), powers for trust management of rights (claims) under a bank loan agreement, a microcredit agreement, including in relation to:

changes in the terms of a bank loan agreement, a microcredit agreement;

representation in the court of a person's interests with whom a trust agreement for the management of rights (claims) has been concluded;

acceptance of money and (or) other property from the debtor;

other powers provided for by this Law, other laws of the Republic of Kazakhstan and (or) a trust agreement for the management of rights (claims).

Footnote. Article 1 as amended by the Law of the Republic of Kazakhstan dated 03.07.2019 № 262-VI (shall be enforced from 01.01.2020); № 399-VI of 02.01.2021 (shall be enacted on 16.12.2020); dated 04.07.2022 № 133-VII (shall be enforced upon expiry of sixty calendar days after the day of its first official publication); dated 16.01.2026 № 259-VIII (shall enter into force upon expiry of sixty calendar days after the date of its first official publication).

Article 2. Legislation of the Republic of Kazakhstan on collection activity

1. Legislation of the Republic of Kazakhstan on collection activity is based on the Constitution of the Republic of Kazakhstan, consists of Civil Code of the Republic of Kazakhstan, this Law and other normative legal acts of the Republic of Kazakhstan.

2. The effect of the laws of the Republic of Kazakhstan "On business partnerships" and "On partnerships with limited and additional liability" extends to collection agencies in the part not regulated by this Law.

3. If an international agreement ratified by the Republic of Kazakhstan establishes other rules than those contained in this Law, the rules of the international treaty shall apply.

Article 2-1. The main purpose, objectives and principles of state regulation in the field of collection activities

1. The main purpose of state regulation in the field of collection activities shall be to establish the legal basis for the activities of collection agencies.

2. The main objectives of state regulation in the field of collection activities shall be:

1) setting standards for the activities of collection agencies;

2) establishing the procedure for the interaction of collection agencies with the debtor and (or) his representative, and (or) a third party bound by obligations under a bank loan agreement or a microloan agreement;

3) ensuring an appropriate level of protection of the rights and legitimate interests of debtors and (or) their representatives, and (or) third parties bound by obligations under a bank loan agreement or a microloan agreement.

3. The main principles of state regulation in the field of collection activities shall be:

- 1) transparency of collection agencies' activities;
- 2) improving standards, methods of regulation and control over the activities of collection agencies;
- 3) responsibility of collection agencies.

Footnote. Chapter 1 has been supplemented with Article 2-1 under the Law of the Republic of Kazakhstan № 205-VIII of 30.06.2025 (shall enter into force upon expiry of sixty calendar days after the date of its first official publication).

Chapter 2. CREATION AND ACTIVITY OF A COLLECTION AGENCY

Article 3. Collection agency

1. A collection agency is created in an organizational and legal form of economic partnership.

2. The name of a collection agency must contain the words "collection agency". Reduction of the name of the collection agency is not allowed.

The name of the collection agency should not contain the word “national” or “republican” , or “central” in full or abbreviated form in any language.

A legal entity that is not included in the register of collection agencies has no right to carry out collection activities, characterize itself as engaged in collection activities, and use in its name the words "collection agency", derived from them words that imply that it collects.

2-1. A collection agency should not be affiliated to another collection agency in accordance with Article 12-1 of the Law of the Republic of Kazakhstan “On Partnerships with Limited and Additional Liability”.

3. No person can directly or indirectly together with other person (persons) own or (and) use and (or) dispose of ten or more percent of shares in the authorized capital of the collection agency or have control if it:

1) did not disclose information about itself and individuals who directly or indirectly own and (or) use, and (or) dispose of more than twenty five percent of shares in the authorized capital or placed shares of the person named (excluding preferred and redeemed by the company) shares in the first paragraph of this paragraph, as well as on individuals exercising control over the mentioned person, an authorized body;

2) is an individual who has an unpaid or outstanding previous conviction;

3) is a legal entity whose founder (shareholder, participant) or executive employee was previously the first director or founder (participant) of a collection agency for a period of no

more than one year prior to the adoption by the authorized body of a decision to exclude this collection agency from the register of collection agencies on the grounds provided for in subparagraphs 1), 4), 5), 6), 7), 9) and 10) of part one of paragraph 1 of Article 9 of this Law;

4) has registration, place of residence, or location in offshore zones, the list of which is established by the authorized body.

4. The founders of a collection agency shall fully pay the minimum amount of the authorised capital of the collection agency to be established by the time of its state registration (re-registration).

The minimal amount of the authorised capital of a collection agency shall be established by a legal act of the authorised body.

The authorised capital of a collection agency shall be formed solely with money in the national currency of the Republic of Kazakhstan.

5. A collection agency shall be obliged to pay mandatory fees and (or) other payments to the financial ombudsman service in the event of the acquisition of rights (claims) under a bank credit agreement not related to the implementation of entrepreneurial activity, concluded by a bank or an organization carrying out certain types of banking operations with an individual.

A collection agency shall be obligated to pay mandatory contributions and/or other payments to the financial ombudsman service in the event of the acquisition of rights (claims) under an agreement for the provision of a microcredit not related to the implementation of entrepreneurial activity, concluded by an organization carrying out microfinance activities with an individual.

Notes.

1. Indirect ownership and (or) use, and (or) disposal of shares in the authorized capital or placed shares of a legal entity (excluding privileged and redeemed by the company) for the purposes of this Law shall mean the ability to determine the decisions of a legal entity, person or persons who jointly own and (or) use, and (or) manage ten or more percent of shares in the authorized capital of a legal entity, by owning (voting) stocks (shares in the authorized capital) other legal entities.

2. Control of a legal entity (control) for the purposes of this Law means the ability to determine the decisions made by a legal entity.

Footnote. Article 3 as amended by Law of the RK № 43-VII of 24.05.2021 (shall take effect on 01.01.2022); dated 30.12.2022 № 179-VII (shall be enforced upon expiry of sixty calendar days after the day of its first official publication); dated 19.06.2024 № 97-VIII (comes into effect six months after the date of its first official publication); dated 16.01.2026 № 259-VIII (for the procedure of entry into force, see Article 2).

Article 4. Grounds for the implementation of collection activity

1. Collection activity is carried out on the basis of a contract, the subject of which is the provision of services to the creditor for pre-trial recovery and settlement of debts, as well as for collection of information related to the debt (hereinafter referred to as the debt collection agreement).

A collection agency shall be prohibited from concluding a debt collection agreement with creditors who are affiliated persons of a collector agency in accordance with paragraph 2 of Article 12-1 of the Law of the Republic of Kazakhstan "On Partnerships with Limited and Additional Liability".

A collection agency is prohibited from entering into an agreement (contract) on the terms of execution of an enforcement document with a private bailiff who is an affiliate of the collection agency in accordance with paragraph 2 of Article 12-1 of the Law of the Republic of Kazakhstan "On Limited and Additional Liability Partnerships".

A collection agency is prohibited from applying for notarial acts to a notary who is an affiliate of the collection agency in accordance with paragraph 2 of Article 12-1 of the Law of the Republic of Kazakhstan "On Limited and Additional Liability Partnerships".

2. Collection activities shall be carried out in the event of arrears and the presence in the bank loan agreement or the microloan agreement of the creditor's right to attract a collection agency if the borrower is overdue in fulfilling obligations under the bank loan agreement or the microloan agreement.

3. The agreement on collection of debts between the collection agency and the creditor shall be concluded in written and shall contain the following conditions:

- 1) the rights and obligations of the parties;
- 2) responsibility of the parties;
- 3) data of a debtor - an individual, allowing to identify his identity;
- 4) name, location, business identification number with respect to the legal entity;
- 5) amount of debt;
- 6) the debt structure (the amount of the principal debt, remuneration, commissions, forfeits (fines, penalties);
- 7) if there is information about the guarantor or warrantor under the bank loan agreement or the microcredit agreement;
- 8) if there is information on the subject of the pledge, if the right of pledge under a bank loan agreement or a microcredit agreement is subject to registration;
- 9) amount of remuneration under the contract;
- 10) the term of the contract;
- 11) the procedure and terms for notifying (informing) the creditor of the collection agency about payments made earlier by the debtor and (or) changing the amounts of the debt;
- 12) the procedure for providing information to the collection agency on the progress of the performance of the debt collection agreement;

13) the procedure and terms for termination of the contract for recovery of debts in the case provided for in the passage 4 of part 1, paragraph 5 of Article 9 of this Law, as well as the procedure and terms for the return of documents;

14) the procedure and conditions for the early termination of collection activities with respect to the debtor.

The debt collection agreement can be concluded in relation to one or more debtors with the transfer of the register (registers) of debtors in paper form or in electronic form, which (should) contain the information specified in part 1 of this paragraph.

The list of documents and information on the debtor related to the performance of the debt collection agreement, information on measures taken by the creditor regarding the debtor for the settlement of arrears stipulated by the laws of the Republic of Kazakhstan, are also attached to the debt collection agreement. The information is indicated for the period from the last date of default or improper performance of obligations under a bank loan agreement or a microcredit loan agreement before the transfer of the debt to the collection agency.

The term of rendering services on collection activities with respect to debt under a contract for the collection of arrears must be at least six months and not more than five years.

Early termination of collection activities in relation to the debtor shall be permitted in cases stipulated hereunder or a debt collection agreement, as well as in the following cases:

1) declaring the debtor bankrupt under the procedure established by the legislation of the Republic of Kazakhstan;

2) debtor's death;

3) the debtor's departure from the Republic of Kazakhstan;

4) exclusion of the collection agency from the register of collection agencies;

5) the debtor's fulfillment of obligations to the creditor under a bank loan agreement or a microloan agreement;

6) set out in sub-paragraph 1) paragraph 1 of Article 15 hereof.

Debt transferred to the collection agency under the agreement on debt collection can not be transferred to another collection agency.

On issues not regulated by this Law, the provisions of the Civil Code of the Republic of Kazakhstan on commissioning and provision of paid services are applied to the contract on recovery of debts.

4. Is excluded by the Law of the Republic of Kazakhstan dated 02.07.2018 № 168-VI (shall be enforced upon expiry of ten calendar days from the date of its first official publication).

Footnote. Article 4 as amended by the Law of the Republic of Kazakhstan dated 02.07.2018 № 168-VI (shall be enforced upon expiry of ten calendar days from the date of its first official publication); dated 30.12.2022 № 179-VII (shall be enforced upon expiry of sixty calendar days after the day of its first official publication); dated 19.06.2024 № 97-VIII (

comes into force ten calendar days after the date of its first official publication); № 205-VIII of 30.06.2025 (see Article 2 for the procedure for entry into force).

Article 5. Rules for the implementation of collection activity

1. The collection agency shall have the right to interact with the debtor and (or) his/her representative, and (or) a third party bound by obligations with the creditor under the bank loan contract or a contract on providing a microcredit, by:

- 1) telephone calls from the collection agency's telephone numbers to contact debtors;
- 2) personal meetings;
- 3) written (post) messages sent to a debtor - an individual at the place of residence (legal address), to a debtor - a legal entity at the place of location (actual address);
- 4) text, voice and other messages by cellular communication;
- 5) via the Internet.

2. The interaction of a collection agency with a debtor and (or) his/her representative, and (or) a third person, related with obligations to a creditor under the bank loan agreement or microcredit agreement, should be carried out:

- 1) at each contact, a message about:
the name of the collection agency;
the location of the collection agency;
the last name, first name, patronymic (if indicated in the identity document), position of the person who interacts with the debtor;
the name of the creditor.

Other information not provided for in this subparagraph and not constituting a commercial or other secret protected by the laws of the Republic of Kazakhstan, shall be given to the debtor upon his request;

2) during the period from 8.00a.m. to 21.00 p.m. on weekdays by the time of place of residence or location of a debtor or the place of registration of a debtor if the other period of interaction from the period of time specified by the collection agency within the time period specified in this subparagraph is not determined by a debtor at personal appeal to the collection agency;

3) no more than three times a week and no more than once in the period from 8.00a.m. to 21.00 p.m. on weekdays with personal contact on the initiative of a collection agency at the place of residence or location or place of registration of a debtor or in the premises of a collection agency (branch, representative office) at the place of its location;

4) no more than three times in the period from 8.00a.m. to 21.00 p.m. on weekdays by means of telephone negotiations initiated by a collection agency;

5) upon the request of the debtor, by providing a document confirming the amount of the debt and copies of documents confirming the authority of the collection agency to conduct

collection activities in relation to the debt, except for information relating to commercial or other secrets protected by the laws of the Republic of Kazakhstan;

6) recording of the interaction by means of audio or video recording equipment;

7) ensuring the security of documents and information received from a creditor, a debtor and / or his/her representative, and (or) third parties, including bank secret, the secret of providing microcredit, commercial or other secrets protected by the laws of the Republic of Kazakhstan, personal data of a debtor and (or) his/her representative, and (or) third parties.

