



INVESTMENT ACTIVITIES IN KAZAKHSTAN

LAW REPORTS
2005

A decorative horizontal border at the bottom of the page, featuring a repeating pattern of stylized, symmetrical floral and geometric motifs in a light beige color.



CONTENTS

-
- 1. Law 373-II of the Republic of Kazakhstan On Investments of 8 January 2003**
(as amended by Law 48-III of the Republic of Kazakhstan of 04.05.05) 3

 - 2. Resolution of Government of the Republic of Kazakhstan No. 436 of 8 May 2003, On Some Issues of Enforcing the Law of the Republic of Kazakhstan on Investments**
(with amendments and supplements of 17/09/05) 9

 - 3. Model Investment Contract Providing for Investment Preferences**
Approved by Resolution No. 436 of 08/05/03 of the Governments of the Republic of Kazakhstan 9

 - 4. The List of Priority Activities as per the General Classifier of Business Activities to Which Investment Preferences May Be Granted**
*Approved by Resolution No. 436 of 08/05/03 of the Government of the Republic of Kazakhstan
The List is worded as per Government Resolution No. 925 of 17/09/05 18*

 - 5. Maximum Amounts of Investment for which Investment Tax Preferences may be Granted by the Authorised Body and the Terms of Validity of Such Preferences**
*Approved by Resolution No. 436 of 08/05/03 of the Government of the Republic of Kazakhstan
The maximum amounts of investment are given in accordance with Government Resolution No. 925 of 17/09/05 30*

 - 6. Regulations for Employing Experts from State Bodies and Other Consultants and Specialists by the Authorised State Body in Charge of State Support of Investment**
Approved by Resolution No. 436 of 08/05/03 of the Government of the Republic of Kazakhstan 41
-



LAW 373-II OF THE REPUBLIC OF KAZAKHSTAN ON INVESTMENTS
OF 8 JANUARY 2003
(AS AMENDED BY LAW 48-III OF THE REPUBLIC OF KAZAKHSTAN OF 04.05.05)

This Law shall govern the relations associated with investments in the Republic of Kazakhstan, define the legal and economic framework for encouraging investments, guarantee the protection of the rights of investors making investments in the Republic of Kazakhstan, and establish measures for state support for investments and procedures for settling disputes that involve investors.

CHAPTER 1. GENERAL PROVISIONS

Article 1. Definitions of Main Terms as Used in this Law

As used in this law the term:

- 1) "Investments" means all types of assets, other than private consumption goods, which are invested by an investor in the authorised capital of a legal entity or in increasing the fixed assets used in business activities, including assets under capital lease from the date of the lease agreement as well as the rights thereto;
- 2) "Investment Activity" means an activity of an individual or a legal entity related to participating in the authorised capital of business organisations, or creating or increasing fixed assets used in operations;
- 3) "Investment Preferences" means advantages of a targeted nature, which are granted in accordance with the laws of the Republic of Kazakhstan to Legal Entities of the Republic of Kazakhstan which implement Investment Projects;
- 4) "Investment Project" means a set of measures, which envisage Investments in establishing new or expanding and renovating existing production operations;
- 5) "Investment Dispute" means a dispute arising from contractual obligations between investors and state authorities in connection with the Investment Activities of the investor;
- 6) "Investor" means individuals and legal entities which make Investments in the Republic of Kazakhstan;
- 7) "State Grants in Kind" means assets owned by the Republic of Kazakhstan, which are transferred free of charge into temporary use or tenure of a legal entity of the Republic of Kazakhstan for implementing an Investment Project and subsequently conveyed free of charge into ownership or land tenure;
- 8) "Contract" means an investment agreement stipulating Investment Preferences;
- 9) "Model Contract" means a standard contract approved by the Government of the Republic of Kazakhstan which is used when making Contracts;
- 10) "Authorised Body" means the central executive body which is directly authorised to make Contracts and monitor Contract performance;
- 11) "Legal Entity of the Republic of Kazakhstan" means a legal entity, including a legal entity with foreign participation, which is incorporated in accordance with the procedure established by the laws of the Republic of Kazakhstan.

Article 2. The Legislation of the Republic of Kazakhstan on Investments

1. The legislation of the Republic of Kazakhstan on Investments shall be based on the Constitution of the Republic of Kazakhstan and consist of this Law and other regulations of the Republic of Kazakhstan.

2. This Law shall not regulate the relations associated with:

- Investments from the state budget funds;
- Investments in non-profit organisations, including for educational, charitable, scientific or religious purposes.

3. The provisions of this Law shall not apply to the relations arising from the performance of Investments and pertaining to the scope of other legislative acts of the Republic of Kazakhstan, except as otherwise specified in such legislative acts.

4. If an international treaty that has been ratified by the Republic of Kazakhstan sets forth the provisions other than those which are contained in this Law, then the provisions of such international treaty shall apply.

Article 3. Types of Investments

1. Investors shall have the right to invest in any property and types of business activity

other than those specified in legislative acts of the Republic of Kazakhstan.

2. The legislative acts of the Republic of Kazakhstan may define the types of activities and (or) territories in respect of which Investments shall be either limited or prohibited as necessary for protecting the national security.

CHAPTER 2. THE LEGAL REGIME OF INVESTMENTS

Article 4. The Guarantee of Legal Protection of Investor's Activities in the Territory of the Republic of Kazakhstan

1. Investors shall be granted full and unconditional protection of rights and interests, which is ensured by the Constitution of the Republic of Kazakhstan, this Law and other regulations of the Republic of Kazakhstan, as well as international treaties ratified by the Republic of Kazakhstan.

2. Investors shall be entitled to compensation of damage caused by adoption by state authorities of acts which do not comply with the legislative acts of the Republic of Kazakhstan, as well as damage resulting from illegal actions (failure to act) of officials of such authorities in accordance with the civil legislation of the Republic of Kazakhstan.

3. The Republic of Kazakhstan shall guarantee stability of terms and conditions of Contracts made between Investors and state authorities of the Republic of Kazakhstan, except where the Contracts are amended upon agreement of the parties.

These guarantees shall not apply to:

- 1) changes in the legislation of the Republic of Kazakhstan and (or) entry into force and (or) amendments to the international treaties of the Republic of Kazakhstan which modify the procedures and terms and conditions of import, production and sale of excisable goods;
- 2) amendments which are made to legislative acts of the Republic of Kazakhstan with an aim of ensuring national security, ecological safety, public health and ethics.

Article 5. The Guarantees for Using Income

Investors shall have the right:

- 1) to use at their own discretion the income from their activities after the payment of taxes and other compulsory payments in

accordance with the laws of the Republic of Kazakhstan;

- 2) to open bank accounts with banks within the Republic of Kazakhstan in the national and (or) foreign currency in accordance with the banking and currency laws of the Republic of Kazakhstan.

Article 6. Transparency of Activities of State Authorities with Respect to Investors

1. Official communications of the state authorities of the Republic of Kazakhstan and regulations, which affect interests of Investors, shall be published in accordance with the procedure established by the laws of the Republic of Kazakhstan.

2. Investors shall have free access to information regarding registration and articles of association of legal entities, real estate transactions and issued licences, except for the information which contains commercial or other secrets protected by the law.

Article 7. Supervision and Monitoring of Investors Activities by the State Authorities

1. Investors activities shall be supervised and monitored by state bodies, which have been duly authorised in accordance with the legislative acts of the Republic of Kazakhstan.

2. The laws of the Republic of Kazakhstan shall establish the terms and procedures of the supervision and monitoring of Investors activities.

Article 8. The Guarantees of Investors Rights in the Event of Nationalisation and Requisition

1. Forced seizure of Investors' assets (nationalisation, requisition) for state needs shall be allowed in exceptional cases as specified in legislative acts of the Republic of Kazakhstan.

2. In the event of nationalisation, the Investor shall be compensated by the Republic of Kazakhstan in full volume for any losses resulting from the adoption of legislative acts of the Republic of Kazakhstan on nationalisation.

3. Requisition of Investors' assets shall be carried out upon payment of the market value of the assets to the Investor.

The market value of the assets shall be determined in accordance with the procedure established by the laws of the Republic of Kazakhstan.

4. The Investor may challenge the amount of compensation for requisitioned assets in court.

5. Upon expiry of the causes of requisition, the Investor shall have the right to demand the return of the remaining assets, in which case the Investor shall be obliged to return the received compensation less losses due to depreciation.

Article 9. Settlement of Disputes

1. Investment Disputes may be settled through negotiations, including those with engagement of experts, or in accordance with a dispute settlement procedure which has been previously agreed upon by the parties.

2. Where an Investment Dispute can not be resolved in accordance with the provisions of paragraph 1 hereof, such disputes shall be settled in accordance with the international treaties and laws of the Republic of Kazakhstan in the courts of the Republic of Kazakhstan, as well as in international arbitration tribunals as may be agreed by the parties.

3. Disputes other than Investment Disputes shall be settled in accordance with the laws of the Republic of Kazakhstan.

Article 10. The Transfer of Investor's Rights to another Entity

If a foreign state, or a state body authorised by such state, makes payments to an Investor under a guarantee (insurance agreement) granted in regard to Investments in the Republic of Kazakhstan and the rights of the Investor with regard to said Investments are transferred (assigned) to such foreign state or the authorised state body, such transfer (assignment) of rights shall only be deemed legal in the Republic of Kazakhstan if the Investor makes Investments in the Republic of Kazakhstan and (or) performs certain contractual obligations.

CHAPTER 3. STATE INCENTIVES TO INVESTMENTS

Article 11. The Aim of State Incentives to Investments

1. The aim of State incentives to Investments is formation of favourable investment climate for the growth of the economy and encouragement of Investments in establishing new or expanding or renovating existing production operations using advanced technologies, professional development of the local human resources and protection of the environment.

2. State incentives for Investments shall be available in the form of Investment Preferences.

Article 12. Authorised Body

1. The state incentives to Investments shall be awarded by the Authorised Body, which is appointed by the Government of the Republic of Kazakhstan.

2. Within its authority and in performance of its mission, the Authorised Body shall have the right to engage specialists from relevant state bodies and consultants and experts among individuals and legal entities of the Republic of Kazakhstan in accordance with the procedure established by the Government of the Republic of Kazakhstan.

