



Special Customs Alert:
Review of Kazakhstan's
Trading Policy | November 2017

Trade policy regulations

Kazakhstan trading policy is based on the following international treaties:

- Free Trade Agreement of 15 April 1994 (for countries that are not party to the Free Trade Agreement of 18 October 2011)
- Protocol of 2 April 1999 amending the Free Trade Agreement of 15 April 1994
- Customs Union Treaty between Belarus, Kazakhstan and Russia of 20 January 1995
- Treaty outlining the rules for identifying the country of origin for goods in the CIS of 20 November 2009
- Customs Union Customs Code of 27 November 2009
- Free Trade Zone Agreement of 18 October 2011
- Eurasian Economic Union Treaty of 29 May 2014
- Free Trade Treaty between the EEU and its member [states?] collectively and Vietnam of 29 May 2015
- Protocol of 27 July 2015 on Kazakhstan's accession to the Marrakesh WTO Treaty of 15 April 1994

Customs regulation

The review discussed documents to be submitted to the customs authorities for customs declaration purposes, including those required for various customs procedures.

According to point 3 of article 288 of the Kazakhstan Customs Code, the customs authorities should register or refuse to register customs declarations within two hours of the moment they are filed.

Customs and tariff regulation of foreign trade activities

EEC Council Resolution № 54 of 16 July 2012 sets import customs duties charged according to the EEU integrated foreign economic activity commodity nomenclature and

integrated customs tariff, unless otherwise established by the Customs Union Customs Code and/or EEU member country treaties.

According to the Protocol on Kazakhstan's accession to the Marrakesh WTO Treaty of 15 April 1994, which was ratified by Kazakhstan on 9 December 2015, Kazakhstan applies customs duties on specific goods that are lower than EEU integrated customs tariff rates.

Non-tariff regulation of foreign trade activities

Trading with other EEU member countries is regulated according to a list of goods subject to non-tariff regulation approved by EEC Board Resolutions № 30 of 21 April 2015 and № 134 of 16 August 2012, and the related administrative procedure.

EEC Resolution № 30 of 21 April 2015 approves a list of goods that may not be imported or exported by Customs Union member countries and traded with other countries, or whose import or export is restricted.

Kazakhstan has currently banned the export of certain petroleum products, waste paper, timber, scrap metal and ferrous metal waste to avoid potential domestic shortages.

Licenses to export and import specific goods, including those subject to export control are issued in accordance with Law № 202 of 16 May On Permits and Notifications and № 300 of 21 July 2007 On Export Controls.

Excise duties

A number of goods produced in Kazakhstan and imported into it are subject to excise duties. Under the version of the Tax Code in force as at 1 January 2017, these include such goods as all forms of spirit,

alcoholic products, tobacco items, petrol (except for kerosene), diesel, crude oil, gas condensate.

Special protection, anti-dumping and countervailing measures

No special protection and compensatory measures are currently in force in the EEU and Kazakhstan.

As at 1 January 2017, there were 17 anti-dumping measures in force in the EEU.

Furthermore, the authorities are currently carrying out five anti-dumping investigations into polymer-coated rolled metal (China), herbicides (European Union), steel pipes (Ukraine), steel solid-rolled wheels (Ukraine) and angle steel (Ukraine).

Research findings will be published in the "Investigation" section of the official EEC website.

Standards and technical requirements

The legislative base governing technical regulation, standardisation, certification and accreditation in Kazakhstan is based on Law № 603 dated 9 November 2004 On Technical Regulation.

According to article 27, the products which must be confirmed as compliant are determined by technical regulations.

The Customs Union has already adopted 40 technical regulations, of which 35 are in force. 36 national technical regulations are also in force.

Under article 53 of the EEU Treaty, member countries should guarantee the circulation of products that meet EEU technical regulations without demanding any additional requirements or any further compliance assessment procedures.

Phytosanitary measures

The Public Health Committee is responsible for warning about, discovering and preventing violations of EEU and national sanitary and epidemiological standards through inspections.

According to article 56 of the EEU Treaty and article 21 of the Health Code, it is also responsible for developing and implementing temporary sanitary and anti-epidemic measures if:

- the sanitary and epidemiological situation in the country worsens;
- it is [requested to do so??] by the relevant organisations from member or other countries on sanitary measures and/or the deterioration of the sanitary and epidemiological situation;
- the scientific justification for the application of sanitary measures is insufficient or may not be provided within the required deadline; and/or
- goods under state sanitary and epidemiological control do not meet sanitary requirements or technical regulations.

Phytosanitary measures applicable in trading with CIS countries are based on international and regional standards, guidelines and recommendations.

Under the EEU Treaty, Kazakhstan is entitled to introduce temporary phytosanitary quarantine unilaterally if the local phytosanitary situation worsens; it receives phytosanitary quarantine information from the relevant international organisations, EEU member or other countries; scientific justification for the application of sanitary measures is insufficient or may not be provided within the required deadline; and/or objects under quarantine appear

systematically in quarantined products (freight, materials and goods) from other countries.

Veterinary and sanitary measures

Kazakhstan veterinary and sanitary legislation is based on the rules and principles in international treaties for the relevant industries, such as:

- Veterinary Medicine Agreement from 12 March 1993
- Veterinary and sanitary requirements for animals and other freight under state veterinary inspection imported into Kazakhstan, approved by an Inter-Government Council for Veterinary Cooperation Resolution from 4 April 2000
- Veterinary Medicine Treaty between Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan, approved by Government Resolution № 748 of 31 May 2001
- Law № 339 dated 10 July 2002 On Veterinary Medicine
- Integrated state veterinary inspection rules for the international transportation of animals, approved by an Inter-Government Council for Veterinary Cooperation Resolution of 12 May 2016
- Customs Union Commission Resolution № 317 dated 18 June 2010 On the Application of Veterinary and Sanitary Measures in the Eurasian Economic Union
- Treaty between Kazakhstan and Azerbaijan On Cooperation in Veterinary Medicine, approved by Government Resolution № 913 dated 8 September 2010
- Eurasian Economic Union Treaty of 29 May 2014
- Animal Health Code

- Food Code

Customs duties and fees

According to Kazakhstan law, export customs duties are charged on goods at the rate set by the WTO (Minister for the National Economy Order № 81 of 17 February 2016).

According to Government Resolution № 24 of 21 January 2011 (valid from 1 March 2017), customs duty rates are:

Customs fees for customs declaration:

- KZT 25,000 for the first page of a declaration
- KZT 11,000 for each subsequent declaration sheet

Customs fees for customs support:

- KZT 5,000 for distances up to 50 km
- KZT 7,000 for distances between 50 and 100 km
- KZT 11,000 for distances between 100 and 200 km
- KZT 52,000 for distances between 200 and 400 km
- KZT 72,000 for distances between 400 and 600 km
- KZT 114,000 for distances between 600 and 800 km
- KZT 155,000 for distances between 800 and 1,000 km
- KZT 210,000 for distances between 1,000 and 1,500 km
- KZT 299,000 for distances between 1,500 and 2,000 km
- KZT 353,000 for distances between 2,000 and 2,500 km
- The fee for a preliminary resolution is KZT 29,000

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- ▶ Projects associated with the client's needs
- ▶ Audit projects
- ▶ Projects related to mergers and acquisitions



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