The requirements envisaged in sub-paragraphs 3) and 4) of part one of this paragraph, excluding the requirement for interaction between 8 a.m. and 9 p.m. on weekdays, shall not apply to the interaction of the collection agency with the debtor and (or) his/her representative, violating (breaching) the obligations mentioned in paragraph 2 of Article 16 hereof.

Note. For the purposes of this item, weekdays are days of the week from Monday to Friday, which are not weekend or holiday (national and state holidays).

3. At the request of the debtor and (or) his representative, the collection agency is obliged to familiarize the debtor and (or) his representative with their rights and obligations stipulated by Article 16 of this Law.

4. Interaction of a collection agency with a third party other than the person referred to in the first indent of paragraph 1 of this Article shall be allowed in order to establish the location and (or) contact details of the debtor if there is such a condition in the bank loan (microcredit) agreement concluded with the debtor.

When communicating with a third party referred to in part one of this paragraph, the collection agency shall provide the following information:

the name of the collection agency;

the first name, surname, patronymic (if it is specified in the identity document) and position of the collection agency's employee;

the debtor's surname, first name, patronymic (if it appears on the identity document).

The interaction of a collection agency with an individual specified in part one of this paragraph shall be carried out subject to the requirements specified in subparagraphs 2), 3), 4), 6) and 7) of the first part of paragraph 2 of this article, and also if this person does not express disagreement on the interaction with a collection agency, including orally.

5. When carrying out collection activities, a collection agency is prohibited from committing the following unfair actions:

1) to use other methods of interaction with a debtor and (or) his/her representative, and (or) a third person, not provided for by paragraph 1 of this article;

2) is excluded by the Law of the Republic of Kazakhstan dated 02.07.2018 № 168-VI (shall be enforced upon expiry of ten calendar days from the date of its first official publication);

3) excluded by the Law of the Republic of Kazakhstan dated 19.06.2024 № 97-VIII (comes into effect sixty calendar days after the date of its first official publication);

4) excluded by the Law of the Republic of Kazakhstan dated 19.06.2024 № 97-VIII (comes into effect sixty calendar days after the date of its first official publication);

5) excluded by the Law of the Republic of Kazakhstan dated 19.06.2024 № 97-VIII (comes into effect sixty calendar days after the date of its first official publication);

6) excluded by the Law of the Republic of Kazakhstan dated 19.06.2024 № 97-VIII (comes into force sixty calendar days after the date of its first official publication);

6-1) excluded by the Law of the Republic of Kazakhstan dated 19.06.2024 № 97-VIII (comes into force sixty calendar days after the date of its first official publication);

7) accept money (in cash or non-cash form), as well as other property to repay the debt;

8) demand repayment of the debt with other property, other than money;

9) disclose a commercial or other secret protected by the laws of the Republic of Kazakhstan received from a creditor and (or) his/her representative and (or) third parties, with the exception of cases provided for by the laws of the Republic of Kazakhstan.

5-1. When interacting with a debtor and (or) his representative, and (or) a third party, an employee of a collection agency is prohibited from committing the following unfair actions:

1) misleading the person with whom the employee of the collection agency interacts regarding the amount, nature and grounds for the debt;

2) providing an inaccurate last name and (or) first name, and (or) patronymic (if it is indicated in the identity document), as well as information about the place of work and (or) position of the employee of the collection agency that does not correspond to reality;

3) disseminating information that discredits the honor, dignity and business reputation of the person with whom the employee of the collection agency interacts, or disclosing information that may cause property damage to the interests of these persons;

4) commit illegal actions that infringe on the rights and freedoms of a person with whom the employee of the collection agency interacts, endanger their life and health, and also result in property or other damage to this person;

5) exert pressure by threatening to use violence or destroying or damaging the property of the debtor and (or) his representative, and (or) third parties, insults, fraud, forgery of documents, blackmail, forcing the debtor to fulfill obligations under a bank loan agreement or a microloan agreement.

6. In the event of a violation of the provisions hereof, the collection agency shall take measures, either independently or upon the request of the authorised agency, to terminate the authority of the employee to interact with the persons referred to in the first part of paragraph 1 and part one of paragraph 4 hereof, as well as provide information to the authorised agency within three working days.

7. The requirements of paragraphs 1, 2, 4, subparagraphs 1) and 9) of paragraph 5, paragraphs 5-1 and 6 of this article shall apply to a collection agency and its employees when it exercises its rights as a creditor arising from the assignment of a right (claim) under a bank loan agreement or a microloan agreement, as well as to service companies.

8. excluded by the Law of the Republic of Kazakhstan dated 19.06.2024 № 97-VIII (enters into force sixty calendar days after the date of its first official publication).

9. The requirements of paragraph 1, paragraphs four and five of part one of subparagraph 1), subparagraphs 2), 3), 4) and 6) of part one of paragraph 2, paragraph 5-1 of this article shall apply to employees of a collection agency when representing the interests of a creditor under a bank loan agreement or a microloan agreement.

10. When carrying out collection activities, the collection agency shall be prohibited from concluding agreements providing for cooperation with private bailiffs.

Footnote. Article 5 as amended by the Law of the Republic of Kazakhstan dated 02.07.2018 № 168-VI (shall be enforced upon expiry of ten calendar days from the date of its first official publication); № 43-VII of 24.05.2021 (see Art. 2 for the enactment procedure); dated 04.07.2022 № 133-VII (shall be enforced upon expiry of sixty calendar days after the day of its first official publication); dated 30.12.2022 № 179-VII (shall be enforced upon expiry of sixty calendar days after the day of its first official publication); dated 19.06.2024 № 97-VIII (comes into effect sixty calendar days after the date of its first official publication) ; № 205-VIII of 30.06.2025 (shall come into effect upon expiry of sixty calendar days after the date of its first official publication).

Article 6. Peculiarities of pre-judicial settlement of debt

1. Upon the initial contact, the collector agency informs the debtor - an individual and (or) his representative about their (his) right to apply to a collection agency with a written statement on changing the terms of the bank loan agreement or a microcredit agreement.

The debtor is an individual and (or) his (her) representative, within thirty calendar days from the date of their (his) notification by the collection agency, shall apply to the collection agency with a written application and (or) through digital objects that provide the collection agency with the opportunity to identify the client - an individual by using the identification means provided for by the Law of the Republic of Kazakhstan "On Payments and Payment Systems" (hereinafter - digital objects), on changing the terms of the bank loan agreement or the agreement on the provision of a microcredit, which specifies the reasons and circumstances of the debt, information on income and expenses, family composition (members), place of residence, availability of property, and other information necessary for the creditor to consider the application and determine the sufficiency of the debtor's own funds to fulfil obligations under the bank loan agreement or the agreement on the provision of a microcredit.

2. A collection agency, within ten calendar days after the day of receipt of a written application, shall send it to the creditor.

3. The creditor, within fifteen calendar days from the date of receipt of the debtor's written application, shall consider the proposed terms for amending the bank loan agreement or the

microcredit agreement and shall notify the collection agency and the debtor and/or his representative in writing and/or through digital means about:

- 1) agreement with the proposed changes to a bank loan agreement or microcredit agreement;
 - 2) its proposals for changing the terms of a bank loan agreement or microcredit agreement ;
 - 3) refusal to change the terms of a bank loan agreement or microcredit agreement, indicating a reasoned justification for such a refusal.
4. The collection agency, within ten calendar days after receiving the decision taken by a creditor, shall inform a debtor about it.

5. During the period of collection activities with respect to the debtor, a creditor is not entitled:

to claim to the court to recover his debts;

to demand payment of remuneration, commissions and other payments related to the issuance and maintenance of a loan or a micro credit for the period when the debt is in work in a debt collection agency, as well as charge a forfeit (fine, penalty) for late repayment of the principal debt and remuneration during the specified period.

6. Is excluded by the Law of the Republic of Kazakhstan dated 16.01.2026 № 259-VIII (shall enter into force upon expiry of sixty calendar days after the date of its first official publication).

Footnote. Article 6 as amended by the Law of the Republic of Kazakhstan dated 02.07.2018 № 168-VI (shall be enforced upon expiry of ten calendar days from the date of its first official publication); dated 03.07.2019 № 262-VI (shall be enforced from 01.01.2020); dated 19.06.2024 № 97-VIII (for the procedure for entry into force, see Art. 2).

Article 6-1. Peculiarities of debt settlement by a collection agency when it exercises its rights as a creditor arising from the assignment of the right (claim) to debt

1. Upon assignment by a creditor of a right (claim) relating to indebtedness, including debt recovered pursuant to a court decision or based on a notary's writ of execution, a collection agency shall inform the debtor, who is an individual, and/or his or her representative of their (his or her) right to apply to the collection agency with a written request and/or through digital objects for a modification of the terms of performance of obligations under a bank loan agreement or a microcredit agreement.

Within thirty calendar days from the date of conclusion of the agreement on the assignment of the right (claim) for the debt of an individual, the collection agency shall be obliged to ensure the reduction of the debtor's obligation by completely writing off the accrued and unpaid remuneration.

The debtor - an individual and (or) his (her) representative, at any time after the date of their (his) notification of the assignment of the right (claim) to the debt, shall have the right to apply with a written application and (or) through digital objects to the collection agency to

change the terms of the obligation performance under the bank loan agreement or under the agreement on the provision of a microcredit, which specifies the reasons for the occurrence of the debt, information on income and expenses, composition (members) of the family, place of residence, availability of property, other information confirming the circumstances (facts) of his (her) application to the collection agency to change the terms of the obligation performance under the bank loan agreement or under the agreement on the provision of a microcredit, including those related to:

- 1) deferral or installment plan of payments on the principal debt and (or) remuneration;
- 2) change in the order of debt repayment, including with repayment of the principal debt on a priority basis;
- 3) change in the term of the bank loan or microcredit;
- 4) a reduction or complete cancellation of the penalty (fine, late fee);
- 5) a change or complete cancellation of commissions and other payments related to servicing a bank loan;
- 6) full or partial forgiveness of the debt on the principal debt and (or) remuneration;
- 7) independent sale by the mortgagor of the real estate that is the subject of the mortgage, within the timeframe established by the agreement of the parties;
- 8) provision of compensation in lieu of fulfillment of the obligation by transferring the mortgaged property to the collection agency;
- 9) sale of the real estate that is the subject of the mortgage, with the transfer of the obligation to the buyer.

2. The collection agency, within fifteen calendar days from the date of receipt of the debtor's application, shall consider the proposed changes to the terms of fulfillment of the obligation under the bank loan agreement or the microcredit agreement and shall notify the debtor and/or his representative in writing and/or through digital means about:

- 1) agreement with the proposed changes to the terms of fulfillment of the obligation under the bank loan agreement or the microcredit agreement;
- 2) counter-proposals to change the terms of fulfillment of the obligation under the bank loan agreement or the microcredit agreement;
- 3) refusal to change the terms of fulfillment of the obligation under the bank loan agreement or the microcredit agreement, indicating the reasoned justification for such refusal.

The collection agency shall be obliged to provide, under a bank loan agreement and/or an agreement on the provision of a microloan to military personnel on active military service, a deferment of payment on the principal debt and remuneration for a period that includes the period of active military service and sixty calendar days after its completion, without charging interest on the loan and/or microcredit in the manner determined by the authorized body.

The exchange of information on military personnel called up for compulsory military service, as well as their dismissal, shall be carried out through the interaction of information

systems of state bodies and credit bureaus in the manner determined by the authorized body in agreement with the Ministry of Defence of the Republic of Kazakhstan.

Failure to reach a mutually acceptable solution between the collection agency and the borrower - an individual within fifteen calendar days from the date of receipt of the decision of the collection agency, provided for in subparagraph 2) of part one of this paragraph, shall be considered a refusal to change the terms of fulfillment of the obligation under the bank loan agreement or under the microloan agreement.

3. The debtor - an individual, within fifteen calendar days from the date of receipt of the decision of the collection agency, provided for in subparagraph 3) of part one of paragraph 2 of this Article, or if a mutually acceptable solution to change the terms of fulfillment of the obligation under the bank loan agreement or under the microcredit agreement is not reached within the period specified in part four of paragraph 2 of this Article, shall have the right to contact the financial ombudsman with simultaneous notification of the collection agency.