3. The activities of the Authorised Body shall be governed by a Regulation, which is adopted by the Government of the Republic of Kazakhstan.

Article 13. Types of Investment Preferences

Subject to this Law, the following preferences may be awarded in the form of a Contract with the Authorised Body:

- 1) Investment-related tax preferences;
- 2) Exemption from customs duties;
- 3) State Grants In Kind.

Article 14. The Procedure for Awarding Investment Preferences

1. Investment Preferences shall be awarded to the priority types of business, the list of which is approved by the Government of the Republic of Kazakhstan at the level of the National Classifier of Types of Business Activities.

2. For each priority type of activities, the Government of the Republic of Kazakhstan shall establish the maximum volumes of Investments and the term of investment-related tax preferences whereby the Investment Preferences are awarded by the Authorised Body.

3. In the event of exceeding the established maximum amount of Investments, the period of validity of the applicable investment-related tax preferences shall be established by an appropriate decision of the Government of the Republic of Kazakhstan.

4. Investment Preferences shall be awarded by in the form of a Contract with a Legal Entity of the Republic of Kazakhstan, which implements an Investment Project.

Article 15. The Conditions for Granting Investment Preferences

Investment Preferences shall be awarded subject to:

- 1) Compliance of the intended Investment Activity with the list of priority types of activities;
- 2) Performance of Investments into fixed assets of a Legal Entity of the Republic of Kazakhstan with an aim of establishing new or expanding and renovating existing production operations using advanced technology;
- 3) Submission of the required documents as set forth in Article 19 of this Law, which confirm the financial, technical and organisational capability of the Investor applying for implementation of an Investment Project.

Article 16. Investment-Related Tax Preferences

1. Investment-related tax preferences shall be granted for a period which is determined on case-by-case basis depending on the type of activity and the amount of Investments into fixed assets.
2. The commencement date of investment-related tax preferences shall be set forth in the Contract in accordance with the Tax Code of the Republic of Kazakhstan.
3. The investment-related tax preferences shall not apply to the activities of legal entities which are subject to a special tax regime, as well as activities under subsoil use contracts.
4. Investment-related tax preferences shall not apply to the fixed assets which are granted to a Legal Entity of the Republic of Kazakhstan as a State Grant in Kind.

Article 17. Exemption from Customs Duties

1. Exemption from customs duties may apply where equipment and components thereof are imported for implementing an Investment Project.
2. Exemption from customs duties shall be granted for the duration of the Contract, but not longer than five years from the date of the Contract registration.
3. The notice of the decision adopted in accordance with paragraph 2 hereof shall be sent by the Authorised Body to the authorised customs body within five business days.

Article 18. State Grants in Kind

1. In accordance with the procedure set forth in this Law the State Grants in Kind shall be awarded by the Authorised Body, with the consent of the relevant body with the authority for managing the state property and land resources, for temporary and payment-free use or as a temporary and payment-free land

tenure, and may be subsequently conveyed free of charge into ownership or land tenure in the event of the fulfilment of investment obligations under the Contract.

The State Grant in Kind shall be conveyed free of charge into ownership or land tenure by a decision of the Authorised Body. The Authorised Body shall adopt the decision based on the results of the inspection carried out in accordance with Article 21-1.2.3 of this Law.

2. The following assets may be granted as State Grants in Kind:

land plots, buildings, constructions, machinery and equipment, computers, measurement and control instruments and devices, transport vehicles (other than passenger cars) and manufacturing equipment and tools.

3. The State Grants in Kind shall be appraised on the basis of the market value in accordance with the procedure established by the laws of the Republic of Kazakhstan.

4. The maximum value of the State Grant in Kind shall not exceed thirty per cent of the amount of Investments in fixed assets of a Legal Entity of the Republic of Kazakhstan.

If the appraised value of the requested State Grant in Kind exceeds the said maximum value, the Legal Entity of the Republic of Kazakhstan shall have the right to receive the requested assets upon payment of the difference between the appraised value and the maximum value of the State Grant in Kind.

Article 19. Requirements to Applications for Investment Preferences

An application for Investment Preferences shall be accepted and registered by the Authorised Body upon submission of:

- 1) a notarised copy of the Certificate of State Registration of the legal entity;
- 2) a notarised copy of a statistical card of the legal entity;
- 3) a notarised copy of the articles of association of the legal entity;
- 4) a business plan for the Investment Project, which has been drawn up in accordance with the requirements of the Authorised Body;
- 5) notarised copies of documents justifying the estimated cost of construction and costs associated with the purchase of fixed assets to be used for implementing the Investment Project;
- 6) notarised copies of documents which establish sources and guarantees for financing

the project. If the Investment Project is financed with the applicant's own resources, the written prove of the availability of such resources shall be enclosed;

- 7) documents which confirm the amount (cost) of the State Grant in Kind requested by the applying Legal Entity of the Republic of Kazakhstan and the preliminary approval of the grant;
- 8) a balance sheet as of the first day of the quarter in which the application is made; and
- 9) the statement of the tax authorities proving that the applicant has no tax arrears and outstanding liabilities on social and pension payments.

Article 20. The Terms for Consideration of Applications for Investment Preferences

1. An application for Investment Preferences shall be submitted for consideration of the Authorised Body, which shall take a decision on awarding Investment Preferences in accordance with the requirements set forth in Article 15 hereof and send a written reply to the applicant within thirty business days of the registration of the application.
2. The Authorised Body shall establish the terms for admitting, registering and considering applications for Investment Preferences.

Article 21. Contract Award

1. Within ten business days of adopting the decision to award Investment Preferences, the Authorised Body shall prepare the Contract for signing, taking into account the provisions of the Model Contract.
2. The Contract shall be registered by the Authorised Body within five business days of its signing and shall become effective upon its registration.

Article 21-1. Monitoring the Contract Performance

1. After concluding a Contract, a Legal Entity of the Republic of Kazakhstan, which is a party thereto, shall submit to the Authorised Body:
 - 1) not later than the 25th day of a month following the accounting quarter, the quarterly report on implementing the Investment Project in the form prescribed by the authorised statistical body;
 - 2) annually, not later than the 1st day of June, the annual report in the form prescribed by the authorised statistical body and an explanatory note thereto; a document proving

the commissioning of fixed assets; the audited annual balance sheet, profit and loss statement and breakdown of fixed assets. The auditor's opinion shall contain analysis of the financial and business performance for the preceding year and information on the performance of investment obligations under the Contract.

2. The Authorised Body shall monitor the Contract performance by adopting the procedure, which shall (1) comprise the examination of the reports on the Investment Project implementation (2) based on the results of submitted auditor's opinions and (3) include visits to the investment properties, including the review of the documents on the Investment Project implementation.

Article 22. Contract Termination

1. Investment Preferences shall be terminated upon expiry of the term of the Contract or may be terminated prior to the expiration thereof in accordance with the procedure set forth herein.
2. The Contract may be terminated prematurely:
 - 1) by agreement of the parties, or
 - 2) unilaterally.
3. The Authorised Body may terminate a Contract unilaterally upon expiry of three months from the date of a written notice to the Legal Entity of the Republic of Kazakhstan, which is a party thereto, if:
 - 1) misrepresentation or concealment of the information, which has been presented by the applicant and affected the decision on awarding the Investment Preferences, has been revealed;
 - 2) the Legal Entity of the Republic of Kazakhstan, which is a party to the Contract, fails to perform its obligations thereunder; or
 - 3) misrepresentation or concealment of the information in the reports submitted by the Legal Entity of the Republic of Kazakhstan which is a party to the Contract in accordance with Article 21-1.1 hereof have been revealed.

In such events the said legal entity shall pay taxes and customs duties, which have not been paid due to the Investment Preferences awarded under the Contract, subject to fines and penalties as set forth by the laws of the Republic of Kazakhstan.

4. In the event of premature and unilateral termination of the Contract by the Legal Entity of

the Republic of Kazakhstan, the said legal entity shall pay taxes and customs duties, which have been not paid due to the Investment Preferences awarded under the Contract, subject to fines and penalties as set forth by the laws of the Republic of Kazakhstan.

5. In the event of premature termination of a Contract by an agreement of the parties, the Legal Entity of the Republic of Kazakhstan, which is a party thereto, shall pay taxes and customs duties, which have not been paid due to the Investment Preferences awarded under the Contract.

6. In the event of premature termination of a Contract, the Legal Entity of the Republic of Kazakhstan, which is a party thereto, shall return the assets in kind which have been granted to the legal entity as the State Grant in Kind, or its initial value as of the date of the transfer in accordance with the Contract.

7. The Legal Entity of the Republic of Kazakhstan shall return the State Grant in Kind within thirty calendar days after the Authorised Body has made a decision to prematurely terminate the Contract.

CHAPTER 4. FINAL PROVISIONS

Article 23. Stability of Contracts

The exemptions granted on the basis of Contracts with the authorised investment body prior to the entry into force of this Law shall remain valid until the expiry of the period set forth in such Contracts.

Article 24. On Repeal of Certain Legislative Acts of the Republic of Kazakhstan

The following legislative acts of the Republic of Kazakhstan shall be deemed invalid:

- 1) The Law of the Republic of Kazakhstan On Foreign Investments of 27 December 1994 (The Bulletin of the Supreme Council of the Republic of Kazakhstan, 1994, No.23-24, Article 280; and 1995, No.20, Article 120; The Bulletin of the Parliament of the Republic of Kazakhstan, 1996, No.14, Article 274; 1997, No.11, Article 143; No.13-14, Article 205; No.17-18, Article 218; 1998, No.5-6, Article 50; 1999, No.21, Article 786; and 2000, No.10, Article 244);
- 2) The Decree of the Supreme Council of the Republic of Kazakhstan On the Procedure for the Implementation of the Law of the Republic of Kazakhstan on Foreign Investments of 27 December 1994 (The Bulletin of the Supreme Council of the Republic of Kazakhstan, 1994, No.23-24, Article 281 and 1995, No.1-2, Article 15);
- 3) The Law of the Republic of Kazakhstan On State Support to Direct Investments of 28 February 1997 (The Bulletin of the Parliament of the Republic of Kazakhstan, 1997, No.4, Article 50; and 1999, No.21, Article 786).

