



Legal Alert

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Employment and Immigration

Government Resolution No. 143 dated 24 February 2014 *On the establishment of quotas to employ foreign nationals for priority projects for 2014*

In an appendix to the above resolution, the government has set a quota for 2014 for recruiting foreign nationals in priority projects, such as the construction of the Aktogai mining and processing plant; the construction of the Bozshakol mining plant; the expansion and reconstruction of Ekibastuz GRES-2 with power unit station No. 3 and the construction of the Balkhash thermal power plant.

The resolution enters into force from the date of its first official publication.

Government Resolution No 70 dated 10 February 2014 *On the Introduction of amendments and additions to Resolution of the Government of the Republic of Kazakhstan No 39 dated 26 November 2003 “On the approval of the Rules for foreign nationals and stateless individuals applying for a permanent residence in the Republic of Kazakhstan to confirm solvency during their stay in the Republic of Kazakhstan”*

According to the amendments mentioned above, the internal affairs authorities are entitled to verify the legitimacy of documents provided by foreign nationals and stateless individuals applying for permanent residence in Kazakhstan to confirm solvency by sending a request to the financial institution that issued the documents in question, with the written consent of the persons involved.

The resolution enters into force at the end of ten calendar days after its first official publication.

Government Resolution No 55 dated 4 February 2014 *On the approval of a state service standard “Extension and Issuance of Exit Visas”*

The above resolution revokes Government Resolution No 200 dated 28 February 2011 *On the Approval of a State Service Standard “Extension and Issuance of Exit Visas”*.

The result of the additions to the procedure for providing the state service in question is the extension of G2, E1, E2, E3, D8, K1, K2, K3, L1, L2, M1, M2 and P8 Kazakhstan visas, and the issuance of G2, G4, J3, L1, P1, P2, P3, P4, P5, P6, P7 and P8 visas. The above visas can be extended or issued by pasting a completed visa sticker in a passport or identity card of a stateless individual.

Exit visas are issued and extended by the regional divisions of the migration police in return for a fee, which according to article 538 of the Tax Code is 50% of the monthly calculation index, i.e. currently KZT 926 (approximately

USD 6), and which is paid through banking institutions in Kazakhstan that issued a document (receipt) confirming the amount and date of payment.

The resolution enters into force at the end of ten calendar days after its first official publication.

Miscellaneous

Presidential Decree No. 757 dated 27 February 2014 On radical measures to improve conditions for developing entrepreneurial activities

On 27 February 2014, the President signed a Decree “*On radical measures to improve conditions for developing entrepreneurial activities*”, according to which, the central state authorities and local executive bodies will cease inspections of small and medium enterprises from 2 April 2014 until 1 January 2015, except for:

- 1) when small and medium entities apply for an inspection of their own operations, and counter inspections related to the application
- 2) inspections of financial institutions
- 3) inspections in the area of nuclear energy and radioactive substances (based on a decision of the chief executive officer of the central state authority or local executive body, agreed with the Prosecutor General)
- 4) the activities of individuals and legal entities handling poisons, arms, military hardware and certain types of weapons, including civil and service weapons, explosives and pyrotechnic substances, and products making use of them (on the basis of a decision of the chief executive officer of the central state authority or local executive body, agreed with the Prosecutor General)
- 5) inspections carried out to prevent or remedy actions that directly or immediately threaten constitutional order, national security, law and public order (on the basis of a decision of the chief executive officer of the central state authority or local executive body, agreed with the Prosecutor General)

The Decree, among other things, cancels all scheduled inspections of business entities from 1 January 2015 and instructs the government to develop specific draft laws, including on fundamental improvements to the business environment in Kazakhstan, such as:

- a transition to a risk-based management of inspections, and the introduction of the possibility of business entity liability insurance as an alternative to inspecting business entities
- a reduction of demands when monitoring and inspecting business entities
- the simplification of the procedure to close small and medium businesses
- the strengthening the role of the National Chamber of Entrepreneurs, including the introduction of a business ombudsman
- other measures aimed at radically improving business conditions in Kazakhstan

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