The financial ombudsman shall consider the appeal of an individual debtor upon presentation of evidence of their appeal to a collection agency and the failure to reach a mutually acceptable solution with the collection agency to change the terms of the bank loan agreement or microcredit agreement.

During the period of consideration by the financial ombudsman of an appeal from a debtor - an individual belonging to a socially vulnerable group of the population in accordance with the Law of the Republic of Kazakhstan "On Housing Relations", under a mortgage housing loan agreement (mortgage loan) or under an agreement on the provision of a microcredit secured by a mortgage of real estate that is a home, not related to the implementation of entrepreneurial activity, foreclosure on the mortgaged property by filing a claim in court or out of court shall not be permitted.

4. In the presence of overdue debt on consumer bank loans and/or consumer microcredits not secured by collateral, to two or more creditors that are banks, microfinance organizations, or collection agencies, the borrower shall have the right to apply for collective debt settlement through the collective settlement platform operating under the financial ombudsman service.

The criteria for debt subject to collective settlement, as well as the procedure and conditions for conducting collective debt settlement, shall be established by a regulatory legal act of the authorized body, as provided for in subparagraph 3-1) of paragraph 1 of Article 15 of this Law.

Footnote. Chapter 2 is supplemented by Article 6-1 in accordance with the Law of the Republic of Kazakhstan dated 19.06.2024 № 97-VIII (for the procedure for entry into force, see Article 2); with amendments introduced by the Law of the Republic of Kazakhstan dated 09.01.2026 № 256-VIII (shall enter into force upon expiry of six months after the date of its first official publication); dated 16.01.2026 № 259-VIII (for the procedure of entry into force, see Article 2).

Article 7. Registration of a legal entity that intends to carry out collection activity

1. A legal entity that intends to carry out collection activities shall be subject to registration within three months from the date of its state registration (re-registration) in the State Corporation “Government for citizens”.

2. Excluded by the Law of the Republic of Kazakhstan dated 19.06.2024 № 97-VIII (comes into force sixty calendar days after the date of its first official publication).

3. To undergo registration, a legal entity intending to carry out collection activities shall submit to the authorized body the documents stipulated by the regulatory legal act approved by the authorized body.

4. The authorized body shall check the completeness of the submitted documents within two working days from the receipt of documents for the passage of registration.

In case that a legal entity that intends to carry out collection activities has an incomplete set of documents, the authorized body shall give a reasoned refusal in written form to further consideration of an application in the terms specified in part one of this paragraph.

5. The authorized body shall consider an application for the passage of registration within fifteen working days from the date of submission of the full package of documents.

6. Within the period established by paragraph 5 of this article, the authorized body is obliged to enter a legal entity that intends to carry out collection activities in the register of collection agencies and notify him of this decision and registration number or give a reasoned response in written form on the reasons for the refusal of an account registration.

7. The register of collection agencies that have passed the registration is placed on the Internet resource of the authorized body.

Footnote. Article 7 as amended by the Law of the Republic of Kazakhstan dated 02.07.2018 № 168-VI (shall be enforced upon expiry of ten calendar days from the date of its first official publication); 02.04.2019 № 241-VI (shall be enforced from 01.07.2019); dated 25.11.2019 № 272-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); № 43-VII of 24.05.2021 (shall come into force ten calendar days after the date of its first official publication); dated 14.07.2022 № 141-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 19.06.2024 № 97-VIII (comes into force sixty calendar days after the date of its first official publication).

Article 8. Reasons for refusal in the registration of a legal entity that intends to carry out collection activities

1. The refusal to register a legal entity that intends to carry out collection activities shall be given in the following cases:

1) provision of false data and information subject to reflection in the documents stipulated by the regulatory legal act approved by the authorized body;

2) inconsistencies between employees of a legal entity that intends to carry out collection activities to the requirements provided for in paragraphs 2 and 3 of Article 12 of this Law;

3) inconsistencies of a person, who alone or jointly with another (other) person (s) directly or indirectly owning and (or) using, and (or) managing ten or more percent of shares in the authorized capital of a legal entity intending to carry out collection activities; having the control, to the requirements stipulated by paragraph 3 of Article 3 of this Law;

4) appeals after expiration of three months from the date of state registration (re-registration) in the State Corporation "Government for citizens" to the authorized body with an application for registration;

5) non-compliance with the requirement established by paragraph 1 of Article 21 of this Law.

2. In case of refusal of registration on the grounds stipulated by subparagraphs 1), 2) and 3) of paragraph 1 of this article, a legal entity intending to carry out collection activities, within thirty working days from the date of receipt of the refusal of registration, has the right to re-submit documents in accordance with paragraph 3 of Article 7 of this Law or is obliged to carry out the re-registration procedure by excluding from its name the words "collection agency" and words derived from them that suggest that it carries out collection activities.

If a legal entity that intends to carry out collection activities receives refusal for registration on the reasons provided for in subparagraphs 4) and 5) of paragraph 1 of this article, such a legal entity is obliged to conduct the procedure of re-registration by deleting from its name the words "collection agency", derivatives from these words, suggesting that it performs collection activities.

If a legal entity fails to perform the actions specified in parts one and two of this paragraph, it is subject to compulsory liquidation in accordance with the procedure established by the laws of the Republic of Kazakhstan.

Footnote. Article 8 as amended by the Law of the Republic of Kazakhstan dated 02.04.2019 № 241-VI (shall be enforced from 01.07.2019); dated 19.06.2024 № 97-VIII (comes into force sixty calendar days after the date of its first official publication).

Article 9. Reasons for excluding a collection agency from the register of collection agencies

1. A collection agency shall be excluded from the register of collection agencies on one of the following grounds:

1) the commission by a collection agency and (or) its employees interacting with debtors of one of the unfair actions provided for in subparagraphs 7) and 8) of paragraph 5, paragraph 5-1 of Article 5 of this Law, three or more times within twelve consecutive calendar months;

2) identification of false information and data in documents submitted for registration;

3) failure to comply with the requirements for the minimum size of the authorized capital established by the regulatory legal act of the authorized body;

4) repeated (two or more times within twelve consecutive calendar months) failure to submit or late submission within the established deadline of reports required in accordance with the regulatory legal acts of the National Bank of the Republic of Kazakhstan;

5) repeated (more than three times within twelve consecutive calendar months) failure to provide, untimely provision by a collection agency to the authorized body of information required in accordance with the legislation of the Republic of Kazakhstan on collection activities, or other requested information, or provision by a collection agency to the authorized body of information not containing the data that is required to be provided in accordance with the legislation of the Republic of Kazakhstan on collection activities, or provision of inaccurate information;

6) repeated (more than three times within twelve consecutive calendar months) failure to fulfil, or untimely fulfilment by a collection agency of the duties accepted by it and (or) imposed on it by the authorized body through the application of limited enforcement measures;

7) failure to carry out collection activities for twelve consecutive calendar months;

8) violation by a collection agency of the requirement for mandatory membership in a self-regulatory organization in the field of collection activities, established by this Law;

9) entry into force of a court order on termination of the activities of a collection agency;

10) obstruction by a collection agency of an inspection three or more times over the last twelve calendar months;

11) the adoption by a collection agency of a decision to voluntarily cease collection activities.

In the case provided for in subparagraph 11) of part one of this paragraph, a letter confirming the fulfilment of all obligations, as well as the absence of previously acquired rights (claims) on the balance sheet, shall be attached to the application of the collection agency for exclusion from the register of collection agencies.

1-1. When determining the advisability of excluding a collection agency from the register of collection agencies, the following shall be taken into account:

1) the nature of the violations and their consequences;

2) the scale and significance of the violations committed and their consequences;

3) systematicity and duration of violations;

4) the reasons that led to the occurrence of the violations committed;

5) the presence and effectiveness (efficiency) of previously applied limited measures of influence;

6) taking independent measures aimed at eliminating identified violations and their effectiveness.

2. In case of exclusion from the register of collection agencies, the authorized body shall notify the collection agency in written form within seven calendar days from the date of exclusion.

The notification is sent to the address indicated in the application for registration or in the written notification of the change in the location of a collection agency.

3. The decision of the authorised body to exclude a collection agency from the register of collection agencies may be appealed against in the manner prescribed by the laws of the Republic of Kazakhstan.

An appeal against the decision of the authorised body to exclude a collection agency from the register of collection agencies shall not suspend the execution of the decision.

4. A collection agency shall be prohibited from concluding new debt collection agreements and (or) agreements containing conditions for the transfer of rights (claims) under bank loan agreements and (or) microcredit agreements to the collection agency (hereinafter - the agreement of claim assignment), from the moment of receiving notification from the authorized body about its exclusion from the register of collection agencies.

A collection agency, from the moment it receives notification from the authorized body of its removal from the register of collection agencies, as well as a legal entity that has become the successor to the rights and obligations of such collection agency as a result of reorganization, shall be prohibited from assigning rights (claims) under a bank loan agreement and/or a microcredit agreement to a third party, except for the assignment of such rights (claims) to persons specified in paragraph 1 of Article 63 of the Law of the Republic of Kazakhstan "On banks and banking activities in the Republic of Kazakhstan", part one of paragraph 5 of Article 9-1 of the Law of the Republic of Kazakhstan "On microfinance activities".

Before terminating contractual relations with individuals under bank loan agreements and (or) microcredit agreements not related to the implementation of entrepreneurial activity, a collection agency excluded from the register of collection agencies, as well as a legal entity that has become the legal successor of the rights and obligations of this collection agency as a result of reorganization, shall be obliged to comply with the requirements and restrictions imposed by the legislation of the Republic of Kazakhstan on the relationship between the creditor and the borrower under the bank loan agreement and (or) the microcredit agreement, as well as to update information on all debtors in the databases of credit bureaus.

5. The collection agency within thirty calendar days after the day of receipt of notification of an authorized body on exclusion of it from the register of collection agencies or adoption by a collection agency of decision on voluntary termination of collection activity is obliged:

- to carry out the procedure of re-registration by deleting from its name the words "collection agency", derived words from them, suggesting that it performs collection activities;

- to transfer to the creditor all information and documents on the debt that was transferred to a collection agency on the basis of the debt collection agreement, as of the date of receipt of notification on exclusion of it from the register of collection agencies from an authorized body or the collection agency's decision to voluntarily stop collection activities;

to transfer to the person to whom the rights (claims) have been assigned under the bank loan agreement and (or) the microcredit agreement, or at his/her instruction to the service company with which such a person has concluded a new trust management agreement, all information and documents on the rights (claims) under bank loan agreements and (or) microcredit agreements transferred to a collection agency on the basis of a trust management agreement, as of the date of receipt of the notification of the authorized body on its exclusion from the register of collection agencies or adoption of a decision on voluntary termination of collection activities by the collection agency;

to terminate all concluded debt collection agreements and (or) trust management agreements.

The creditor is obliged to ensure the receipt of information and documents on debts, which was transferred to a collection agency on the basis of an agreement on collection of debts, and to take measures to terminate previously concluded agreements with a collection agency on collection of debts.

A person to whom rights (claims) have been assigned under a bank loan agreement and (or) a microcredit agreement, or a service company with which such a person has concluded a new trust management agreement, must ensure the receipt of information and documents in the case provided for in paragraph four of part one of this paragraph.

In case of failure to perform the actions specified in part one of this paragraph, a collection agency shall be subject to compulsory liquidation in accordance with the procedure established by the laws of the Republic of Kazakhstan.

6. The collection agency is obliged to notify about it within five calendar days from the date of receipt of notification from an authorized body about its exclusion from the register of collection agencies:

creditors with whom agreements on collection of debts were concluded;

persons with whom trust management agreements have been concluded, by the methods provided for in the trust management agreement;

debtors whose debts were transferred to a collection agency on the basis of a contract for collection of debts, in the ways provided for in paragraph 1 of Article 5 of this Law.

debtors, rights (claims) under bank loan agreements or agreements on the provision of microcredit to whom were transferred on the basis of trust management agreements, by the methods provided for in paragraph 1 of Article 5 of this Law.

Footnote. Article 9 as amended by the Law of the Republic of Kazakhstan dated 03.07.2019 № 262-VI (shall be enforced from 01.01.2020); № 351-VI of 29.06.2020 (shall take effect on 01.07.2021); dated 04.07.2022 № 133-VII (shall be enforced upon expiry of sixty calendar days after the day of its first official publication); dated 30.12.2022 № 179-VII (shall be enforced upon expiry of sixty calendar days after the day of its first official publication); dated 19.06.2024 № 97-VIII (enters into force sixty calendar days after the date

of its first official publication); dated 16.01.2026 № 259-VIII (shall enter into force upon expiry of sixty calendar days after the date of its first official publication).