Nursultan Nazarbaev

President of the Republic of Kazakhstan

RESOLUTION OF GOVERNMENT OF THE REPUBLIC OF KAZAKHSTAN NO. 436 OF 8 MAY 2003, ON SOME ISSUES OF ENFORCING THE LAW OF THE REPUBLIC OF KAZAKHSTAN ON INVESTMENTS

(WITH AMENDMENTS AND SUPPLEMENTS OF 17/09/05)

In order to enforce the Law of the Republic of Kazakhstan of 8 January 2003 On Investments, the Government of the Republic of Kazakhstan hereby resolves:

1. To approve the following:

1) Model Investment Contract providing for investment preferences;

Sub-clause 2 was amended as per Government Resolution No. 925 of 17/09/05 (see previous version);

2) List of priority activities from the general classifier of business activities to which investment preferences may be granted;

3) Maximum amounts of investment for which investment preferences may be granted by the authorised body, and the terms of validity of such investment tax preferences;

4) Regulations for employing experts from state bodies and other consultants and specialists by the authorised state body in charge of state support of investments.

2. This Regulation shall come into force upon official promulgation hereof.

Imangali Tasmagambetov
Prime Minister of the Republic of Kazakhstan

Approved
by Resolution No. 436 of 08/05/03
of the Government of the Republic of Kazakhstan

MODEL INVESTMENT CONTRACT

PROVIDING FOR INVESTMENT PREFERENCES

Astana _____
(date)

This Investment Contract providing for investment preferences is made by and between _____

(specify the authorised body)

in the person of _____

(specify the name of Chairman or another authorised person)

acting as per _____
(specify statute or order)

(hereinafter referred to as "the Authorised Body"), and _____

(specify Kazakh legal entity implementing the investment project),

in the person of -----

(specify the name of Director or another authorised person)

acting as per -----

(the Charter or Power-of-Attorney)

(hereinafter referred to as "the Investor"), and collectively referred to as the Parties.

WHEREAS:

- 1) the legislation of Kazakhstan on investments based on the Constitution is aimed at creating a favourable investment climate that will allow new production companies to be established, and existing companies to be expanded or upgraded, in the priority sectors;
- 2) the Authorised Body has the right to enter into agreements and verify compliance with obligations under such agreements;
- 3) the Authorised Body and the Investor agree that the Contract sets forth the rights and obligations of the Parties to be performed when implementing the investment project -----

(specify the investment project name).

The Authorised Body and the Investor made this Contract as follows:

1. SUBJECT OF THIS CONTRACT

1. The Investor shall be granted investment preferences, as provided for by the Kazakh Law On Investments, under the investment project to be implemented.

2. The Investor shall be granted the following investment preferences:

1) Investment tax preferences for the following periods:

corporate income tax: -----;

property tax: -----;

land tax: -----;

(this Clause sets forth commencing and expiration dates of the investment tax preferences to be granted);

2) -----;
(exemption from customs duties as per Annex 2 to the Contract)

3) -----.
(the state grant in kind)

2. TERMS AND DEFINITIONS

3. The terms and expressions used herein shall have the following meanings:

1) "Contract" means this Contract for investment providing for investment preferences as may be granted by the Authorised Body to the Investor, and the Annexes hereto;

2) "Kazakh Law" means the law of the Republic of Kazakhstan in force and treaties ratified by Kazakhstan;

3) "Returns" means income from investment or other activities related thereto, irrespective of the form in which they are generated, including profit, dividends and other earnings;

- 4) "Fixed Assets" means capital and intangible assets that are used to generate the aggregate annual income and reflected in the tax-payer's balance sheet;
- 5) "Intangible Assets" means intangible assets that have been used for a long-term period (exceeding one year) to generate the aggregate annual income;
- 6) "Force Majeure" means circumstance lying beyond the reasonable control of the Parties which prevent the Parties from proper performance of their obligations hereunder, whether in full or in part, such as war, acts of God, etc.;
- 7) "Third Party" means any person who is not a party hereto;
- 8) "Work Programme" means the work schedule set forth in Annex 1 to the Contract, which shall be observed when implementing the investment project hereunder.
4. Definitions and expressions not covered by this Article shall have the meanings as stated in the Kazakh Law On Investments of 8 January 2003 (hereinafter "the Law On Investments") and other statutory acts and regulations applicable to investment preferences.

3. CONTRACT OBJECTIVE

5. This Contract constitutes a legal framework for contractual relationships between the Authorised Body and the Investor in accordance with the governing law with a view to granting investment preferences to the Investor in the course of its investment activities:_____

(specify priority sector and business activities)

4. TARGET FOR INVESTMENT

6. The target for investment hereunder is

(specify investment project name and location)

including:

Investments in Fixed Assets:

No.	Cost items	Amount, tenge
Investments in capital assets		
1.		
2.		
Investments in intangible assets		
3.		
4.	Total:	

5. RIGHTS OF THE PARTIES

7. The Authorised Body may:

1) represent Kazakhstan's interests, within the scope of its powers and authority, in direct negotiations with investors;

Sub-clause 2 was amended as per Government Resolution No. 925 of 17/09/05 (see previous version);

2) determine terms and conditions and a procedure of making and terminating contracts; and execute and register contracts;

3) Excluded as per Government Resolution No. 925 of 17/09/05 (see previous version);

4) monitor and control implementation of the investment project, including the right to require the Investor to provide on a regular basis reports on its performance under the Contract and ask for any other information on the investment project as may be necessary;

5) Excluded as per Government Resolution No. 925 of 17/09/05 (see previous version);

6) exercise other rights in accordance with the Provisions on the Authorised Body and the Kazakh Law.

8. The Investor may:

1) take any actions not contradicting the provisions set forth in this Contract or the Kazakh Law as may be necessary to implement the agreed investment project;

2) import assets, including any equipment or other materials as may be necessary to carry out investment activities in accordance with the Kazakh Law in force;

3) propose to the Authorised Body, in accordance with the established procedure, amendments and/or supplements to this Contract.

6. OBLIGATIONS OF THE PARTIES

9. The Authorised Body, within its powers and authority, shall:

1) grant investment preferences in accordance with the provisions hereof;

2) Excluded as per Government Resolution No. 925 of 17/09/05 (see previous version);

Sub-clause 3 was amended as per Government Resolution No. 925 of 17/09/05 (see previous version);

3) render assistance in settling any investment disputes between the Investor and third parties without referring the disputes to courts.

10. The Investor shall:

1) make investments and launch production under the Work Programme;

2) make investments specified in Clause 6 above in accordance with the Work Programme;

3) comply with the Kazakh Law in force and the provisions hereof when implementing the agreed investment project;

4) not change the type of the investment activities or breach the terms and conditions of the agreed investment project, under which the investment preferences were granted to the Investor;

5) introduce continuous training programmes for local employees to improve their qualification;

Sub-clause 6 is worded as per Government Resolution No. 925 of 17/09/05 (see previous version);

6) provide advanced training to its local employees;

7) provide the Authorised Body with information on the status of the investment project and comply with the reporting terms;

8) employ modern technology when investing in fixed assets;

Sub-clause 9 is added as per Government Resolution No. 925 of 17/09/05

9) during the period hereof, not dispose of or lease out its fixed assets acquired in accordance with the Work Programme hereunder.

7. TITLE TO PROPERTY AND INFORMATION

11. Any assets and information acquired by the Investor in the course of its investment activities shall be the Investor's property unless otherwise provided herein.

8. TAXES AND FEES

12. The Investor shall pay taxes and make other compulsory contributions in accordance with the Kazakh tax law and this Contract.

9. FORCE MAJEURE

13. The Parties shall not be liable for improper performance or non-performance of their obligations hereunder, if such improper performance or non-performance is caused by Force Majeure circumstances.

14. Force Majeure circumstances are acts of war, acts of God (fires, severe accidents, disruption of communications) or other circumstances lying beyond the reasonable control of the Parties.

15. In the event the performance hereunder is suspended in full or in part due to Force Majeure, the performance hereunder shall be recommenced after cessation of Force Majeure and the performance period shall be extended for the period of Force Majeure by adjusting the Work Programme.

16. Either Party affected by Force Majeure shall notify the other Party to that effect in writing within 15 business days from the occurrence thereof, specifying the date of occurrence and the nature of Force Majeure.

17. In the event of Force Majeure the Parties shall promptly conduct negotiations to find a solution and endeavour to minimise the consequences of Force Majeure.

10. CONFIDENTIALITY

18. In accordance with the Kazakh Law in force the Parties shall keep confidential all documents, information and reports (as provided by the following Clause 19) relating to the performance hereunder over the effective period hereof.

19. Neither Party may disclose information relating to the Contract or any other confidential information relating to the investment project without the prior written consent of the other Party unless:

- 1) such information required for legal proceedings;
- 2) such information is to be provided to a Third Party subcontracted by any Party hereto pursuant to this Contract, conditional on such Third Party agreeing to be bound by the confidentiality provisions hereof and to use the information only for such purposes and in such a time as may be directed by the Parties;
- 3) such information is to be provided to a bank or a financial institution which provides loans to the disclosing Party, conditional on such banks or financial institutions agreeing to be bound by the confidentiality provisions hereof;
- 4) such information is required by tax or other authorised state bodies, which bodies have the power to access any information, including information constituting bank secrecy and relating to any bank accounts of the Investor, including those open with foreign banks outside Kazakhstan;
- 5) the Authorised Body employs mass media to publish statutory acts relating to the investment project for the implementation of which this Contract is concluded. In this case, the Authorised Body may only publish information relating to the investment amount and number of new jobs to be created under the project.

The heading of Article 11 is worded as per Government Resolution No. 925 of 17/09/05 (see previous version).

11. MONITORING AND CONTROL OF CONTRACT PERFORMANCE

Clause 20 is worded as per Government Resolution No. 925 of 17/09/05 (see previous version);

20. After the Contract is executed, the Investor shall furnish the Authorised Body with the following:

- 1) quarterly reports on the status of the investment project in such a form as may be prescribed by the authorised body concerned with statistics, however, not later than the fifth day of the month following the reporting quarter;

- 2) yearly, but not later than 1 July:

a report in such a form as may be prescribed by the authorised body concerned with statistics and an explanatory note thereto;

a document confirming the commissioning of the fixed assets;
the following audited documents (including auditors' report thereto):
an income statement based on the results of investment;
an annual balance-sheet;
breakdown of the fixed assets.

