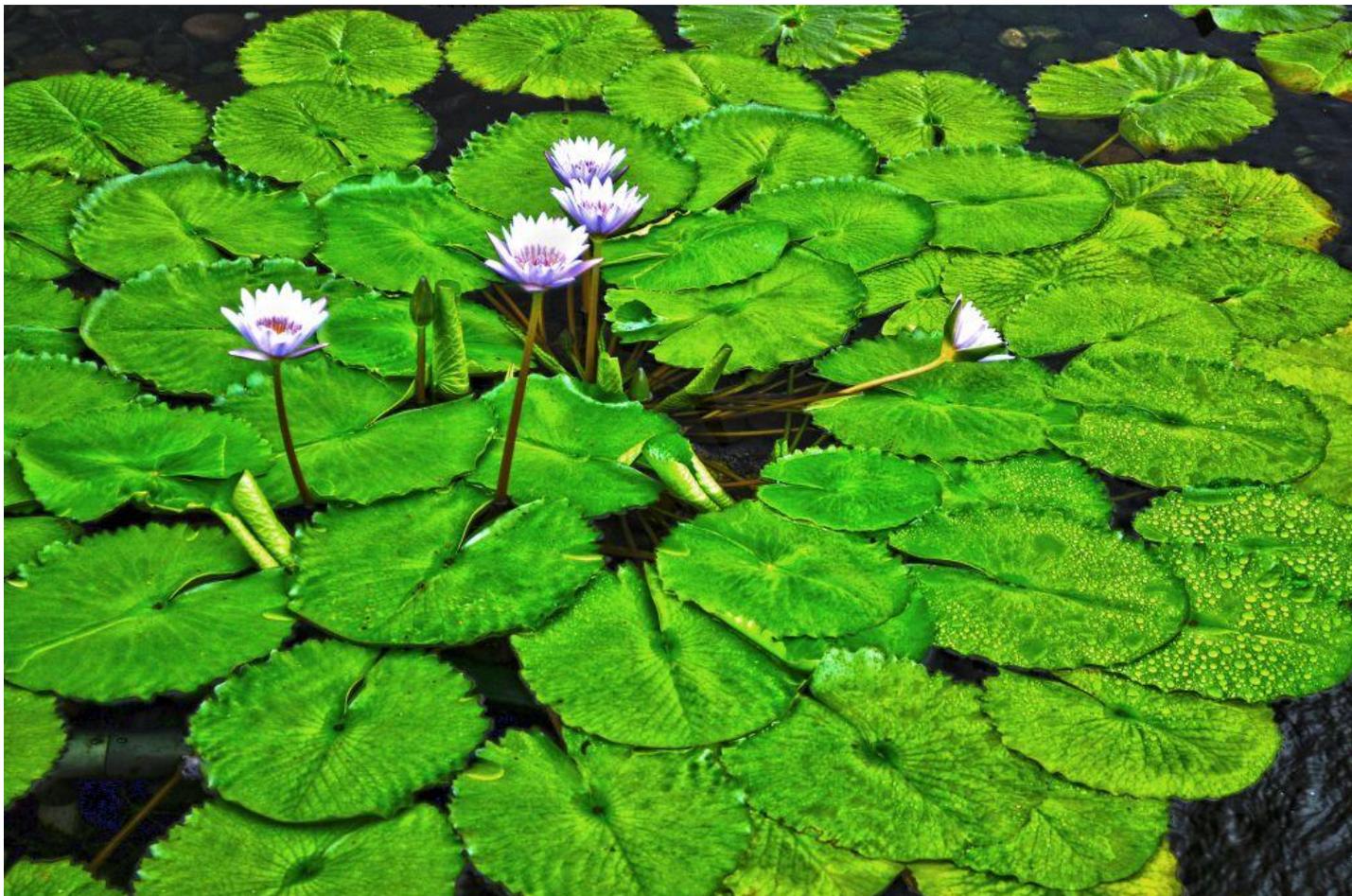


Tax Alert

We are where your business is



Key changes

This Tax Alert covers the most significant amendments and additions to tax and accounting legislation.

Approval of regulations on electronic invoice flow

The Tax Committee of the Ministry of Finance issued a modified draft Resolution of the Government of the Republic of Kazakhstan “Approval of regulations on electronic invoice flow” taking into account comments of the anti-corruption expertise, competent state bodies and Expert Council members.

This resolution shall be effective starting from 1 July 2014 and is subject to official publication.

Changes to the rules of excess VAT refund

Resolution #465 dated 6 May 2014 introduces amendments and additions to Resolution #1707 of the Government of the Republic of Kazakhstan dated 30 December 2011 “Approval of rules of excess VAT refund”. In particular, the procedure of excess VAT refund has changed.