Article 10. The order of documentation maintenance by a collection agency

1. The collection agency shall register in the registration journal of contracts all debt collection agreements, contracts of assignment of rights (claims), trust management agreements and keep records of documents accepted from creditors:

- 1) agreements on debt collection;
- 2) contracts of assignment the right of claim, as well as documents attached to (if any);
- 2-1) trust management agreements;
- 3) documents for pledge (in case the main obligation is secured by a pledge);
- 4) contracts of guarantee and warranty (in case the main obligation is secured by a guarantee or warranty);
- 5) calculation of debtor's debt on the date of assignment of rights (claims);
- 6) documents containing information on measures taken by a creditor against the debtor to settle arrears stipulated by the laws of the Republic of Kazakhstan. The information is indicated for the period from the last date of default or improper performance of obligations under a bank loan agreement or a microcredit loan agreement before the transfer of a debt to a collection agency;
- 7) copies of constituent documents of a debtor (for legal entities);
- 8) copies of the identity document of a debtor (for individuals);
- 9) documents (or their copies) confirming a debtor's repayment of debts;
- 10) documents on a mortgaged property sale;
- 11) other documents, the transfer of which is provided for by the debt collection agreement, the assignment agreement of the right (claim), the trust management agreement.

2. The maintenance of the register journal of contracts is carried out on paper or in electronic form.

Footnote. Article 10 as amended by the Law of the Republic of Kazakhstan dated 04.07.2022 № 133-VII (shall be enforced upon expiry of sixty calendar days after the day of its first official publication).

Article 11. Secret of collection activities

1. The secret of a collection activity includes any information about a debtor, a creditor, debt, third parties related to the obligations with the creditor under a bank loan agreement or a microcredit agreement, the terms of the concluded debt collection agreements and other information received and (or) compiled by a collection agency when carrying out collection activities.

2. The secret of collection activities with respect to a debtor can be disclosed only to a debtor, to the third person on the basis of written consent of a debtor, including the one given when signing a bank loan agreement for disclosure of a bank secret or microcredit contract for disclosing the secrecy of granting a microcredit, specified in paragraphs 3, 4 and 5 of this article.

3. Information on a debtor, a creditor, a debt, the third parties, bound obligations with a creditor under the bank loan agreement or microcredit agreement, on the terms of concluded debt collection agreements and other information received and (or) compiled by a collection agency when implementing collection activities are issued to:

1) to public authorities and officials performing the functions of criminal prosecution: in criminal cases pending before them based on a written request authorised by the prosecutor;

2) the courts: on the cases in their proceedings on the basis of determining, regulating, decision and sentence of the court;

3) to state and private bailiffs: on the cases of enforcement proceedings which are in their production on the basis of the resolution of the bailiff, sanctioned by the Prosecutor, certified by the seal of the body of justice or by the seal of a private bailiff;

4) to the prosecutor: on the basis of a resolution on the conduct of an audit within his competence on the material under his consideration;

5) state revenue authorities:

on issues related to the taxation of the person being audited, based on a prescription;

a credit bureau for a debtor – an individual who has an obligation to submit declarations of assets and liabilities, income and property (whose rights (claims) on debts have been assigned to a collection agency);

6) representatives of the debtor: on the basis of a notarized power of attorney;

7) the authorized body in the field of rehabilitation and bankruptcy: in respect of a person for whom there is a legally effective court decision on bankruptcy, for a period of five years before the institution of bankruptcy and (or) rehabilitation with the sanction of the prosecutor;

8) the authorized body: on issues related to the implementation of state control over the activities of collection agencies;

8-1) a self-regulatory organization in the field of collection activities: on issues related to the implementation of control over the activities of its members (participants);

9) the authorized body in the field of state administration for the restoration of solvency and bankruptcy of citizens of the Republic of Kazakhstan: on the basis of a request for a citizen who has submitted an application for applying the procedures provided for by the Law of the Republic of Kazakhstan “On the restoration of solvency and bankruptcy of citizens of the Republic of Kazakhstan”, for a period of three years prior to submitting such a request;

10) the financial manager: on the basis of a request against a citizen for whom a case has been initiated on the application of the procedure for restoring solvency or judicial bankruptcy

with the sanction of the prosecutor. In order to confirm the powers, a court ruling on the initiation of a case on the application of the procedure shall be attached to the request.

4. Information on a debtor, a creditor, the third parties, bound obligations with the creditor under the bank loan agreement or microcredit agreement, debt, on the terms of concluded debt collection agreements and other information received and (or) compiled by a collection agency when implementing the collection activities in relation to a debtor, in addition to the persons provided for in paragraph 3 of this article, are also issued on the basis of a written request:

- 1) to persons indicated by a debtor in the will;
 - 2) to notaries: for inheritance cases in their proceedings on the basis of a notary's request;
 - 3) to foreign consular institutions: according to the hereditary cases in their production.
5. The following is not the disclosure of the secrets of debt collection activities:

1) provision by debt collection agencies of information to credit bureaus in accordance with the Law of the Republic of Kazakhstan "On credit bureaus and formation of credit records in the Republic of Kazakhstan" and provision by credit bureaus of information about the debtor in terms of debt;

2) exchange of information, including information constituting a secret of debt collection activity, between the National Bank of the Republic of Kazakhstan and the authorized body;

3) submission by an official of a state body or a person performing managerial functions in an organization, of the documents and information containing the secrecy of debt collection activities, as supporting documents and materials when sending a notification of a criminal offence to the criminal prosecution body.

The secret of collection activities may be disclosed to the financial ombudsman upon appeals from individuals under consideration regarding the settlement of disputes arising from a bank loan agreement or a microcredit agreement, the obligations under which were assigned to the person specified in paragraph 1 of Article 63 of the Law of the Republic of Kazakhstan "On banks and banking activities in the Republic of Kazakhstan" or in paragraphs 4 and 5 of Article 9-1 of the Law of the Republic of Kazakhstan "On microfinance activities".

6. For the disclosure or illegal use of information constituting a secret protected by the laws of the Republic of Kazakhstan, collection agencies, as well as other persons who have access to this information on the basis of this Law and other laws of the Republic of Kazakhstan, bear the responsibility established by the laws of the Republic of Kazakhstan.

Footnote. Article 11 as amended by the Law of the Republic of Kazakhstan dated 21.01.2019 № 217-VI (shall be enforced upon expiry of three months from the date of its first official publication); dated 03.07.2019 № 262-VI (shall be enforced from 01.01.2020); dated 14.07.2022 № 141-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 30.12.2022 № 179-VII (shall be enforced upon expiry of sixty calendar days after the day of its first official publication); dated 19.06.2024 № 97-VIII (comes into force sixty calendar days after the date of its first official publication); № 207-VIII

of 15.07.2025 (shall be enacted upon expiry of sixty calendar days after the day of its first official publication); № 210-VIII of 16.07.2025 (shall be put into effect upon expiry of sixty calendar days after the day of its first official publication); dated 16.01.2026 № 259-VIII (for the procedure of entry into force, see Article 2).

Article 12. Requirements for employees of a collection agency

1. The first head and members of the executive body (collegial and (or) sole executive body), the first head and members of the supervisory board (if any), the chief accountant are recognized as the management employees of a collection agency.

2. The managing employee of a collection agency cannot be an individual:

1) who does not have the citizenship of the Republic of Kazakhstan;

2) who does not have higher education;

3) a person who has an unexpunged or outstanding criminal conviction, or who is subject to or has been subject to criminal prosecution (except for persons whose criminal prosecution was terminated on the grounds specified in subparagraphs 1) and 2) of part one of Article 35 of the Criminal Procedure Code of the Republic of Kazakhstan), for criminal offenses against the person, the family and minors, constitutional and other rights and freedoms of individuals and citizens, the foundations of the constitutional order and state security, property, public safety and public order, public health and morality, the peace and security of mankind, the interests of service in commercial and other organizations, the interests of public service and public administration, justice and the procedure for execution of punishments, the procedure for management, in the spheres of economic activity, digitalization and communications, as well as military criminal offenses;

4) who has no work experience in the fields of financial, insurance, education, state administration and defense, compulsory social security, in the field of law, and accounting, as well as the activities of agencies for the collection of payments and credit bureaus defined in accordance with the general classifier of the types of economic activities approved by the authorized body in the field of technical regulation (the corresponding work experience should be at least one year by the date of employment);

5) a person who previously served as a senior executive or who owned ten percent or more of the participatory interests in the authorized capital of a collection agency, during a period not exceeding three years prior to the decision of the authorized body to remove the collection agency from the register of collection agencies, on the grounds provided for in subparagraphs 1), 4), 5), 6), 7), 9), and 10) of part one of paragraph 1 of Article 9 of this Law;

6) in respect of whom the court decision on the application of criminal punishment entered into legal force in the form of deprivation of the right to hold the position of a manager of a financial organization, a banking and (or) insurance holding, and to be a major participant (major shareholder) of a financial organization for life;

7) a person who previously was the head, member of the management body, head, member of the executive body, chief accountant of a financial organization, a major participant - an individual, head of a major participant, banking and (or) insurance holding - a legal entity of a financial organization in a period of no more than one year prior to the adoption by the authorized body or the financial supervisory body of the state of which the financial organization - a non-resident of the Republic of Kazakhstan of a decision to apply the settlement regime to the bank, a decision to revoke the license of the financial organization, which resulted in its liquidation and (or) termination of activities in the financial market, or the entry into force of a judicial act on the forced liquidation of the financial organization or recognition of it as bankrupt in the manner established by the legislation of the Republic of Kazakhstan;

The specified requirement shall apply for ten years after the adoption by the authorized body or the financial supervisory body of the state of which the financial organization - non-resident of the Republic of Kazakhstan is a resident, of a decision to apply a settlement regime to the financial organization, a decision to revoke the license of the financial organization, which entailed its liquidation and (or) termination of operations in the financial market, or the entry into force of a judicial act on the forced liquidation of the financial organization or recognition of it as bankrupt in the manner established by the legislation of the Republic of Kazakhstan;

8) who was previously a manager, a member of management body, a manager, a member of executive body, the chief accountant of a financial organization, a major participant (major shareholder) - an individual, a leader, a member of the management body, a leader, a member of the executive body, the chief accountant of a large participant (major shareholder) - an issuer legal entity that defaulted on the payment of coupon interest on issued emissive securities for four or more consecutive periods or amount of debt of which for payment of coupon interest on issued equity securities, for which was the default, is fourfold and (or) more than the size of the coupon interest, or the default amount for repayment of the principal debt on issued equity securities is ten thousand times higher than the monthly calculated index established by the law on the republican budget at the date of payment. The specified requirement is applied within five years from the moment of occurrence of the circumstances provided by this subparagraph;

9) who is registered in the psychoneurological, tuberculosis, narcological dispensaries;

10) who was dismissed from the civil service or from special and law enforcement agencies for negative reasons, if three years have not passed since the dismissal;

11) who performed state control functions in the form of inspections of activities of this collection agency or related to the activities of this collection agency in accordance with its competence earlier by virtue of its official powers. The specified requirement is applied within one year after the termination of public service by the person;

12) who was dismissed from the collection agency for violation of requirements provided for in Article 5 of this Law;

13) brought to administrative responsibility for corruption offenses.

2-1. A senior employee, an employee of a collection agency interacting with a debtor and (or) his/her representative, and (or) a third party, shall be prohibited from simultaneously being in labor and other relations with another collection agency.

3. Employees of the collection agency who do not meet the requirements provided for in sub-paragraphs 1), 3), 5), 9), 10), 11), 12) and 13) of part 2 of this Article, as well as those who do not have technical and vocational, post-secondary or higher education shall not be allowed to interact with the debtor and (or) his/her representative, and (or) a third party bound by obligations with the creditor under a bank loan agreement or a microcredit agreement.

Technical and vocational, post-secondary or higher education requirements shall not apply to employees of the collection agency who interact with the debtor and/or his/her representative and/or third parties by means of telephone conversations.

4. The executives of self-regulatory organisations in the field of collection activities must comply with the requirements established by paragraphs 1 and 2 of this Article.

Footnote. Article 12 as amended by Law of the RK № 43-VII of 24.05.2021 (shall be enacted ten calendar days after its first official publication); dated 30.12.2022 № 179-VII (shall be enforced upon expiry of sixty calendar days after the day of its first official publication); dated 09.01.2026 № 256-VIII (shall enter into force upon expiry of six months after the date of its first official publication); dated 16.01.2026 № 259-VIII (shall enter into force upon expiry of sixty calendar days after the date of its first official publication).