The auditors' report shall include a financial results analysis for the passed year and information on the performance of financial obligations under this Contract.

Clause 21 is worded as per Government Resolution No. 925 of 17/09/05 (see previous version)

21. The Authorised Body shall monitor and control the Contract performance as follows:

- 1) by checking reports on implementation of investment projects;
- 2) based on the submitted auditors' reports;
- 3) by inspecting the investment project site, including the checking of documents concerning the status of the investment project.

22. Monitoring shall be carried out in accordance with the Kazakh Law in order to check the Investor's compliance with the Work Programme hereunder and the provisions set forth herein.

12. SETTLEMENT OF DISPUTES

23. The Parties shall endeavour to settle all disputes arising out of this Contract or in connection with investment activities hereunder by negotiations.

24. In the event any dispute cannot be settled by negotiations within two months of dispute notification by one Party to the other Party, it shall be referred to a Kazakh court or international arbitration as may be agreed upon by the Parties.

25. The Parties shall not be relieved from their obligations pursuant to this Contract before settling all disputes hereunder, if any.

13. GUARANTEES OF CONTRACT STABILITY

26. The provisions hereof shall remain unchanged throughout the effective period hereof, except for cases specified by the Kazakh Law On Investments, or unless any amendments or supplements hereto are made by mutual agreement of the Parties.

14. GOVERNING LAW

27. This Contract and any further agreements as may be executed based hereon shall be governed by Kazakh Law.

15. EFFECTIVE PERIOD AND COMING INTO FORCE

28. The effective period of this Contract depends on the terms of validity of the investment preferences and may not be equal to the investment project period.

29. This Contract shall come into force upon registration hereof with the Authorised Body.

16. AMENDMENTS AND SUPPLEMENTS

30. The Parties may amend or supplement this Contract by their mutual agreement in accordance with Kazakh Law.

17. EXPIRATION AND TERMINATION

31. This Contract shall expire on the latest day of _____ inclusive (specify the month and year), except for events provided for by Clauses 32 and 33 below.

32. This Contract may be terminated:

- 1) by mutual agreement of the Parties; or
- 2) unilaterally.

Clause 33 is worded as per Government Resolution No. 925 of 17/09/05 (see previous version)

33. The Authorised Body may unilaterally terminate this Contract upon expiry of three months of serving written notice to the Investor to that effect, if:

- 1) the data or information provided by the Investor, based on which the investment preferences were granted, are proved to be incorrect or incomplete;
- 2) the Investor fails to perform its obligations hereunder;
- 3) the data included in the documents to be submitted by the Investor pursuant to Clause 20 above are proved to be incorrect or incomplete.

In the above events the Investor shall pay all taxes and customs duties as may become due as a result of invalidation of the investment preferences granted hereunder, and a penalty as may be charged in accordance with Kazakh Law.

Clause 34 is worded as per Government Resolution No. 925 of 17/09/05 (see previous version)

34. In the event this Contract is unilaterally terminated by the Authorised Body, the Investor shall pay all taxes and customs duties as may become due as a result of invalidation of the investment preferences granted hereunder, and a penalty as may be charged in accordance with Kazakh Law.

Clause 35 is worded as per Government Resolution No. 925 of 17/09/05 (see previous version)

35. In the event this Contract is terminated by mutual agreement of the Parties, the Investor shall pay all taxes and customs duties as may become due as a result of invalidation of the investment preferences granted hereunder.

Clause 36 is worded as per Government Resolution No. 925 of 17/09/05 (see previous version)

36. In the event this Contract is terminated for any reason, the Investor shall return the state grant in kind or the initial cost thereof on the grant transfer date pursuant to this Contract.

Clause 37 is worded as per Government Resolution No. 925 of 17/09/05 (see previous version)

37. The Investor shall return the state grant in kind within thirty calendar days of the Authorised Body's decision to terminate the Contract.

18. LANGUAGE OF THIS CONTRACT

38. This Contract and any amendments or supplements or any other additional documents hereto shall be executed in the state and the Russian languages. All the counterparts hereof are authentic and shall have equal legal force unless otherwise stipulated herein.

39. The Parties agree that _____ language will be used as the communication language. Since the Contract effective date, all information relating to the investment project implementation, shall be in _____ language.

19. ADDITIONAL PROVISIONS

40. Any notices and documents as may be required hereunder shall be considered duly served by sending Party upon actual receipt thereof by the other Party.

41. If necessary, the Investor's entity may be reorganised in accordance with Kazakh Law with written consent of the Authorised Body.

42. Any notices, letters and original documents or duly certified copies thereof shall be delivered by the Parties in person or by mail to the following addresses:

To the Authorised Body: _____

(specify legal address)

Chairman: _____

(specify full name)

To the Investor: _____

(specify the name and legal address of the Investor)

Director _____

(specify full name)

- 43. In the event either Party changes its address, it shall notify the other Party to that effect.
- 44. In the event of any contradictions between the provisions of this Contract and any Annexes hereto, the Contract provisions shall prevail.
- 45. This Contracts is signed this _____ in Astana, Kazakhstan, by duly authorised representatives of the Parties.

FOR THE AUTHORISED BODY:

FOR THE INVESTOR:

/signature, stamp/

/signature, stamp/

Annex 1
to Contract No. _____
dated _____

THE WORK PROGRAMME UNDER THE INVESTMENT PROJECT

_____ (SPECIFY NAME)

TO BE IMPLEMENTED BY _____, THE INVESTOR

tenge

Services	Commissioning date	Calendar year, quarter				Total for the year	The year in which the investments were included in tax deductions	Calendar year, quarter				Total for the year	The year in which the investments were included in tax deductions
		1	2	3	4			1	2	3	4		
Investment in fixed assets													
Total													

For the Authorised Body:

/signature, stamp/

For the Investor:

/signature, stamp/

Annex 2 is worded as per Government Resolution No. 925 of 17/09/05 (see previous version)

Annex 2
to Contract No. _____
dated _____

THE LIST AND QUANTITY OF IMPORTED EQUIPMENT AND ACCESSORIES THERETO TO BE EXEMPTED FROM CUSTOMS DUTIES

FROM _____ TO _____

No.	Name	Code as per the Foreign Trade Commodity Classifier	Quantity
1.			
2.			
Total			

The total quantity of items is _____ on _____ pages.

For the Authorised Body:

/signature, stamp/

For the Investor:

/signature, stamp/

The List is worded as per Government Resolution No. 925 of 17/09/05 (see previous version)

Approved
by Resolution No. 436 of 08/05/03
of the Government of the Republic of Kazakhstan

THE LIST OF PRIORITY ACTIVITIES AS PER THE GENERAL CLASSIFIER OF BUSINESS ACTIVITIES TO WHICH INVESTMENT PREFERENCES MAY BE GRANTED

Section	Section name	Code	Categories and sub-categories of activities
01	Agribusiness, hunting and related services	01.1	Crop production
		01.11	Raising of grain, industrial and other cultivated crops not included in other categories; except for tobacco cultivation, but including primary tobacco processing (harvesting and drying of leaves)
		01.12	Production of vegetables, landscape gardening and transplant nursery, excluding production of flowers and flower seeds
		01.13	Production of fruit, nuts and other crops for the production of beverages and spices, excluding the growing of spicy plants and plants for beverage industry
		01.2	Cattle breeding
		01.21	Stock-rearing
		01.22	Breeding of sheep, goats, horses, jackasses, mules and donkeys
		01.23	Swine breeding
		01.24	Poultry breeding
		01.25	Breeding of other farm animals
		01.4	Provision of services relating to crop production and cattle breeding, excluding veterinary; landscaping
		01.41	Provision of services relating to crop production, excluding laying out, working and maintaining gardens, parks and planting in sport and other similar centres; amenity planting: landscape gardening and design activity connected with the implanting, grubbing, and trimming plants; laying out and tending lawns and parks, trimming trees and hedges
		01.42	Provision of services relating to cattle breeding, excluding veterinary
02	Forestry and related services	02.0	Forest growing and harvesting
		02.01	Forest growing and harvesting, excluding the harvesting of wild plants and plants other than trees

05	Fishery, fish breeding and related services	05.0	Fishery, fish breeding and provision of related services
		05.01	Fishery, excluding: marine and freshwater crustaceans and molluscans fishing; shellfish fishing: turtles, ascidians, salps, sea urchins, etc.; services related to fishing: fishery protection and supervision of marine products harvesting: natural pearls, sponges, corals or water-inhabiting plants
		05.02	Fish breeding
15	Food production, including beverages	15.1	Meat and meat foods production
		15.11	Meat production
		15.12	Poultry and rabbit meat production
		15.13	Meat foods production, excluding prepared meat
		15.2	Fish and fishery products processing and canning
		15.20	Fish and fishery products processing and canning, excluding prepared fish dishes production
		15.3	Fruit and vegetables processing and canning
		15.31	Potatoes processing and canning, excluding potatoe snack production
		15.32	Fruit and vegetables juices production
		15.33	Processing and canning of fruit and vegetables not included in other categories
		15.4	Production of vegetable and animal oils and fats
		15.41	Production of crude oil and fat
		15.42	Production of refined oil and fat
		15.43	Production shortening
		15.5	Dairy production
		15.51	Milk processing and cheese production
		15.52	Ice-cream production
		15.6	Production of flour, cereals, starch and starch products
		15.61	Production of flour and cereals
15.62	Production of starch and starch products		
15.7	Production of ready-to-use animal feedstuff and pet food		
15.71	Production of ready-to-use animal feedstuff		
15.72	Production of pet food		
15.8	Production of other food products		
15.81	Panification; production of short-storage-life flour confectionery		