Excess VAT shall be refunded based on:

- 1) VAT declaration for the tax period, which includes a claim for excess VAT refund (further “VAT refund claim”);
- 2) documents envisioned under the Tax Code for the purpose of confirming the turnovers taxable at 0%;
- 3) tax inspection report confirming the excess VAT amount claimed for refund, or tax authority’s opinion enclosed to the tax inspection report (further “tax inspection opinion”) in cases provided under p.10 of Article 635 of the Tax Code.

After receiving the VAT refund claim, the tax authority organizes thematic tax inspection to confirm VAT amounts claimed for refund.

Tax authorities refund VAT within the VAT amount confirmed by the tax inspection report or tax inspection opinion, but not more than the amount indicated in VAT refund claim.

The changes shall be effective ten calendar days after official publication (officially published in *Kazakhstanskaya Pravda* # 94 dated 28 May 2014)

Approval of list of information that constitutes a tax secret and rules of its presentation

Order of the Minister of Regional Development # 95/OD dated 28 March 2014 and Order of Deputy Prime Minister of the Republic of Kazakhstan – Minister of Finance # 143 dated 28 March 2014 jointly approve the list of data that constitute a tax secret and the rules of presenting such data by the tax authorities to the authorized body for entrepreneurship.

The list now includes:

- information about cumulative annual income of a private business acting under the special tax regime: at the establishment of Register of private businesses – over the last three years, and for the purpose of further maintenance of the Register – over the previous calendar year;
- information about the number of employees in a private business entity: at the establishment of Register of private businesses – for the last year, and for the purpose of further maintenance of the Register – over the previous calendar year.

As prescribed by the Rules, every year, prior to 15 November the Tax Committee of the Ministry of Finance sends to the authorized body for entrepreneurship the data approved by the above joint order via electronic communication channel of the state bodies' integrated transport system.

Information is transferred exclusively to officials who have an access to information. The officials of the authorized body for entrepreneurship, who have the access to the data, use information solely for its intended purpose, without prejudice to the transferring party and with no right of further transfer to third parties

The joint Order shall be effective ten calendar days after its first official publication (information was published in Adilet, the laws and regulations information system of the Republic of Kazakhstan on 25 April 2014).

Contact us

Should you have any questions about information in this issue of our Tax Alert or any other questions regarding business operations in Kazakhstan, please do not hesitate to contact any of our team members.

Kazakhstan **Almaty**

Vladimir Kononenko
vkononenko@deloitte.kz

Dina Turkina
dturkina@deloitte.kz

Dilya Osmanova
dosmanova@deloitte.kz

Gaukhar Iskakbayeva
giskakbayeva@deloitte.kz

Anthony Mahon
anmahon@deloitte.kz

Almaty Financial District,
36 Al Farabi Ave., Almaty, 050059,
Republic of Kazakhstan

Tel.: +7 (727) 258 13 40
Fax: +7 (727) 258 13 41

Astana

Vladimir Kononenko
vkononenko@deloitte.kz

Atyrau, Aktau
Anthony Mahon
anmahon@deloitte.kz

Uzbekistan
Vladimir Kononenko
vkononenko@deloitte.kz

Turkmenistan
Dilya Osmanova
dosmanova@deloitte.kz

Kyrgyzstan, Tadjikistan
Gaukhar Iskakbayeva
giskakbayeva@deloitte.kz

Deloitte refers to one or more of Deloitte Touche Tohmatsu Limited, a UK private company limited by guarantee, and its network of member firms, each of which is a legally separate and independent entity. Please see www.deloitte.com/about for a detailed description of the legal structure of Deloitte Touche Tohmatsu Limited and its member firms. Please see www.deloitte.com/ru/about for a detailed description of the legal structure of Deloitte CIS.

Deloitte provides audit, tax, consulting, and financial advisory services to public and private clients spanning multiple industries. With a globally connected network of member firms in more than 150 countries, Deloitte brings world class capabilities and deep local expertise to help clients succeed wherever they operate. Deloitte has in the region of 200,000 professionals, all committed to becoming the standard of excellence.

Deloitte's professionals are unified by a collaborative culture that fosters integrity, outstanding value to markets and clients, commitment to each other, and strength from diversity. They enjoy an environment of continuous learning, challenging experiences, and enriching career opportunities. Deloitte's professionals are dedicated to strengthening corporate responsibility, building public trust, and making a positive impact in their communities.

© 2014 Deloitte TCF LLP. All rights reserved.