Article 13. Storage of documents

The list of the main documents of a collection agency subject to storage, and the terms of their storage are determined by the authorized body.

Chapter 3. RIGHTS AND RESPONSIBILITIES OF A COLLECTION AGENCY, A DEBTOR AND (OR) HIS/HER REPRESENTATIVE

Article 14. Collection agency rights

A collection agency has the right:

1) to carry out debt collection activities on the basis of a debt collection agreement concluded with the creditor and in accordance with the requirements of this Law, the Laws of the Republic of Kazakhstan "On banks and banking activity in the Republic of Kazakhstan" and "On microfinance activity";

2) to collect information related to a debt, including obtaining documents (originals and copies), explanations and information from a creditor under the concluded debt collection agreements;

3) to foreclose in court, unless otherwise provided by the laws of the Republic of Kazakhstan or the contract, to the pledged property that is secured by a bank loan agreement or a microcredit contract, the right (requirement) for which a collection agency purchased from a creditor;

4) to refuse to implement the contract on recovery of debts in cases where the creditor violated the terms of a debt collection agreement, failed to provide documents (originals and copies), information about a debtor and his debts, submitted false data;

5) to conclude an agreement on the assignment of a claim with a creditor under a bank loan agreement or an agreement on the provision of a microcredit to an individual, subject to the creditor's compliance with the requirements stipulated by part two of subparagraph 4) of paragraph 11 of Article 61 of the Law of the Republic of Kazakhstan "On banks and banking activities in the Republic of Kazakhstan" and subparagraph 2-1) of paragraph 5 of Article 9-2 of the Law of the Republic of Kazakhstan "On microfinance activities";

6) to act as a representative of a creditor in the court and in the enforcement proceedings, subject to the appropriate authority;

7) request information from third parties about the location and (or) contact information of the debtor if there is such a condition in the bank loan agreement (microloan agreement) concluded with the debtor;

7-1) to act as a service company under the trust management agreement.

A collection agency under the trust management agreement shall have the right:

to change, by agreement of the parties, the terms of the bank loan agreement or the microcredit agreement within the scope of the powers granted by the person with whom the trust management agreement has been concluded. Unilateral changes to the terms of the bank loan agreement and/or the microcredit agreement shall be permitted in cases where such amendments improve the position of the borrower, in accordance with part two of paragraph 4 of Article 57 of the Law of the Republic of Kazakhstan "On banks and banking activity in the Republic of Kazakhstan" and part two of paragraph 4 of Article 4 of the Law of the Republic of Kazakhstan "On microfinance activities".

to represent the interests of the person with whom the trust management agreement has been concluded in the court, including in the process of collecting debt and (or) foreclosure on the subject of a pledge;

to accept from the debtor, in the interests of the person with whom the trust management agreement has been concluded, money in non-cash form and (or) other property to repay the debt, followed by the transfer of such money and (or) such property in his/her favor;

use the services of appraisers, auditors, lawyers, and other consultants.

Remuneration to the collection agency acting as a service company, as well as expenses related to trust management, shall be paid (reimbursed) in accordance with the terms of the trust management agreement by the person who acquired the rights (claims) under the bank loan agreements and (or) agreements on the provision of microcredits;

8) to exercise other rights established by this Law, other laws of the Republic of Kazakhstan, the debt collection agreement and (or) the assignment agreement of the right (claim), and (or) the trust management agreement.

Footnote. Article 14 as amended by the Law of the Republic of Kazakhstan dated 02.07.2018 № 168-VI (shall be enforced upon expiry of ten calendar days from the date of its first official publication); dated 03.07.2019 № 262-VI (shall be enforced from 01.01.2020); dated 04.07.2022 № 133-VII (shall be enforced upon expiry of sixty calendar days after the day of its first official publication); dated 19.06.2024 № 97-VIII (comes into force sixty calendar days after the date of its first official publication); dated 16.01.2026 № 259-VIII (shall enter into force upon expiry of sixty calendar days after the date of its first official publication).

Article 15. Obligations of a collection agency

1. The collection agency is obliged:

1) to inform a creditor about the affiliation with a debtor, the reasons for such affiliation, as well as other circumstances that affect or may affect the performance of contractual obligations by the collection agency and / or may lead to a contradiction between the personal the interest of the collection agency and the legitimate interests of a creditor or to infringe upon the legitimate interests of a creditor, including as a result of direct or indirect interest of the collection agency in a debtor's failure to fulfill his/her obligations to a creditor within two working days;

2) in cases of changes in the location or name, notify the authorised body in writing or through an electronic document management system and post the relevant information on its Internet resource in Kazakh and Russian languages no later than three calendar days from the date of such changes;

2-1) in the event of changes in the telephone numbers of the collection agency for contacts with debtors, notify the authorised body in writing or via an electronic document management system no later than three calendar days from the date of such changes;

3) to keep a secret of collection activities;

3-1) when the creditor assigns rights (claims) under a bank loan agreement or a microcredit agreement, take measures to settle the debt of the debtor - an individual in accordance with the regulatory legal act of the authorized body on issues of settling the debt of individuals by collection agencies;

4) to provide free of charge in written form information on the balance of overdue and current amounts of the principal debt, remuneration, forfeit (fine, penalty) acquired rights (requirements) no more than once a month, upon the request of a debtor and (or) his/her representative within ten working days from the date of receipt of the request;

4-1) upon a written application of the debtor or his representative, submitted after full repayment of the debt under the bank loan agreement and (or) the microcredit agreement, the

right (claim) for which was acquired by the collection agency, issue once on a gratuitous basis within ten calendar days from the date of receipt of the application a certificate of absence of debt in written form;

5) to ensure the security of documents and information received from a creditor, a debtor and the third parties, the protection of personal data of a debtor and / or his/her representative, and (or) the third person bound with a creditor under a bank loan agreement or microcredit agreement, in accordance with the legislation of the Republic of Kazakhstan on personal data and their protection;

6) to have own Internet resource;

7) not to allow the collection of other commissions and payments not provided for in the agreement from a debtor when a creditor concedes the rights (claims) under the bank loan agreement or the microcredit contract;

8) to comply with the requirements and restrictions imposed by the legislation of the Republic of Kazakhstan on the relationship between a creditor and a debtor under the bank loan agreement or the microcredit agreement, and also to such an agreement concluded between a previous creditor and a debtor when a creditor concedes the rights (claims) under the bank loan agreement or the microcredit agreement;

9) to have specialized software used to automate activities and record debts, and to fix the process of interaction with a debtor by means of audio or video equipment in the premises of a collection agency (branch, representative office) at the place of its location;

10) to conclude an agreement on provision of information with the state credit bureau;

11) report to the National Bank of the Republic of Kazakhstan under the regulatory legal act of the National Bank of the Republic of Kazakhstan;

11-1) to submit information on the contracts for assignment of the right of claim to state revenue bodies at their location no later than the 25th day of the month following the quarter in the form established by the authorized state body performing the management in the field of ensuring receipt of taxes and other obligatory payments to the budget in coordination with the authorized body;

12) to eliminate violations of the legislation of the Republic of Kazakhstan, identified by the authorized body;

13) in cases of changes in information on the founders (participants), senior employees, employees who will interact with debtors and (or) their representatives, and (or) third parties who are bound by obligations to the creditor under a bank loan agreement or a microloan agreement, as well as notify the authorised body in writing or via an electronic document management system on the branches and (or) representative offices of the collection agency within fifteen working days from the date of such changes;

14) to record the process of interaction with the debtor and (or) his/her representative, and (or) a third-party using audio or video equipment with audio recording and store audio and (or

) video recording materials for six months from the date of interaction with the debtor and (or)
) his/her representative, and (or) a third party;

15) to provide to the authorized body on the basis of its request information, documents and materials of audio and / or video recordings (if any), including on complaints received from debtors and creditors;

16) to ensure the availability of a branch or representative office at the place of residence or at the location or at the place of registration of a debtor or in administrative centers of regions where the settlement of place of residence or location or place of registration of a debtor is located when interacting with a debtor through personal meetings;

16-1) at the request of the debtor - an individual and (or) his (her) representative, familiarize them (him) with the rights and obligations provided for in Article 16 of this Law;

17) to take measures to terminate the powers of an employee who violated the requirements of the mentioned article, in the case of interaction with the persons indicated in the first passage of paragraph 1 and in the first passage of paragraph 1 of paragraph 4 of Article 5 of this Law, even if the authorized body submits a demand for removal the specified employee, and also provide information about the dismissed employee to the authorized body within three working days from the date of dismissal;

18) to provide with information on persons, individually or jointly with another (other) person (s) directly or indirectly owning and (or) using, and (or) having control of ten or more percent of shares in the authorized capital of a collection agency on a monthly basis, not later than the tenth day of the month following the reporting month, in accordance with the procedure determined by the authorized body,

18-1) to comply, within the framework of the trust management agreement, with the requirements and restrictions imposed by the legislation of the Republic of Kazakhstan on the relationship between the creditor and the debtor under the bank loan agreement and (or) agreement on the provision of microcredit;

18-2) to join a self-regulatory organization in the field of collection activities within ninety calendar days following the day of occurrence of one of the following events:

inclusion of a self-regulatory organization in the field of collection activities in the register of the authorized body;

inclusion in the register of collection agencies and the presence of a self-regulatory organization in the field of collection activities included in the register of the authorized body;

termination of membership (participation) in a self-regulatory organization in the field of collection activities;

18-3) to comply with the rules and standards of the self-regulatory organization in the field of collection activities;

18-4) to pay fees established by the self-regulatory organization in the field of collection activities;

18-5) to provide, at the request of a self-regulatory organization in the field of collection activities, all information necessary for conducting an inspection, in the manner determined by the self-regulatory organization in the field of collection activities;

19) to follow the rules for the implementation of collection activities provided for in Article 5 of this Law and other requirements established by this Law and other regulatory legal acts of the Republic of Kazakhstan.

2. Collection agencies provide information and data about their activities, requested by the authorized body, in order to ensure state control over collection activities.

Failure to provide, untimely provision of information or provision of information that does not contain data, the submission of which is required in accordance with the legislation of the Republic of Kazakhstan on debt collection activities, provision of inaccurate information, violation of the reporting deadline, submission of inaccurate, as well as incomplete reporting or knowingly inaccurate information by a debt collection agency entails responsibility provided for by the laws of the Republic of Kazakhstan.

Footnote. Article 15 as amended by Law of the Republic of Kazakhstan No 122-VI as of 25.12.2017 (shall be enforced since 01.01.2018); dated 03.07.2019 № 262-VI (shall be enforced from 01.01.2020); dated 25.11.2019 № 272-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); № 43-VII of 24.05.2021 (shall come into force ten calendar days after the date of its first official publication); dated 04.07.2022 № 133-VII (shall be enforced upon expiry of sixty calendar days after the day of its first official publication); dated 30.12.2022 № 179-VII (shall be enforced upon expiry of sixty calendar days after the day of its first official publication); dated 19.06.2024 № 97-VIII (enters into force sixty calendar days after the date of its first official publication); № 205-VIII of 30.06.2025 (see Article 2 for the enactment procedure); dated 16.01.2026 № 259-VIII (shall enter into force upon expiry of sixty calendar days after the date of its first official publication).

Article 16. Rights and obligations of a debtor and (or) his/her representative

1. A debtor and (or) his/her representative shall have the right:

1) to receive from the creditor, the person who has concluded a trust management agreement with the collection agency, the collection agency that has the right to claim against the debtor for the debt, the information about the collection agency, a place of its location, the availability of the debtor's personal data from the collection agency, the amount and structure of the debt;

2) to dispute the demands of a collection agency both fully and partly, including in the court;

3) settle the debt in the manner prescribed by Articles 6 and 6-1 of this Law;

4) to interact with a collection agency in any manner provided for in § 5 of this Law to obtain information about their debts;

5) to apply to the authorized body with a complaint about the actions (inaction) of a collection agency;

6) apply to a credit bureau, collection agency, and/or lender to obtain a certificate of the presence or absence of debt;

7) to fix independently the process of interaction with employees of a collection agency with the help of audio and (or) video equipment;

8) to apply to the creditor or the collection agency performing trust management in accordance with the trust management agreement with a statement on changing the terms of the bank loan agreement and (or) the agreement on the provision of microcredit related to the fulfilment of obligations under specified agreements, with justification of the reasons for such an appeal;

9) to have other rights stipulated by this Law and other laws of the Republic of Kazakhstan.