		15.82	Productions of rusks, cookies and long-storage-life flour confectionery
		15.83	Sugar production
		15.84	Production of cacao, chocolate and sugary confectionery
		15.85	Production of macaroni products
		15.86	Production of tea and coffee
		15.87	Production of spices and condiments
		15.88	Production of infant's food and dietary food
		15.89	Production of other food products not included in other categories
		15.9	Production of beverages
		15.97	Production of malt
		15.98	Production of mineral water and other nonalcoholic drinks
17	Manufacture of textile products	17.1	Textile fibre spinning
		17.11	Cotton fibre spinning
		14.12	Wool fibre carded spinning
		17.13	Wool fibre worsted spinning
		17.15	Manufacture of natural silk, artificial and synthetic fibre
		17.17	Preparing and spinning of other textile fibre
		17.2	Weaving industry
		17.21	Manufacture of cotton fabrics
		17.22	Manufacture of carded spinning fibre woollens
		17.23	Manufacture of worsted spinning fibre woollens
		17.25	Manufacture of other types of textile fabrics
		17.3	Finishing of fabrics and textile products
		17.30	Finishing of fabrics and textile products
		17.4	Manufacture of finished textiles, excluding garments
		17.40	Manufacture of finished textiles, excluding garments
		17.15	Manufacture of other textile products
		17.51	Manufacture of carpets and carpetings
		17.52	Manufacture of ropes, cords, strings and nets
		17.53	Manufacture of non-woven textiles and products made of them
		17.54	Manufacture of other textile products not included in other categories
		17.6	Manufacture of knitted fabrics
		17.60	Manufacture of knitted fabrics
		17.7	Manufacture of knitwear
		17.71	Manufacture of knitted legwear garments
		17.72	Manufacture of knitted pullovers, cardigans and similar products

18	Manufacture of clothes, finishing and dyeing of fur	18.1	Manufacture of leather clothes
		18.10	Manufacture of leather clothes
		18.2	Manufacture of textile clothes
		18.22	Manufacture of outer garments
		18.23	Manufacture of underwear
		18.24	Manufacture of other garments and clothing accessories
		18.3	Finishing and dyeing of fur; manufacture of furs
		18.30	Finishing and dyeing of fur; manufacture of furs
19	Manufacture of leather, leather goods and shoe making	19.1	Skin curing and leather finishing
		19.10	Skin curing and leather finishing
		19.2	Manufacture of suitcases, bags and other leather goods
		19.20	Manufacture of suitcases, bags and other leather goods
		19.3	Shoe making
		19.30	Shoe making
20	Wood fashioning and woodwork	20.1	Bucking and reducing of timber; wood impregnation
		20.10	Bucking and reducing of timber; wood impregnation
		20.2	Manufacture of veneer, plywood, fiberboards and wainscots
		20.20	Manufacture of veneer, plywood, fiberboards and wainscots
		20.3	Manufacture of wooden building products and millwork
		20.30	Manufacture of wooden building products and millwork
21	Production of paper pulp, paper, cardboard and paper products	21.1	Production of paper pulp, paper and cardboard
		21.11	Production of paper pulp
		21.12	Production of paper and cardboard
		21.2	Manufacture of paper and cardboard goods
		21.21	Manufacture of corrugated cardboard, paper and cardboard package
		21.22	Manufacture of household maintenance and sanitary paper goods
		21.23	Manufacture of stationary
		21.24	Manufacture of wall paper
21.25	Manufacture of other paper and cardboard goods		
22	Publishing and printing activities, copying of information-carrying media	22.1	Publishing activities
		22.11	Bookmaking
		22.2	Printing activities and provision of services in this sphere

		22.22	Printing activities not included in other categories
		22.23	Bindery and book finishing
		22.24	Printing form production
23	Production of coke, petroleum products and nuclear materials	23.1	Production of coke
		23.10	Production of coke
		23.2	Production of petroleum products
		23.20	Production of petroleum products, excluding engine fuels (gasoline, kerosene, etc.), liquid and gas fuels based on light, middle or heavy gas (ethane, propane, butane, etc.)
24	Chemical industry	24.1	Production of common chemicals
		24.11	Production of industrial gas
		24.12	Production of dyestuff and colourants
		24.13	Production of other common inorganic chemicals
		24.14	Production of other common organic chemicals
		24.15	Production of fertilizers and nitrogen compounds
		24.16	Production of primary plastics
		24.17	Production of synthetic rubber
		24.2	Production of agrochemicals
		24.20	Production of agrochemicals
		24.3	Production of paints and varnishes
		24.30	Production of paints, coatings, varnishes, mastics and printing inks
		24.4	Production of pharmaceuticals
		24.41	Production of common pharmaceuticals
		24.42	Production of pharmaceuticals and pharmaceutical materials
		24.5	Manufacture of soap and other household detergents (cleansers, polishes, etc.), perfumes and cosmetics
		24.51	Manufacture of soap and other household detergents (cleansers, polishes, etc.)
		24.52	Manufacture of perfumes and cosmetics
		24.6	Manufacture of other chemicals
		24.61	Manufacture of explosives
		24.62	Manufacture of adhesives and gelatin
		24.63	Manufacture of essential oils
		24.64	Manufacture of photographic materials
		24.65	Manufacture of recording media
		24.66	Manufacture of other chemicals
		24.7	Manufacture of artificial and synthetic fibres
		24.70	Manufacture of artificial and synthetic fibres

25	Manufacture of rubbers and plastic articles	25.1	Manufacture of rubbers
		25.11	Manufacture of rubber tyres and tubes
		25.12	Retreading and vulcanisation
		25.13	Manufacture of other rubbers
		25.2	Manufacture of plastics articles
		25.21	Manufacture of plastic boards, bands and profiles
		25.22	Manufacture of plastic package
		25.23	Manufacture of plastic construction materials
26	Manufacture of other non-metallic mineral products	25.24	Manufacture of other plastics articles
		26.1	Production of glass and glass articles
		26.11	Production of flat glass
		26.12	Glass forming and flat glass processing
		26.13	Manufacture of hollow glass products
		26.14	Manufacture of fibreglass
		26.15	Manufacture and processing of other glass articles
		26.2	Manufacture of ceramics (not to be used in construction)
		26.21	Manufacture of household and decorative ceramics
		26.22	Manufacture of ceramic sanitary ware
		26.23	Manufacture of ceramic electrical insulators and fittings
		26.26	Manufacture of refractory
		26.3	Manufacture of ceramic tiles and boards
		26.30	Manufacture of ceramic tiles and boards
		26.4	Manufacture of bricks, roof tiles and other terra cotta construction materials
		26.40	Manufacture of bricks, roof tiles and other terra cotta construction materials
		26.5	Production of cement, lime carbonate and plaster
		26.51	Production of cement
26.52	Production of lime carbonate		
26.53	Production of plaster		
26.6	Manufacture of concrete, plaster and cement products		
26.61	Production of concrete construction materials		
26.62	Production of plaster construction materials		
26.63	Manufacture of ready-to-use concrete		
26.64	Manufacture of dry concrete mixes		
26.65	Manufacture of asbestos and fibre cement products		

		26.66	Manufacture of other concrete, plaster and cement products
		26.7	Cutting, processing and finishing of decorative and building stone
		26.70	Cutting, processing and finishing of decorative and building stone
		26.8	Manufacture of other non-metallic mineral products
		26.82	Manufacture of other non-metallic mineral products not included in other categories
27	Metal manufacture	27.1	Production of cast-iron, steel and ferroalloys
		27.10	Production of cast-iron, steel and ferroalloys
		27.2	Tube making
		27.21	Manufacture of cast-iron tubes
		27.22	Manufacture of steel tubes
		27.3	Other types of cast-iron and steel primary processing
		27.31	Cold drawing
		27.32	Strands and narrow bands cold rolling
		27.33	Cold pressing and bending
		27.34	Manufacture of wire
		27.4	Non-ferrous metals production
		27.41	Precious metals production
		27.42	Aluminium production
		27.43	Production of lead, zinc and tin
		27.44	Copper production
		27.45	Production of other non-ferrous metals
		27.5	Metal casting
		27.51	Cast-iron casting
		27.52	Steel casting
		27.53	Light metals casting
		27.54	Casting of other non-ferrous metals
28	Fabrication of ready-to-use metal products	28.1	Fabrication of construction metal structures
		28.11	Fabrication of construction metal structures
		28.12	Fabrication of construction metal products
		28.2	Manufacture of metal tanks, radiators and central heating boilers
		28.21	Manufacture of steel barrels, tanks and containers
		28.22	Manufacture of radiators and central heating boilers
		28.3	Manufacture of steam boilers, excluding central heating boilers
		28.30	Manufacture of steam boilers, excluding central heating boilers
		28.5	Metal working and coating; machine building principal processes
		28.51	Metal working and coating

		28.52	Machine building principal processes
		28.7	Fabrication of other ready-to-use metal products
		28.71	Manufacture of metal drums and similar tanks
		28.72	Manufacture of light metal package
		28.73	Manufacture of wire products
		28.74	Manufacture of fixing devices, chains and springs
		28.75	Fabrication of other ready-to-use metal products
29	Manufacture of machinery and equipment	29.1	Manufacture of machinery
		29.11	Manufacture of engines and turbines, excluding aircraft, automobile and motorcycle engines and turbines
		29.12	Manufacture of pumps, compressors and hydraulic systems
		29.13	Manufacture of cocks and valves
		29.14	Manufacture of bearings, gearings, mechanical and power transmission elements
		29.2	Manufacture of other general-purpose equipment
		29.21	Manufacture of furnaces and kiln burners
		29.22	Manufacture of carrying and lifting equipment
		29.23	Manufacture of industrial refrigeration and ventilation equipment
		29.24	Manufacture of other machinery and general-purpose equipment not included in other categories.
		29.3	Manufacture of farm and forestry machinery and equipment
		29.31	Manufacture of agricultural tractors
		29.32	Manufacture of other farm and forestry machinery and equipment
		29.4	Manufacture of machine tools
		29.41	Manufacture of portable hand power tools
		29.42	Manufacture of other metal-working machinery
		29.43	Manufacture of other machinery
		29.5	Manufacture of other special-purpose machinery and equipment
		29.51	Manufacture of metallurgical machinery and equipment
		29.52	Manufacture of mining and building machinery and equipment
		29.53	Manufacture of food-making (including beverages) and tobacco-processing machinery and equipment
		29.54	Manufacture of textile, garment, furs and leather clothes equipment

		29.55	Manufacture of paper and cardboard-making machinery and equipment
		29.56	Manufacture of other special-purpose machinery and equipment not included in other categories
		29.6	Manufacture of arms and ammunition
		29.60	Manufacture of arms and ammunition
		29.7	Manufacture of household appliances
		29.71	Manufacture of household electric appliances
		29.72	Manufacture of household non-electric appliances
30	Manufacture of office equipment and computers	30.0	Manufacture of office equipment and computers
		30.01	Manufacture of office equipment
		30.02	Manufacture of computers and another information processing equipment
31	Manufacture of electric power machinery and equipment	31.1	Manufacture of electric motors, generators and transformers
		31.10	Manufacture of electric motors, generators and transformers
		31.2	Manufacture of power distribution and control equipment
		31.20	Manufacture of power distribution and control equipment
		31.3	Manufacture of insulated wires and cables
		31.30	Manufacture of insulated wires and cables
		31.4	Manufacture of electric cells (accumulators and primary cells)
		31.40	Manufacture of electric cells (accumulators and primary cells)
		31.5	Manufacture of electric bulbs and lighting equipment
		31.50	Manufacture of electric bulbs and lighting equipment
		31.6	Manufacture of another electric equipment
		31.61	Manufacture of electric equipment for engines and vehicles
		31.62	Manufacture of another electric equipment, excluding electric equipment for engines and vehicles
32	Manufacture of radio, television and communication equipment	32.1	Manufacture of electric and radio parts
		32.10	Manufacture of electric and radio parts
		32.2	Manufacture of transmitting equipment
		32.20	Manufacture of transmitting equipment

		32.3	Manufacture of audio and video receiving, recording and displaying equipment
		32.30	Manufacture of audio and video receiving, recording and displaying equipment
33	Manufacture of medical equipment and measuring and optical devices and equipment	33.1	Manufacture of medical equipment, including surgical equipment and orthopedic devices
		33.10	Manufacture of medical equipment, including surgical equipment and orthopedic devices
		33.2	Manufacture of instrumentation, excluding flow processes monitoring and control equipment
		33.20	Manufacture of instrumentation, excluding flow processes monitoring and control equipment
34	Manufacture of automobiles, full- and semitrailers	34.1	Manufacture of automobiles
		34.10	Manufacture of automobiles
		34.2	Manufacture of automotive bodies, full- and semitrailers
		34.20	Manufacture of automotive bodies, full- and semitrailers
		34.3	Manufacture of spare parts and accessories for vehicles and engines
		34.30	Manufacture of spare parts and accessories for vehicles and engines
35	Manufacture of other means of transport	35.1	Building and repairing of vessels
		35.11	Building and repairing of vessels
		35.12	Building and repairing of sports and tourist vessels
		35.2	Manufacture of railway locomotives and cars
		35.20	Manufacture of locomotives and cars
		35.3	Aircraft and spacecraft building
		35.30	Aircraft and spacecraft building
		35.4	Manufacture of bicycles and motorcycles
		35.41	Manufacture of motorcycles
		35.42	Manufacture of bicycles
		35.43	Manufacture of wheelchairs
36	Manufacture of furniture and other goods not included in other categories	36.1	Manufacture of furniture
		36.11	Manufacture of chairs and other furniture to sit on
		36.12	Manufacture of office and retail trade businesses furniture
		36.13	Manufacture of kitchen furniture
		36.14	Manufacture of other types of furniture
		36.15	Manufacture of mattresses
		36.3	Manufacture of musical instruments
		36.30	Manufacture of musical instruments

		36.6	Manufacture of goods not included in other categories
		36.63	Manufacture of goods not included in other categories
37	Secondary materials recycling	37.2	Non-metallic trash and scrap recycling
		37.20	Non-metallic trash and scrap recycling
40	Production of electric power, gas, steam and hot water	40.1	Production and distribution of electric power
		40.11	Electric power production
		40.12	Electric power distribution
		40.13	Distribution and sale of electric power
		40.2	Production and distribution of gas fuel
		40.21	Gas production
		40.22	Distribution and sale of gas fuel via pipelines
		40.3	Hot water and steam supply
		40.30	Production and supply of hot water and steam
41	Intake, purification and distribution of water	41.0	Intake, purification and distribution of water
		41.00	Intake, purification and distribution of water
45	Construction	45.2	Construction of buildings and structures
		45.21	General construction activities, excluding common buildings construction
		45.23	Construction of roads, landing fields and sports facilities
		45.24	Construction of waterside structures
55	Hotel services	55.1	Hotel services
		55.10	Hotel services
		55.2	Short-term accommodation provided by establishments other than hotels
		55.21	Accommodation provided by tourist hostels and mountain bases
		55.22	Camping services
60	Motor, railway and pipeline transportation	60.1	Railway transportation services
		60.10	Railway transportation services
		60.2	Transportation by other surface transport
		60.21	Scheduled transportation by other surface transport
		60.23	Passenger transportation by other transport
		60.24	Freight transportation by motor trucks
		60.3	Transportation by pipelines
		60.30	Transportation by pipelines

61	Water-borne transportation	61.1	Marine transportation
		61.10	Marine transportation
		61.2	River transportation
		61.20	River transportation
62	Air transportation	62.1	Scheduled air transportation
		62.10	Scheduled air transportation
		62.2	Unscheduled air transportation
		62.20	Unscheduled air transportation
		62.3	Space transportation
		62.30	Space transportation
63	Support services to transportation	63.1	Cargo handling and storage
		63.12	Storing and warehousing
		63.2	Other support services related to transportation
		63.21	Other support services related to overland transportation, excluding private vehicles storage
		63.22	Other support services related to water transportation
		63.23	Other support services related to air transportation, excluding regulation of air transportation
64	Communications	64.2	Telecommunications
		64.20	Telecommunications
92	Recreation and entertainment services, cultural arrangements and sports events	92.1	Activities connected with cinematography or videos
		92.11	Production of motion pictures or videos, excluding advertising videos
		92.6	Sports activities
		92.61	Services provided by sports centres, excluding gyms and bowling centres
		92.7	Recreation and entertainment services
92.72	Other recreation and entertainment services such as maintaining beaches, not included in other categories		

The maximum amounts of investment are given in accordance with Government Resolution No. 925 of 17/09/05 (see previous version)

Approved
by Resolution No. 436 of 08/05/03
of the Government of the Republic of Kazakhstan

MAXIMUM AMOUNTS OF INVESTMENT FOR WHICH INVESTMENT TAX PREFERENCES MAY BE GRANTED BY THE AUTHORISED BODY AND THE TERMS OF VALIDITY OF SUCH PREFERENCES

Investment in fixed assets used in priority activities (monthly calculation indexes, '000,000) ¹	Terms of validity of investment tax preferences (years)			
	Corporate Income Tax		Property Tax	Land Tax
	Deductions	Exemption		
1	2	3	4	5
Agribusiness, hunting and related services				
Crop production				
Cattle breeding				
Provision of services relating to crop production and cattle breeding, excluding veterinary; landscaping				
Up to and including 1.5	1-5	3	3	3
From 1.5 up to and including 3	1-5	4	4	4
From 3 up to and including 15	1-5	5	5	5
The maximum amount of investment is 15				
From 15 up to and including 30	1-6	6	5	5
From 30 up to and including 45	1-7	7	5	5
From 45 up to and including 60	1-8	8	5	5
From 60 up to and including 75	1-9	9	5	5
Over 75	1-10	10	5	5
Forestry and related services				
Forestry and related services				
Up to and including 1.5	1-5	3	3	3
From 1.5 up to and including 3	1-5	4	4	4
From 3 up to and including 15	1-5	5	5	5
The maximum amount of investment is 15				
From 15 up to and including 30	1-6	6	5	5
From 30 up to and including 45	1-7	7	5	5
From 45 up to and including 60	1-8	8	5	5
From 60 up to and including 75	1-9	9	5	5
Over 75	1-10	10	5	5
Fishery, fish breeding and related services				
Fishery, fish breeding and related services				
Up to and including 1.5	1-5	3	3	3
From 1.5 up to and including 3	1-5	4	4	4
From 3 up to and including 15	1-5	5	5	5
The maximum amount of investment is 15				

From 15 up to and including 30	1-6	6	5	5
From 30 up to and including 45	1-7	7	5	5
From 45 up to and including 60	1-8	8	5	5
From 60 up to and including 75	1-9	9	5	5
Over 75	1-10	10	5	5

Food production, including beverages

Meat and meat foods production				
Fish and fishery products processing and canning				
Fruit and vegetables processing and canning				
Production of vegetable and animal oils and fats				
Dairy production				
Production of ready-to-use animal feedstuff and pet food				
Production of other food products				
Production of beverages				
Up to and including 1.5	1-5	3	3	3
From 1.5 up to and including 3	1-5	4	4	4
From 3 up to and including 15	1-5	5	5	5

The maximum amount of investment is 15

From 15 up to and including 30	1-6	6	5	5
From 30 up to and including 45	1-7	7	5	5
From 45 up to and including 60	1-8	8	5	5
From 60 up to and including 75	1-9	9	5	5
Over 75	1-10	10	5	5

Manufacture of textile products

Textile fibre spinning				
Weaving industry				
Finishing of fabrics and textile products				
Manufacture of finished textiles, excluding garments				
Manufacture of other textile products				
Manufacture of knitted fabrics				
Manufacture of knitwear				
Up to and including 1.5	1-5	3	3	3
From 1.5 up to and including 3	1-5	4	4	4
From 3 up to and including 15	1-5	5	5	5

The maximum amount of investment is 15

From 15 up to and including 30	1-6	6	5	5
From 30 up to and including 45	1-7	7	5	5
From 45 up to and including 60	1-8	8	5	5
From 60 up to and including 75	1-9	9	5	5
Over 75	1-10	10	5	5

Manufacture of clothes, finishing and dyeing of fur

Manufacture of leather clothes				
Finishing and dyeing of fur; manufacture of furs				