2. A debtor and (or) his/her representative are obliged:

1) to notify a collection agency of changes in their place of residence (legal address), change of name, patronymic (if it is indicated in the identity document), surname, replacement of identification documents (in case of expiration, loss), change of contact information used to communicate with them (him), and the manner of communication and interaction of the collection agency with them (him);

2) at the request of a collection agency, disclose reliable information on the level of income and expenditure, place of residence (legal address), the availability of property for which, in accordance with the legislation of the Republic of Kazakhstan, a recovery may be made to repay the debt;

3) to carry out cooperation on settlement of a debt with the collection agency in accordance with paragraph 1 of Article 5 of this Law;

4) to consider the terms of debt repayment proposed by a creditor and to inform a collection agency or a creditor about the conditions suitable for a debtor within fifteen working days.

Footnote. Article 16 as amended by the Law of the Republic of Kazakhstan dated 04.07.2022 № 133-VII (shall be enforced upon expiry of sixty calendar days after the day of its first official publication); dated 19.06.2024 № 97-VIII (enters into force sixty calendar days after the date of its first official publication); № 205-VIII of 30.06.2025 (shall come into effect upon expiry of ten calendar days after the date of its first official publication).

Chapter 4. STATE ADMINISTRATION OF COLLECTION AGENCIES, CONTROL OF THEIR ACTIVITIES

Article 17. Competence of the authorised body

Footnote. The heading of Article 17 as amended by Law of the Republic of Kazakhstan № 205-VIII of 30.06.2025 (shall enter into force upon expiry of sixty calendar days after the date of its first official publication).

1. State regulation and control over the activities of collection agencies are carried out by an authorized body in accordance with the laws of the Republic of Kazakhstan.

2. The authorized body:

1) conducts registration and maintains a register list of collection agencies;

2) is excluded by the Law of the Republic of Kazakhstan dated 03.07.2019 № 262-VI (shall be enforced from 01.01.2020);

3) exercises state control over the activities of a collection agency;

4) examines a debtor's complaint against the actions (inaction) of a collection agency;

5) claims to the court on reorganization or liquidation of legal entities in cases provided for by this Law;

5-1) adopt regulatory legal acts binding on collection agencies in the field of regulating collection activities as per the purpose and objectives stated in paragraphs 1 and 2 of Article 2 -1 hereof and the legislation of the Republic of Kazakhstan. The list of subordinate regulatory legal acts shall be established in the regulation on the authorised body;

6) performs other powers provided for by this Law, other laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan.

3. Excluded by Law of the Republic of Kazakhstan № 205-VIII of 30.06.2025 (shall come into force upon expiry of sixty calendar days after the date of its first official publication).

Footnote. Article 17 as amended by the Law of the Republic of Kazakhstan dated 03.07.2019 № 262-VI (shall be enforced from 01.01.2020); № 205-VIII of 30.06.2025 (shall come into force upon expiry of sixty calendar days after the date of its first official publication).

Article 18. Exposure measures and the reasons for their use

1. If the debt collection agency violates the legislation of the Republic of Kazakhstan on debt collection activities, the banking legislation of the Republic of Kazakhstan or the legislation of the Republic of Kazakhstan on microfinance activity, in case of revelation of illegal actions or inaction of the executive and other employees of the debt collection agency interacting with the debtor, the authorized body applies the measures of influence established by this article. Measures of influence are understood as the restriction measures of influence and sanctions.

In case of violation of the legislation of the Republic of Kazakhstan on credit bureaus and formation of credit records, the debt collection agency is subject to measures of influence provided for by the Law of the Republic of Kazakhstan "On credit bureaus and formation of credit records in the Republic of Kazakhstan."

2. The authorized body has the right to apply the following limited measures to a collection agency:

1) to send a mandatory written instruction to a collection agency for adoption of mandatory corrective measures aimed at eliminating the revealed violations and (or) causes, as well as the conditions that contributed to their commission, within the established period and (or) the need for submission plan of measures to eliminate identified violations and (or) causes within a specified period, as well as conditions that contributed to their commission (hereinafter - the plan of measures).

The action plan submitted in time, established by a written instruction, specifies the description of violations and (or) reasons, as well as conditions that contributed to their commission, the list of planned activities, the terms of their implementation, as well as responsible officials.

An appeal against a written order of the authorised body shall be made in the manner prescribed by the laws of the Republic of Kazakhstan;

2) to issue a written warning about the possibility of applying the sanctions provided for by paragraph 4 of this article to a debt collection agency, if the authorized body reveals a repeated violation of the norms of the legislation of the Republic of Kazakhstan on debt collection activities, banking legislation of the Republic of Kazakhstan or the legislation of the Republic of Kazakhstan on microfinance activity within one year after issuing this warning, similar to the offence for which a written warning was issued;

3) to draw up a written agreement between an authorized body and the collection agency on the need to immediately eliminate the violations identified and approve the list of measures to eliminate these violations, indicating the terms for their elimination and (or) the list of restrictions that a collection agency takes on itself, until the violations are rectified.

The written agreement is subject to mandatory signing by a collection agency;

4) to demand the removal of a senior employee or other employee of a collection agency interacting with a debtor.

3. A collection agency is obliged to notify the authorized body on the execution of measures specified in written instruction and in written agreement, within the terms provided by these documents.

If the period established for elimination of violation exceeds one month, a collection agency shall notify the authorized body on implementation of measures to eliminate the violations and (or) causes, as well as conditions that contributed to their fulfillment, on a monthly basis until the 20th of the month.

The use of one limited measure of influence does not exclude the use of other limited measures of influence in cases provided for by the laws of the Republic of Kazakhstan, does not suspend or terminate previously taken measures.

4. The authorized body may apply as sanctions:

1) exclusion of a collection agency from the register of collection agencies on the grounds and in the manner provided for in subparagraphs 1), 2), 3), 4), 5), 6), 7), 8), 9) and 10) of part one of paragraph 1 of Article 9 of this Law;

2) imposing on a collection agency and collecting a fine from it on the grounds established by the laws of the Republic of Kazakhstan.

5. The decision of the authorised body on the application to a collection agency of the measures provided hereby may be appealed against in the manner prescribed by the laws of the Republic of Kazakhstan.

Footnote. Article 18 as amended by the Law of the Republic of Kazakhstan dated 03.07.2019 № 262-VI (shall be enforced from 01.01.2020); № 351-VI of 29.06.2020 (shall come into force on 01.07.2021); dated 30.12.2022 № 179-VII (shall be enforced upon expiry of sixty calendar days after the day of its first official publication); dated 16.01.2026 № 259-VIII (shall enter into force upon expiry of sixty calendar days after the date of its first official publication).

Article 19. State control over the activities of collection agencies

State control over the activities of debt collection agencies is carried out by the authorized body in accordance with the Law of the Republic of Kazakhstan "On state regulation, control and supervision of the financial market and financial organizations."

Footnote. Article 19 is in the wording of the Law of the Republic of Kazakhstan dated 02.07.2018 № 168-VI (shall be enforced upon expiry of ten calendar days from the date of its first official publication); as amended by the Law of the Republic of Kazakhstan dated 03.07.2019 № 262-VI (shall be enforced from 01.01.2020).

Chapter 4-1. Self-regulatory organization in the field of collection activities

Footnote. This Law was supplemented with Chapter 4-1 in accordance with the Law of the Republic of Kazakhstan № 259-VIII dated 16.01.2026 (shall enter into force upon expiry of sixty calendar days after the date of its first official publication).

Article 19-1. Creation of a self-regulatory organization in the field of collection activities

1. A self-regulatory organization in the field of collection activities shall be recognized as a self-regulatory organization based on mandatory membership (participation) of collection agencies, created to control the activities of its members (participants) in terms of their compliance with the requirements of the rules and standards of a self-regulatory organization in the field of collection activities, included in the register of a self-regulatory organization in the field of collection activities.

2. A self-regulatory organization in the field of collection activities is a non-profit organization and is created in the form of an association (union).

3. The activities of a self-regulatory organization in the field of collection activities shall be regulated by this Law, other laws of the Republic of Kazakhstan, the charter, standards and rules of a self-regulatory organization in the field of collection activities, as well as the

procedure for carrying out the activities of a self-regulatory organization in the field of collection activities established by the regulatory legal act of the authorized body.

The procedure for the implementation of activities of a self-regulatory organization in the field of collection activities shall establish:

1) requirements for budget preparation by a self-regulatory organization in the field of collection activities;

2) information on the managerial personnel of the self-regulatory organization in the field of collection activities;

3) the procedure for the transfer by a self-regulatory organization in the field of collection activities, which has been removed from the register of self-regulatory organizations, of documents and information generated in the course of its activities, as well as documents and information relating to the activities of its members (participants), to another self-regulatory organization in the field of collection activities or to the authorized body.

4. A self-regulatory organization in the field of collection activities must include at least twenty-one percent of the total number of collection agencies as members (participants). The total number of collection agencies shall be determined based on information posted on the authorized body's website.

A collection agency may be a member (participant) of only one self-regulatory organization in the field of collection activities.

5. The name of a self-regulatory organization in the field of collection activities must necessarily contain the words “self-regulatory organization of collection agencies.”

In the name of a self-regulatory organization in the field of collection activities, it shall be prohibited to use the words “national”, “state”, “republican” or “central” in full or abbreviated form in any language.

It shall not be permitted to use designations that are identical or similar to the point of confusion with the names of collection agencies as the name of a self-regulatory organization in the field of collection activities.

6. A self-regulatory organization in the field of collection activities, within the timeframes established by part three of paragraph 4 of Article 9 of the Law of the Republic of Kazakhstan “On self-regulation” (hereinafter - the Law on self-regulation), shall submit the following information and documents to the authorized body:

1) a copy of the charter approved by the general meeting of the self-regulatory organization in the field of collection activities;

2) the rules and standards of a self-regulatory organization in the field of collection activities, developed in accordance with the requirements established by the Law on self-regulation, this Law, and approved by the collegial governing body of the self-regulatory organization in the field of collection activities;

3) confirming the presence of one or more methods of ensuring property liability in the self-regulatory organization in the field of collection activities;

4) an extract from the register of members (participants) of a self-regulatory organization in the field of collection activities, including at least twenty-one percent of the total number of collection agencies, signed by the head of the executive governing body;

5) the budget of a self-regulatory organization in the field of collection activities, confirming the ability of it to exercise its powers in accordance with this Law.

Requirements for the preparation of a budget by a self-regulatory organization in the field of collection activities shall be established by a regulatory legal act of the authorized body specified in part one of paragraph 3 of this Article;

6) confirming the compliance of the executives of the self-regulatory organization in the field of collection activities with the requirements established by paragraphs 1 and 2 of Article 12 of this Law. Information on the executives of the self-regulatory organization in the field of collection activities shall be submitted in accordance with the regulatory legal act of the authorized body specified in part one of paragraph 3 of this Article.

The executive officers of a self-regulatory organization in the field of collection activities shall be recognized as the head, his/her deputy and members of the collegial governing body, the head of the executive governing body, his/her deputy and members of the executive governing body.

Article 19-2. Rules and standards of a self-regulatory organization in the field of collection activities

1. The rules of a self-regulatory organization in the field of collection activities, in addition to the requirements provided for in Article 20-1 of the Law on self-regulation, must contain:

1) the amount and (or) procedure for calculation, the procedure for payment of entrance and membership fees;

2) rules of professional ethics for employees of a self-regulatory organization in the field of collection activities;

3) the procedure, list, forms and deadlines for posting information by a self-regulatory organization in the field of collection activities on its Internet resource;

4) other provisions determined by the self-regulatory organization in the field of collection activities independently.

2. The standards of a self-regulatory organization in the field of collection activities, in addition to the requirements provided for in Article 20-2 of the Law on self-regulation, must contain provisions on compliance by members (participants) of a self-regulatory organization in the field of collection activities with the rights and legitimate interests of debtors and other provisions determined by the self-regulatory organization in the field of collection activities independently.

Article 19-3. Competence of a self-regulatory organization in the field of collection activities

1. The competence of the self-regulatory organization in the field of collection activities includes:

1) conducting inspections of members (participants) of a self-regulatory organization in the field of collection activities for compliance with the requirements of the rules and standards of a self-regulatory organization in the field of collection activities in accordance with the procedure for organizing and conducting inspections of members (participants) of a self-regulatory organization in the field of collection activities, established by the self-regulatory organization in the field of collection activities;

2) consideration of applications from debtors whose debt was transferred to its member (participant), and creditors whose pre-trial debt collection and settlement services are provided by its member (participant), in the manner established by the rules of the self-regulatory organization in the field of collection activities.