Up to and including 1.5	1-5	3	3	3
From 1.5 up to and including 3	1-5	4	4	4
From 3 up to and including 15	1-5	5	5	5
The maximum amount of investment is 15				
From 15 up to and including 30	1-6	6	5	5
From 30 up to and including 45	1-7	7	5	5
From 45 up to and including 60	1-8	8	5	5
From 60 up to and including 75	1-9	9	5	5
Over 75	1-10	10	5	5
Manufacture of leather, leather goods and shoe making				
Skin curing and leather finishing				
Manufacture of suitcases, bags and other leather goods				
Shoe making				
Up to and including 1.5	1-5	3	3	3
From 1.5 up to and including 3	1-5	4	4	4
From 3 up to and including 15	1-5	5	5	5
The maximum amount of investment is 15				
From 15 up to and including 30	1-6	6	5	5
From 30 up to and including 45	1-7	7	5	5
From 45 up to and including 60	1-8	8	5	5
From 60 up to and including 75	1-9	9	5	5
Over 75	1-10	10	5	5
Wood fashioning and woodwork, excluding the manufacture of furniture				
Bucking and reducing of timber; wood impregnation				
Manufacture of veneer, plywood, fiberboards and wainscots				
Manufacture of wooden building products and millwork				
Up to and including 1.5	1-5	3	3	3
From 1.5 up to and including 3	1-5	4	4	4
From 3 up to and including 15	1-5	5	5	5
The maximum amount of investment is 15				
From 15 up to and including 30	1-6	6	5	5
From 30 up to and including 45	1-7	7	5	5
From 45 up to and including 60	1-8	8	5	5
From 60 up to and including 75	1-9	9	5	5
Over 75	1-10	10	5	5
Production of paper pulp, paper, cardboard and paper products				
Production of paper pulp, paper and cardboard				
Manufacture of paper and cardboard goods				
Up to and including 1.5	1-5	3	3	3
From 1.5 up to and including 3	1-5	4	4	4
From 3 up to and including 15	1-5	5	5	5
The maximum amount of investment is 15				
From 15 up to and including 30	1-6	6	5	5
From 30 up to and including 45	1-7	7	5	5

From 45 up to and including 60	1-8	8	5	5
From 60 up to and including 75	1-9	9	5	5
Over 75	1-10	10	5	5

Publishing and printing activities, copying of information-carrying media

Publishing activities				
Printing activities and the provision of services in this sphere				
Up to and including 1.5	1-5	3	3	3
From 1.5 up to and including 3	1-5	4	4	4
From 3 up to and including 15	1-5	5	5	5

The maximum amount of investment is 15

From 15 up to and including 30	1-6	6	5	5
From 30 up to and including 45	1-7	7	5	5
From 45 up to and including 60	1-8	8	5	5
From 60 up to and including 75	1-9	9	5	5
Over 75	1-10	10	5	5

Production of coke, petroleum products and nuclear materials

Production of coke				
Production of petroleum products				
Up to and including 1.5	1-5	3	3	3
From 1.5 up to and including 3	1-5	4	4	4
From 3 up to and including 25	1-5	5	5	5

The maximum amount of investment is 25

From 25 up to and including 40	1-6	6	5	5
From 40 up to and including 55	1-7	7	5	5
From 55 up to and including 70	1-8	8	5	5
From 70 up to and including 85	1-9	9	5	5
Over 85	1-10	10	5	5

Chemical industry

Production of common chemicals				
Production of agrochemicals				
Production of paints and varnishes				
Production of pharmaceuticals				
Manufacture of soap and other household detergents (cleansers, polishes, etc.), perfumes and cosmetics				
Manufacture of other chemicals				
Manufacture of artificial and synthetic fibres				
Up to and including 1.5	1-5	3	3	3
From 1.5 up to and including 3	1-5	4	4	4
From 3 up to and including 25	1-5	5	5	5

The maximum amount of investment is 25

From 25 up to and including 40	1-6	6	5	5
From 40 up to and including 55	1-7	7	5	5
From 55 up to and including 70	1-8	8	5	5
From 70 up to and including 85	1-9	9	5	5
Over 85	1-10	10	5	5

Manufacture of rubbers and plastics articles				
Manufacture of rubbers				
Manufacture of plastics articles				
Up to and including 1.5	1-5	3	3	3
From 1.5 up to and including 3	1-5	4	4	4
From 3 up to and including 25	1-5	5	5	5
The maximum amount of investment is 25				
From 25 up to and including 40	1-6	6	5	5
From 40 up to and including 55	1-7	7	5	5
From 55 up to and including 70	1-8	8	5	5
From 70 up to and including 85	1-9	9	5	5
Over 85	1-10	10	5	5
Manufacture of other non-metallic mineral products				
Production of glass and glass articles				
Manufacture of ceramics (not to be used in construction)				
Manufacture of ceramic tiles and boards				
Manufacture of bricks, roof tiles and other terra cotta construction materials				
Manufacture of concrete, lime carbonate and plaster				
Manufacture of concrete, plaster and cement products				
Cutting, processing and finishing of decorative and building stone				
Manufacture of other non-metallic mineral products				
Up to and including 1.5	1-5	3	3	3
From 1.5 up to and including 3	1-5	4	4	4
From 3 up to and including 15	1-5	5	5	5
The maximum amount of investment is 15				
From 15 up to and including 30	1-6	6	5	5
From 30 up to and including 45	1-7	7	5	5
From 45 up to and including 60	1-8	8	5	5
From 60 up to and including 75	1-9	9	5	5
Over 75	1-10	10	5	5
Metal manufacture				
Production of cast-iron, steel and ferroalloys				
Tube making				
Other types of cast-iron and steel primary processing				
Production of non-ferrous metals				
Metal casting				
Up to and including 1.5	1-5	3	3	3
From 1.5 up to and including 3	1-5	4	4	4
From 3 up to and including 25	1-5	5	5	5
The maximum amount of investment is 25				
From 25 up to and including 40	1-6	6	5	5
From 40 up to and including 55	1-7	7	5	5

From 55 up to and including 70	1-8	8	5	5
From 70 up to and including 85	1-9	9	5	5
Over 85	1-10	10	5	5

Manufacture of ready-to-use metal products

Fabrication of construction metal structures				
Manufacture of metal tanks, radiators and central heating boilers				
Manufacture of steam boilers, excluding central heating boilers				
Manufacture of steam boilers, excluding central heating boilers				
Metal working and coating; machine building principal processes				
Manufacture of other ready-to-use metal products				
Up to and including 1.5	1-5	3	3	3
From 1.5 up to and including 3	1-5	4	4	4
From 3 up to and including 25	1-5	5	5	5

The maximum amount of investment is 25

From 25 up to and including 40	1-6	6	5	5
From 40 up to and including 55	1-7	7	5	5
From 55 up to and including 70	1-8	8	5	5
From 70 up to and including 85	1-9	9	5	5
Over 85	1-10	10	5	5

Manufacture of machinery and equipment

Manufacture of machinery				
Manufacture of other general-purpose equipment				
Manufacture of farm and forestry machinery and equipment				
Manufacture of machine tools				
Manufacture of arms and ammunition				
Manufacture of household appliances				
Up to and including 1.5	1-5	3	3	3
From 1,5 up to and including 3	1-5	4	4	4
From 3 up to and including 45	1-5	5	5	5

The maximum amount of investment is 45

From 45 up to and including 60	1-6	6	5	5
From 60 up to and including 75	1-7	7	5	5
From 75 up to and including 90	1-8	8	5	5
From 90 up to and including 105	1-9	9	5	5
Over 105	1-10	10	5	5

Manufacture of office equipment and computers

Manufacture of office equipment and computers				
Up to and including 1.5	1-5	3	3	3
From 1.5 up to and including 3	1-5	4	4	4
From 3 up to and including 15	1-5	5	5	5

The maximum amount of investment is 15

From 15 up to and including 30	1-6	6	5	5
--------------------------------	-----	---	---	---

From 30 up to and including 45	1-7	7	5	5
From 45 up to and including 60	1-8	8	5	5
From 60 up to and including 75	1-9	9	5	5
Over 75	1-10	10	5	5
Manufacture of electric power machinery and equipment				
Manufacture of electric motors, generators and transformers				
Manufacture of power distribution and control equipment				
Manufacture of insulated wires and cables				
Manufacture of electric cells (accumulators and primary cells)				
Manufacture of electric bulbs and lighting equipment				
Manufacture of other electric equipment				
Up to and including 1.5	1-5	3	3	3
From 1.5 up to and including 3	1-5	4	4	4
From 3 up to and including 15	1-5	5	5	5
The maximum amount of investment is 15				
From 15 up to and including 30	1-6	6	5	5
From 30 up to and including 45	1-7	7	5	5
From 45 up to and including 60	1-8	8	5	5
From 60 up to and including 75	1-9	9	5	5
Over 75	1-10	10	5	5
Manufacture of radio, television and communication equipment				
Manufacture of electric and radio parts				
Manufacture of transmitting equipment				
Manufacture of audio and video receiving, recording and displaying equipment				
Up to and including 1.5	1-5	3	3	3
From 1.5 up to and including 3	1-5	4	4	4
From 3 up to and including 25	1-5	5	5	5
The maximum amount of investment is 25				
From 25 up to and including 40	1-6	6	5	5
From 40 up to and including 55	1-7	7	5	5
From 55 up to and including 70	1-8	8	5	5
From 70 up to and including 85	1-9	9	5	5
Over 85	1-10	10	5	5
Manufacture of medical equipment and measuring and optical devices and equipment				
Manufacture of medical equipment, including surgical equipment and orthopedic devices				
Manufacture of instrumentation, excluding flow processes monitoring and control equipment				
Up to and including 1.5	1-5	3	3	3
From 1.5 up to and including 3	1-5	4	4	4
From 3 up to and including 15	1-5	5	5	5
The maximum amount of investment is 15				
From 15 up to and including 30	1-6	6	5	5

From 30 up to and including 45	1-7	7	5	5
From 45 up to and including 60	1-8	8	5	5
From 60 up to and including 75	1-9	9	5	5
Over 75	1-10	10	5	5

Manufacture of automobiles, full- and semitrailers

Manufacture of automobiles				
Manufacture of automotive bodies, full- and semitrailers				
Manufacture of spare parts and accessories for vehicles and engines				
Up to and including 1.5	1-5	3	3	3
From 1.5 up to and including 3	1-5	4	4	4
From 3 up to and including 45	1-5	5	5	5

The maximum amount of investment is 45

From 45 up to and including 60	1-6	6	5	5
From 60 up to and including 75	1-7	7	5	5
From 75 up to and including 90	1-8	8	5	5
From 90 up to and including 105	1-9	9	5	5
Over 105	1-10	10	5	5

Manufacture of other means of transport

Building and repairing of vessels				
Manufacture of railway locomotives and cars				
Aircraft and spacecraft building				
Manufacture of bicycles and motorcycles				
Up to and including 1.5	1-5	3	3	3
From 1.5 up to and including 3	1-5	4	4	4
From 3 up to and including 25	1-5	5	5	5

The maximum amount of investment is 25

From 25 up to and including 40	1-6	6	5	5
From 40 up to and including 55	1-7	7	5	5
From 55 up to and including 70	1-8	8	5	5
From 70 up to and including 85	1-9	9	5	5
Over 85	1-10	10	5	5

Manufacture of furniture and other goods not included in other categories

Manufacture of furniture				
Manufacture of musical instruments				
Manufacture of goods not included in other categories				
Up to and including 1.5	1-5	3	3	3
From 1.5 up to and including 3	1-5	4	4	4
From 3 up to and including 15	1-5	5	5	5

The maximum amount of investment is 15

From 15 up to and including 30	1-6	6	5	5
From 30 up to and including 45	1-7	7	5	5
From 45 up to and including 60	1-8	8	5	5
From 60 up to and including 75	1-9	9	5	5
Over 75	1-10	10	5	5

Secondary materials recycling

Non-metallic trash and scrap recycling				
Up to and including 1.5	1-5	3	3	3
From 1.5 up to and including 3	1-5	4	4	4
From 3 up to and including 15	1-5	5	5	5

The maximum amount of investment is 15

From 15 up to and including 30	1-6	6	5	5
From 30 up to and including 45	1-7	7	5	5
From 45 up to and including 60	1-8	8	5	5
From 60 up to and including 75	1-9	9	5	5
Over 75	1-10	10	5	5

Production of electric power, gas, steam and hot water

Production and distribution of electric power				
Distribution and sale of gas fuel via pipelines				
Steam and hot water supply				
Up to and including 1.5	1-5	3	3	3
From 1.5 up to and including 3	1-5	4	4	4
From 3 up to and including 25	1-5	5	5	5

The maximum amount of investment is 25

From 25 up to and including 40	1-6	6	5	5
From 40 up to and including 55	1-7	7	5	5
From 55 up to and including 70	1-8	8	5	5
From 70 up to and including 85	1-9	9	5	5
Over 85	1-10	10	5	5

Intake, purification and distribution of water

Intake, purification and distribution of water				
Up to and including 1.5	1-5	3	3	3
From 1.5 up to and including 3	1-5	4	4	4
From 3 up to and including 25	1-5	5	5	5

The maximum amount of investment is 25

From 25 up to and including 40	1-6	6	5	5
From 40 up to and including 55	1-7	7	5	5
From 55 up to and including 70	1-8	8	5	5
From 70 up to and including 85	1-9	9	5	5
Over 85	1-10	10	5	5

Construction

Construction of buildings and structures				
Up to and including 1.5	1-5	3	3	3
From 1.5 up to and including 3	1-5	4	4	4
From 3 up to and including 45	1-5	5	5	5

The maximum amount of investment is 45

From 45 up to and including 60	1-6	6	5	5
From 60 up to and including 75	1-7	7	5	5
From 75 up to and including 90	1-8	8	5	5
From 90 up to and including 105	1-9	9	5	5
Over 105	1-10	10	5	5

Hotel and restaurants services				
Hotel services				
Short-term accommodation provided by establishments other than hotels				
Up to and including 1.5	1-5	3	3	3
From 1.5 up to and including 3	1-5	4	4	4
From 3 up to and including 25	1-5	5	5	5
The maximum amount of investment is 25				
From 25 up to and including 40	1-6	6	5	5
From 40 up to and including 55	1-7	7	5	5
From 55 up to and including 70	1-8	8	5	5
From 70 up to and including 85	1-9	9	5	5
Over 85	1-10	10	5	5
Motor, railway and pipeline transportation				
Transportation by other surface transport				
Transportation by pipelines				
Up to and including 1.5	1-5	3	3	3
From 1.5 up to and including 3	1-5	4	4	4
From 3 up to and including 25	1-5	5	5	5
The maximum amount of investment is 25				
From 25 up to and including 40	1-6	6	5	5
From 40 up to and including 55	1-7	7	5	5
From 55 up to and including 70	1-8	8	5	5
From 70 up to and including 85	1-9	9	5	5
Over 85	1-10	10	5	5
Water-borne transportation				
Marine transportation				
River transportation				
Up to and including 1.5	1-5	3	3	3
From 1.5 up to and including 3	1-5	4	4	4
From 3 up to and including 25	1-5	5	5	5
The maximum amount of investment is 25				
From 25 up to and including 40	1-6	6	5	5
From 40 up to and including 55	1-7	7	5	5
From 55 up to and including 70	1-8	8	5	5
From 70 up to and including 85	1-9	9	5	5
Over 85	1-10	10	5	5
Air transportation				
Scheduled air transportation				
Unscheduled air transportation				
Space transportation				
Up to and including 1.5	1-5	3	3	3
From 1.5 up to and including 3	1-5	4	4	4
From 3 up to and including 25	1-5	5	5	5
The maximum amount of investment is 25				
From 25 up to and including 40	1-6	6	5	5
From 40 up to and including 55	1-7	7	5	5
From 55 up to and including 70	1-8	8	5	5

From 70 up to and including 85	1-9	9	5	5
Over 85	1-10	10	5	5
Support services to transportation				
Cargo handling and storage				
Other support services related to transportation				
Up to and including 1.5	1-5	3	3	3
From 1.5 up to and including 3	1-5	4	4	4
From 3 up to and including 25	1-5	5	5	5
The maximum amount of investment is 25				
From 25 up to and including 40	1-6	6	5	5
From 40 up to and including 55	1-7	7	5	5
From 55 up to and including 70	1-8	8	5	5
From 70 up to and including 85	1-9	9	5	5
Over 85	1-10	10	5	5
Communications				
Telecommunications				
Up to and including 1.5	1-5	3	3	3
From 1.5 up to and including 3	1-5	4	4	4
From 3 up to and including 15	1-5	5	5	5
The maximum amount of investment is 15				
From 15 up to and including 30	1-6	6	5	5
From 30 up to and including 45	1-7	7	5	5
From 45 up to and including 60	1-8	8	5	5
From 60 up to and including 75	1-9	9	5	5
Over 75	1-10	10	5	5
Recreation and entertainment services, cultural arrangements and sports events				
Activities connected with cinematography or videos				
Sports activities				
Recreation and entertainment services				
Up to and including 1.5	1-5	3	3	3
From 1.5 up to and including 3	1-5	4	4	4
From 3 up to and including 15	1-5	5	5	5
The maximum amount of investment is 15				
From 15 up to and including 30	1-6	6	5	5
From 30 up to and including 45	1-7	7	5	5
From 45 up to and including 60	1-8	8	5	5
From 60 up to and including 75	1-9	9	5	5
Over 75	1-10	10	5	5

Note: 1. Monthly calculation index as determined by the Kazakh Law On Budget for the relative financial year.

REGULATIONS FOR EMPLOYING EXPERTS FROM STATE BODIES AND OTHER CONSULTANTS AND SPECIALISTS BY THE AUTHORISED STATE BODY IN CHARGE OF STATE SUPPORT OF INVESTMENT

These Regulations set forth the procedure and terms and conditions for employing experts from state bodies and other consultants and specialists, including individuals, by the authorised body in charge of state support of investment (hereinafter "the Authorised Body") for expert examination of applications for investment preferences, making investment contracts or carrying out investment activities.

1. GENERAL PROVISIONS

1. The Authorised Body may, within the scope of its powers and duties, employ experts from state bodies and other consultants and specialists in accordance with these Regulations.
2. The Authorised Body may employ experts from state bodies and other consultants and specialists as may be necessary to make unbiased assessment of investment projects and investment activities and settle disputes arising between the Authorised Body and investors.
3. The Authorised Body may, in accordance with these Regulations, organise various experts examinations depending on the particulars of investment projects.

2. GENERAL DEFINITIONS

4. The definitions used in these Regulations shall have the following meanings:
 - 1) "State Body Expert" means a state body's officer having the required qualification;
 - 2) "Consultant" means an individual having the required qualification, working experience and a licence as may be required by Kazakh Law;
 - 3) "Expert" means a legal entity employing specialists having the required qualification, working experience and licences as may be required by Kazakh Law.

3. THE PROCEDURE OF EMPLOYING EXPERTS FROM STATE BODIES AND OTHER CONSULTANTS AND EXPERTS

5. State Body Experts, Consultants and other Experts may be employed by the Authorised Body if:
 - 1) it is in need of special expertise;
 - 2) it intends to carry out any independent expert examinations; or
 - 3) any dispute arises between the Authorised Body and an investor.

State Body Experts, Consultants and other Experts may be employed depending on the particulars of investment projects.

6. State Body Experts may be selected by the Chairman of such a body on the basis of the Authorised Body's application. The Authorised Body shall specify in its application the issues and the period of expert examination.
7. Consultants and Experts may be employed on a contractual basis.

4. THE AUTHORISED BODY'S POWER TO EMPLOY STATE BODY EXPERTS, CONSULTANTS AND OTHER EXPERTS

8. When employing State Body Experts, Consultants and other Experts, the Authorised Body may:

- 1) determine a list of questions to which reasoned answers must be given;
- 2) require the Experts or Consultants to give oral or written explanations based on their consultations or experts examinations;
- 3) require additional consultations or expert examinations in the event it considers the previous consultations or expert examinations insufficient or inadequate;
- 4) require the Consultants or Experts to keep confidential any information they became familiar with during consultations or experts examinations;
- 5) control the progress of expert examinations.

9. The Authorised Body may not influence State Body Experts with a view to affecting the course of expert examinations or the results thereof.

5. STATE BODY EXPERTS, CONSULTANTS AND OTHER EXPERTS

10. State Body Experts, Consultants and other Experts shall carry out adequate expert examinations or provide consultations in a timely manner and be liable for the safety of any documents provided for expert examinations and for compliance with the confidentiality provisions thereof. Conclusions made by State Body Experts shall be signed by a duly authorised officer.

11. Consultants and other Experts shall be liable for the results of their consultations or expert examinations in accordance with Kazakh Law and contracts to be concluded pursuant to Clause 7 above.

6. SETTLEMENT PROCEDURE

12. State Body Experts shall render their services free of charge.

13. The investor shall pay Consultants or other Experts for their services irrespective of the results of expert examinations or consultations.