A self-regulatory organization in the sphere of collection activities shall ensure the registration of an appeal from a debtor whose debt has been transferred to a member (participant) of a self-regulatory organization in the sphere of collection activities, and creditors whose services for pre-trial collection and settlement of debt are provided by a member (participant) of a self-regulatory organization in the sphere of collection activities, the consideration of which falls within the competence of a self-regulatory organization in the sphere of collection activities, within one working day and no later than the next business day after the day of registration of the appeal, shall send a copy of the said appeal to the member (participant) of the self-regulatory organization in the sphere of collection activities in relation to whom the appeal was submitted.

The period for consideration of appeals must not exceed fifteen working days from the date of their registration.

If it is necessary to establish factual circumstances that are significant for the proper consideration of an appeal, the consideration period may be extended by fifteen working days, and the applicant shall be notified of such extension within three working days from the date the decision to extend the period is made.

Following the results of the appeal consideration, the self-regulatory organization in the field of collection activities shall be obliged to send the applicant a response in writing or through information technology facilities or in another manner stipulated by the rules of the self-regulatory organization in the field of collection activities.

A member (participant) of a self-regulatory organization in the field of collection activities, in relation to whom an appeal has been submitted, shall inform the self-regulatory organization in the field of collection activities on the results of the appeal consideration of the consumer of financial services in the manner and within the timeframe established by the rules of the self-regulatory organization in the field of collection activities.

A self-regulatory organization in the field of collection activities, upon appeals from debtors whose debt was transferred to a member (participant) of a self-regulatory organization in the field of collection activities, the consideration of which is referred to the competence of the financial ombudsman, in writing or through information technology objects or in another

way provided for by the rules of the self-regulatory organization in the field of collection activities, shall be obliged to inform the applicant of his/her right to appeal to the financial ombudsman in accordance with the procedure for considering appeals by the financial ombudsman, provided for in Article 15-33 of the Law of the Republic of Kazakhstan "On state regulation, control and supervision of the financial market and financial organizations;

3) consideration of appeals from its members (participants);

4) analysis of the reports of its members (participants);

5) assisting its members (participants) in implementing measures to prevent violations of the rights and legitimate interests of debtors of its members (participants);

6) application of measures of influence in relation to its members (participants) for violation of the rules and standards of a self-regulatory organization in the field of collection activities, as provided for in paragraph 4 of Article 19-6 of this Law;

7) generalization of law enforcement practice and development of recommendations and proposals for further improvement and development of the activities of collection agencies;

8) maintaining a register of its members (participants);

9) collection of membership fees and formation of property of a self-regulatory organization in the field of collection activities from other sources not prohibited by the laws of the Republic of Kazakhstan.

The self-regulatory organization in the field of collection activities shall consider appeals:

on issues related to the collection of debt under a bank loan agreement and (or) under a microcredit agreement, carried out by a collection agency on the basis of a debt collection agreement;

consumers of financial services - legal entities on issues arising from legal relations between the specified persons and a collection agency to which the right (claim) under a bank loan agreement and (or) an agreement on the provision of a microcredit has been assigned;

members (participants) of a self-regulatory organization in the field of collection activities

;

other appeals, the consideration of which does not fall within the competence of the financial ombudsman.

2. During the period of approval by the authorized body of the rules and standards of the self-regulatory organization in the sphere of collection activities, the self-regulatory organization in the sphere of collection activities shall not have the right to perform the functions specified in subparagraphs 1), 2), 4) and 6) of paragraph 1 of this Article.

3. In the event of non-compliance of the executives of a self-regulatory organization in the sphere of collection activities with the requirements established by paragraph 2 of Article 12 of this Law, the self-regulatory organization in the sphere of collection activities shall not have the right to perform the functions specified in subparagraphs 1), 2), 4) and 6) of paragraph 1 of this Article.

Article 19-4. Rights and obligations of a self-regulatory organization in the field of collection activities

1. The rights and obligations of a self-regulatory organization in the field of collection activities shall be determined by this Law, as well as the Law on self-regulation.

2. A self-regulatory organization in the field of collection activities shall not have the right to:

- 1) acquire shares and (or) equity interests in the authorized capital of financial organizations;
- 2) provide property belonging to it as collateral to secure the fulfilment of obligations of other persons;
- 3) ensure the fulfilment of its obligations by pledging the property of its members (participants), as well as by guarantees and sureties issued by them;
- 4) act as a surety or guarantor.

3. The head, his/her deputy and members of the executive body of a self-regulatory organization in the field of collection activities shall not have the right to:

- 1) simultaneously be in employment or other relationships with financial organizations and other self-regulatory organizations in the field of collection activities;
- 2) acquire securities issued by members (participants) of a self-regulatory organization in the field of collection activities;
- 3) conclude surety or guarantee agreements with members (participants) of a self-regulatory organization in the field of collection activities.

4. A self-regulatory organization in the field of collection activities shall be obliged to:

1) approve the rules and standards of the self-regulatory organization in the field of collection activities that are mandatory for its members (participants) and coordinate them with the authorized body;

2) notify the authorized body, with supporting documents attached, of the inclusion of members (participants) in a self-regulatory organization in the field of collection activities and of their exclusion from it within three working days following the day of the decision;

3) notify the authorized body of the non-compliance of the executive employee of the self-regulatory organization in the field of collection activities with the requirements established by paragraph 2 of Article 12 of this Law, as well as of his/her replacement;

4) notify the authorized body of changes that have occurred in the composition of its managerial personnel within five working days, including their appointment (election), transfer to another position or termination of an employment contract (termination of powers) in accordance with the regulatory legal act of the authorized body specified in part one of paragraph 3 of Article 19-1 of this Law;

5) provide to the authorized body, at its request, information, data and documents necessary for the performance of functions of state regulation, control and supervision assigned to the authorized body;

6) notify the authorized body of any change in the address (location) of the self-regulatory organization in the field of collection activities, including the postal address, e-mail address, contact telephone numbers, and the address of the Internet resource of the self-regulatory organization in the field of collection activities;

7) notify of changes and (or) additions made to the charter of a self-regulatory organization in the field of collection activities;

8) inform the authorized body about violations by its member (participant) of the requirements of the rules and standards of a self-regulatory organization in the field of collection activities, as well as measures of influence applied in relation to its members (participants) in accordance with paragraph 3 of Article 19-6 of this Law;

9) inform the authorized body about the creation of a body for the consideration of disputes between members (participants) of a self-regulatory organization in the field of collection activities and debtors of its members (participants), and other persons in the field of protection of the rights of financial services consumers;

10) submit reports to the authorized body, the list, forms, deadlines and procedure for submission of which shall be established by the regulatory legal act of the authorized body;

11) publish on its Internet resource information, the procedure for the publication of which is established by the rules of the self-regulatory organization in the field of collection activities, while complying with the requirements of the legislative acts of the Republic of Kazakhstan regarding information protection.

In the cases provided for in subparagraphs 2), 3), 4), 6), 7), 8), and 10) of part one of this paragraph, notification (informing) of the authorized body by the self-regulatory organization in the field of collection activities shall be carried out in writing or through an electronic document management system.

5. Employees of a self-regulatory organization in the field of collection activities shall be obliged to ensure the confidentiality of information that has become known to them and that constitutes an official, commercial, or other secret protected by law.

6. Employees of a self-regulatory organization in the field of collection activities shall be obliged to maintain confidentiality with respect to information received in the course of exercising control over the activities of their members (participants).

7. A self-regulatory organization in the field of collection activities shall use one of the following methods to ensure its property liability and the property liability of its members (participants) to debtors:

1) insurance of civil liability of a member (participant) and a self-regulatory organization in the field of collection activities;

2) bringing to property liability the members (participants) of a self-regulatory organization in the field of collection activities;

3) the use of other methods of ensuring property liability provided for by the laws of the Republic of Kazakhstan.

The procedure for using methods of ensuring property liability shall be established in the rules of the self-regulatory organization in the field of collection activities.

Article 19-5. Governing bodies of a self-regulatory organization in the field of collection activities

1. The governing bodies of the self-regulatory organization in the field of collection activities shall be:

1) the general meeting of members (participants) of a self-regulatory organization in the field of collection activities;

2) the collegial governing body of a self-regulatory organization in the field of collection activities;

3) the executive body of the self-regulatory organization in the field of collection activities;

4) the control body (audit commission) of a self-regulatory organization in the field of collection activities.

The procedure for the formation, structure, competence and term of office of the governing bodies of a self-regulatory organization in the sphere of collection activities, the procedure for making decisions by these bodies shall be established by the charter of the self-regulatory organization in the sphere of collection activities in accordance with this Law and other laws of the Republic of Kazakhstan.

2. The general meeting of members (participants) of a self-regulatory organization in the field of collection activities shall be the highest governing body authorized to consider issues of the activities of a self-regulatory organization in the field of collection activities that fall within its competence under this Law, other laws of the Republic of Kazakhstan and its charter.

The general meeting of members (participants) of a self-regulatory organization in the field of collection activities shall be convened in the manner and with the frequency established by the charter of the self-regulatory organization in the field of collection activities, but not less than once a year.

3. The exclusive competence of the general meeting of members (participants) of a self-regulatory organization in the field of collection activities includes:

1) approval of the charter of a self-regulatory organization in the field of collection activities, introduction of amendments and (or) additions to it;

2) determination of priority areas of activity of the self-regulatory organization in the field of collection activities;

3) making a decision on the voluntary liquidation of a self-regulatory organization in the field of collection activities and the appointment of a liquidation commission;

4) election of the head, deputy and members of the collegial governing body of a self-regulatory organization in the field of collection activities, early termination of the

powers of the said body or early termination of the powers of the heads or individual members;

5) the appointment of persons exercising the functions of the executive governing body of a self-regulatory organization, their early dismissal from office, as well as the formation of the executive governing body and the termination of its powers;

6) approval of reports of the collegial and executive governing bodies, the control body (audit commission) and specialized bodies in the manner and with the frequency established by the charter of the self-regulatory organization in the field of collection activities;

7) establishing the amount of entrance and membership fees;

8) determination of methods for ensuring property liability;

9) making other decisions in accordance with the laws of the Republic of Kazakhstan and the charter of the self-regulatory organization in the field of collection activities.

4. The general meeting of members (participants) of a self-regulatory organization in the sphere of collection activities shall be authorized to make decisions within its competence if more than half of the members (participants) of the self-regulatory organization in the sphere of collection activities participate in it.

5. Decisions of the general meeting of members (participants) of a self-regulatory organization in the sphere of collection activities shall be taken by a majority of votes from the number of votes of members (participants) of a self-regulatory organization in the sphere of collection activities present at the general meeting, or in the case of holding it by absentee voting - by a majority of votes from the total number of votes of members (participants) of a self-regulatory organization in the sphere of collection activities.

6. The procedure for holding a general meeting of members (participants) of a self-regulatory organization in the field of collection activities, the procedure for forming the agenda of meetings, the conditions and procedure for conducting voting shall be determined by the charter of the self-regulatory organization in the field of collection activities.

7. The management of the self-regulatory organization in the field of collection activities shall be carried out by the collegial governing body of the self-regulatory organization in the field of collection activities, elected by the general meeting of members (participants) of the self-regulatory organization in the field of collection activities.

The number of members of the collegial governing body, the procedure and conditions for its formation, activities, decision-making, and termination of powers shall be established by the charter of the self-regulatory organization in the field of collection activities.

8. The competence of the collegial governing body of a self-regulatory organization in the field of collection activities includes:

1) submitting issues for consideration by the general meeting of members (participants) of a self-regulatory organization in the field of collection activities;

2) making a decision on joining a self-regulatory organization (participants) in the sphere of collection activities and terminating membership in a self-regulatory organization in the sphere of collection activities;

3) the creation of specialized bodies of a self-regulatory organization in the field of collection activities, approval of regulations on them and rules for the implementation of their activities;

4) approval of the budget of the self-regulatory organization in the field of collection activities, and amendments to it;

5) approval of the rules and standards of a self-regulatory organization in the field of collection activities and introduction of amendments and (or) additions to them;

6) other issues stipulated by the charter of the self-regulatory organization in the field of collection activities.

The collegial governing body shall be formed from representatives of members (participants) of a self-regulatory organization in the field of collection activities, as well as independent members.

The number of members of the collegial body of a self-regulatory organization in the field of collection activities must be at least seven people.

Independent members shall be individuals who are not bound by employment relationships with the self-regulatory organization in the field of collection activities or with its members. Independent members must constitute at least one-fifth of the members of the collegial governing body of the self-regulatory organization in the field of collection activities

Each member of the collegial governing body of the self-regulatory organization in the field of collection activities shall have one vote when voting.

A member of the collegial governing body may not vote on matters concerning a member (participant) of the self-regulatory organization in the field of collection activities of which he or she is a shareholder (participant) or employee.

9. The executive body of the self-regulatory organization in the field of collection activities shall:

1) organize the work of the self-regulatory organization in the field of collection activities, exercise control over the implementation of the tasks assigned to the self-regulatory organization in the field of collection activities;

2) carry out the hiring and dismissal of employees of the self-regulatory organization in the field of collection activities;

3) represent the interests of the self-regulatory organization in the field of collection activities in state bodies, public associations, and other organizations;

4) exercise other powers that do not fall within the competence of the general meeting of members (participants) of the self-regulatory organization in the field of collection activities and its collegial governing body.

10. The control body (audit commission) shall be a body of a self-regulatory organization in the field of collection activities, exercising control over the financial and economic activities of the governing bodies of the self-regulatory organization in the field of collection activities and their officials.

The control body (audit commission) of the self-regulatory organization in the sphere of collection activities shall be accountable and subject to the control of the general meeting of members (participants) of a self-regulatory organization in the sphere of collection activities.

The procedure and deadlines for submitting reports of the control body (audit commission) shall be determined by the charter of the self-regulatory organization in the field of collection activities.

Article 19-6. Control by a self-regulatory organization in the field of collection activities over the activities of its members (participants)

1. A self-regulatory organization in the field of collection activities shall monitor compliance by its members (participants) with the requirements of the rules and standards of a self-regulatory organization in the field of collection activities by conducting inspections.

2. Inspections of members (participants) by the self-regulatory organization in the field of collection activities shall be carried out:

1) for the purpose of monitoring compliance by members (participants) of a self-regulatory organization in the field of collection activities with the conditions of membership (participation) in a self-regulatory organization in the field of collection activities, as well as the rules and standards of a self-regulatory organization in the field of collection activities;

2) upon receipt of a complaint regarding a violation by a member (participant) of a self-regulatory organization in the field of collection activities of the requirements of the rules and standards of a self-regulatory organization in the field of collection activities or the requirements of the legislation of the Republic of Kazakhstan;

3) pursuant to an instruction of the authorized body to conduct an inspection of a member (participant) of the self-regulatory organization in the field of collection activities.

3. A self-regulatory organization in the field of collection activities shall have the right to apply the following measures of influence against its members (participants) for failure to comply with the rules and standards of a self-regulatory organization in the field of collection activities:

1) presentation of a requirement for mandatory elimination of identified violations within the established timeframe;

2) issuing a warning in writing;

3) imposition of a fine in the amount established by the rules of the self-regulatory organization in the field of collection activities;

4) exclusion from the register of members (participants) of a self-regulatory organization in the field of collection activities;

5) other measures established by the rules of the self-regulatory organization in the field of collection activities that do not contradict the legislation of the Republic of Kazakhstan.

4. The procedure for applying the measures of influence provided for in paragraph 3 of this Article to members (participants) of a self-regulatory organization in the sphere of collection activities shall be determined by the rules of a self-regulatory organization in the sphere of collection activities.

Article 19-7. Register of self-regulatory organizations in the field of collection activities and their exclusion from the register

1. The authorized body shall maintain a register of self-regulatory organizations in the field of collection activities.

2. Information contained in the register of self-regulatory organizations in the field of collection activities shall be public, be posted on the Internet resource of the authorized body and be kept up to date.

Information about a self-regulatory organization in the field of collection activities that meets the requirements of paragraph 4 of Article 19-1 of this Law shall be entered into the register of self-regulatory organizations in the field of collection activities on the basis of a notification in accordance with the Law of the Republic of Kazakhstan “On permits and notifications”.

3. The grounds for exclusion from the register of self-regulatory organizations in the field of collection activities shall be:

1) a decision of the general meeting of members (participants) of a self-regulatory organization in the field of collection activities on voluntary exclusion from the register, liquidation or reorganization of a self-regulatory organization in the field of collection activities, carried out in the form of a merger, acquisition, division or spin-off;

2) failure to submit, within two months, the documents stipulated by part three of paragraph 4 of Article 9 of the Law on self-regulation and paragraph 5 of Article 19-1 of this Law;

3) a court decision that has entered into legal force on the termination of the activities of a self-regulatory organization in the field of collection activities;

4) systematic failure (three or more times within twelve consecutive calendar months) to comply with a written order of an authorized body;

5) repeated failure (two or more times within twelve consecutive calendar months) to submit reports and (or) submission of false reports to the authorized body;

6) failure of a self-regulatory organization in the field of collection activities to comply with the requirement established by paragraph 4 of Article 19-1 of this Law for twelve consecutive calendar months.

4. For a period of one year following the decision of the authorized body to exclude a self-regulatory organization in the field of collection activities from the register on the grounds specified in paragraph 3 of this Article, such non-profit organization shall not be

eligible to seek or obtain the status of a self-regulatory organization in the field of collection activities.

5. The functions of a self-regulatory organization in the sphere of collection activities that was excluded from the register, established by subparagraphs 1), 2), 3), 4) and 6) of paragraph 1 of Article 19-3 and Article 19-6 of this Law, in relation to collection agencies that were its members (participants), shall be transferred to another self-regulatory organization in the sphere of collection activities of the corresponding type from the date of the collection agency's joining such self-regulatory organization in the sphere of collection activities, and in the event of the absence of an existing self-regulatory organization in the sphere of collection activities of the corresponding type, they shall remain under the control and supervision of the authorized body until the date of inclusion in the register of a self-regulatory organization in the sphere of collection activities of the corresponding type and the joining of a collection agency to such self-regulatory organization in the sphere of collection activities.

6. A self-regulatory organization in the sphere of collection activities, in the event of exclusion from the register of self-regulatory organizations in the sphere of collection activities, shall be obliged to transfer all documents and information formed and arising from legal relations between the self-regulatory organization in the sphere of collection activities, its members (participants) and debtors, to another self-regulatory organization in the sphere of collection activities, the members (participants) of which include members (participants) of the self-regulatory organization in the sphere of collection activities excluded from the register of self-regulatory organizations, and in the absence of an active self-regulatory organization in the sphere of collection activities - to the authorized body.

When transferring to the authorized body the documents and information specified in part one of this paragraph, the authorized body shall not bear obligations arising from the legal relationship between a member (participant) of a self-regulatory organization in the sphere of collection activities who has the right of a creditor arising as a result of assignment of the right (claim) for debt, and the debtor, as well as other property obligations arising from the legal relationship of a self-regulatory organization in the sphere of collection activities with third parties.

The procedure for transferring the documents and information specified in this paragraph shall be established by the regulatory legal act of the authorized body specified in part two of paragraph 3 of Article 19-1 of this Law.

7. For failure to fulfil the obligation to transfer the materials specified in paragraph 7 of this Article, the executive employee of a self-regulatory organization in the field of collection activities excluded from the register shall bear liability established by the laws of the Republic of Kazakhstan.

Article 19-8. Measures of influence applied to a self-regulatory organization in the field of collection activities and the grounds for their application

1. The authorized body shall apply the enforcement measures established by this Article in the event of non-compliance with the requirements of this Law and other laws of the Republic of Kazakhstan, regulatory legal acts of the authorized body of the self-regulatory organization in the sphere of collection activities, applicable to the activities of the self-regulatory organization in the sphere of collection activities, rules and standards, as well as in the event of detection of illegal actions or inaction of the management employees of the self-regulatory organization in the sphere of collection activities.

Measures of enforcement shall mean a written order (prescription) that is mandatory for compliance and sanctions.

2. A written order (prescription) is an instruction issued to a self-regulatory organization in the field of collection activities requiring it to take mandatory measures aimed at eliminating identified violations and/or the causes and conditions that contributed to their occurrence.

A written order may contain a requirement to submit, within the time period established by the authorized body, an action plan for the implementation of the requirements of the authorized body established by part one of this paragraph (hereinafter - the action plan).

The action plan, submitted within the timeframe established by the written order, shall include descriptions of the violations, the reasons that led to their occurrence, a list of planned activities, the timeframe for their implementation, as well as the responsible managerial personnel of the self-regulatory organization in the field of collection activities.

An appeal of a written order from an authorized body shall be made in accordance with the procedures established by the laws of the Republic of Kazakhstan. Appealing a written order from an authorized body shall not suspend its execution.

A self-regulatory organization in the field of collection activities shall be obliged to notify the authorized body about the implementation of the measures specified in the written order and (or) the activities specified in the action plan, within the timeframes stipulated by these documents.

3. In the event of failure to comply with a written order within the time period established by the authorized body, the authorized body shall have the right to send to the self-regulatory organization in the field of collection activities a demand to remove the executive employee of the self-regulatory organization in the field of collection activities, and (or) suspend the performance of all or part of the functions of the self-regulatory organization in the field of collection activities, as provided for in Article 19-3 of this Law.

The procedure for replacement and the terms for performing duties in the event of the removal of a senior employee of a self-regulatory organization in the field of collection activities shall be determined in the rules of the self-regulatory organization in the field of collection activities.

4. The authorized body shall have the right to apply to a self-regulatory organization in the sphere of collection activities a sanction in the form of exclusion from the register of

self-regulatory organizations in the sphere of collection activities on the grounds provided for in subparagraphs 2), 4), 5) and 6) of paragraph 3 of Article 19-7 of this Law.

Article 19-9. Termination of membership (participation) in a self-regulatory organization in the field of collection activities

1. The grounds for termination of membership (participation) of a collection agency in a self-regulatory organization in the field of collection activities shall be:

1) voluntary termination of membership (participation) of a collection agency in a self-regulatory organization in the field of collection activities shall be carried out within the timeframes established by the rules of the self-regulatory organization in the field of collection activities;

2) the exclusion of a collection agency from the members (participants) of a self-regulatory organization in the sphere of collection activities by the decision of a self-regulatory organization in the sphere of collection activities shall be carried out from the day following the day of adoption of such a decision by the collegial governing body of the self-regulatory organization in the sphere of collection activities;

3) the exclusion of a collection agency from the register of collection agencies shall be carried out from the day following the day of the adoption of such a decision by the authorized body;

4) the liquidation of a collection agency shall be carried out from the date of liquidation of the collection agency in accordance with this Law;

5) the termination of the activities of a self-regulatory organization in the field of collection activities shall be carried out from the date of termination of the activities of a self-regulatory organization in the field of collection activities.

2. A self-regulatory organization in the field of collection activities shall have the right to make a decision to exclude a collection agency from the members (participants) of the self-regulatory organization in the field of collection activities in the event of:

1) repeated failure (two or more times within twelve consecutive calendar months) by a member (participant) of a self-regulatory organization in the field of collection activities to comply with the requirements of the rules and standards of the self-regulatory organization in the field of collection activities;

2) repeated failure (two or more times within twelve consecutive calendar months) of a member (participant) to pay membership fees;

3) identification of false information in documents submitted by a member for admission to membership (participants) of a self-regulatory organization in the field of collection activities.

3. Entry and membership fees paid by a collection agency in connection with its membership (participation) in a self-regulatory organization in the field of collection activities shall not be subject to return to the collection agency upon termination of its membership (participation) in the self-regulatory organization in the field of collection activities.

4. The decision of a self-regulatory organization in the field of collection activities to refuse admission to membership (participants) or exclusion from membership (participants) of a self-regulatory organization in the field of collection activities, as well as the actions (inaction) of a self-regulatory organization in the field of collection activities that violate the rights and legitimate interests of a member (participant), candidate for membership (participants) of a self-regulatory organization in the field of collection activities, may be appealed in court.

Chapter 5. FINAL AND TRANSITIONAL PROVISIONS

Article 20. Responsibility for violation of legislation of the Republic of Kazakhstan on collection activities

Violation of legislation of the Republic of Kazakhstan on collection activities entails responsibility established by the laws of the Republic of Kazakhstan.

Article 21. Transitional Provisions

1. Organizations that prior to the enactment of this law carried out activities with signs of collection activities shall be subject to re-registration with judicial authorities as a collection agency within six months from the date of enactment of this Law.

2. In case of non-compliance with the requirement specified in paragraph 1 of this article, organizations are subject to reorganization or compulsory liquidation in accordance with the laws of the Republic of Kazakhstan.

Article 22. Order of enactment of this Law

This Law enters into force upon expiry of twenty-one calendar days after the day of its first official publication.

The President
of the Republic of Kazakhstan

N. NAZARBAYEV