

# Kazakhstan

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## Decrees of the RK Government:

1. Decree No. 221 of the RK Government as of February 25, 2004, On Amending the North Caspian Production Sharing Agreement as of November 18, 1997.

[*Note:* the Decree has approved an additional contract to the North Caspian Production Sharing Agreement as of November 18, 1997 between the Ministry of Energy and Mineral Resources of the Republic of Kazakhstan, KazMunaiGas, National Company Closed Joint-Stock Company, Agip Caspian Sea. B. V., BG International Limited, Total E&P Kazakhstan, Shell Kazakhstan, Development B. V., Exxon Mobil Kazakhstan Inc., Inpex North Caspian Sea Ltd., and Phillips Petroleum Kazakhstan Ltd.]

2. Decree No. 201 of the RK Government, On Approval of the Forms, Rules and Deadlines for Submission of the Data Necessary for Monitoring the Activities of the Petroleum Product Producers, Petroleum Suppliers and Sellers From the Petroleum Storage Depots, dated February 20, 2004.

[*Note:* the Decree has approved the accounts' forms of the petroleum product producers, petroleum suppliers, and sellers from the petroleum storage depots, and the rules for submitting the information necessary for monitoring the activities of the petroleum product producers, petroleum suppliers and sellers from petroleum storage depots].

3. Decree No. 291 of March 9, 2004 of the RK Government, On the Approval of the Regulations on the State Forest Protection of the RK, dated March 9, 2004.
4. Decree No. 322 of March 17, 2004 of the RK Government, On Amending Decree No. 836 of the RK Government, dated June 19, 2001.

[*Aequitas' Note:* The Decree amends the Rules for the Establishment of Quota, Terms and Procedure for the Issue of Work Permits to Employers for the Engagement of Foreign Workforce in the RK, specifically as follows:

1. A list of persons to whom the effect of the Rules does not apply has been changed:

! this list additionally includes the heads of foreign legal entities, general managers of organizations that entered into contracts with the RK Government for the amount of investment in the cash equivalent over 50 million of US dollars, the heads and general managers of banking, insurance (reinsurance) organizations;

! from now on the heads of pension funds are not released from the responsibility to obtain work permits;

! the following persons are not required to receive work permits: the persons who render charitable and humanitarian aid (prior to the introduction of those amendments they had to be the participants of charitable and humanitarian organizations registered on the territory of the RK), actors and sportsmen (they do not need to enter into contracts with central executive bodies), the persons who received the status of refugees or political asylum in the territory of the RK.

2. The list of positions, the search of which is not carried out on the internal labor market, was added with heads of structural subdivisions of foreign insurance organizations. At the same time, the persons who are simultaneously the founders and chief executives of organizations are excluded from such list.

3. The list of documents required for obtaining a work permit was extended and specified in more detail.

4. In addition to the existing three categories, the fourth category of employees was introduced – it is seasonal farm workers, in accordance with the agreements on cooperation in the area of labor migration and social security of migrant workers.

5. One more ground for the rejection to issue a work permit was established – failure to meet special requirements of the earlier issued work permits.

6. The period for making and submitting by the employer of the list of employed foreign labor to the authorized body was extended to three months.

7. From now on a list of employed foreign labor is required to be attached with a copy of the executed individual employment agreement. The attachment of a copy of the permit is now not required.
8. The list of grounds for the rejection to approve the lists of employed foreign labor was extended.
9. The cases where a work permit is not extended are stipulated.
10. The reasons for suspension of the effect of a work permit are specified in more detail:
  - ! failure of the employer to meet special requirements with respect to the issue of work permits as provided for in the Rules;
  - ! exceeding the quantity of foreign labor which is specified in the work permit;
  - ! employment of foreign workers and specialists that are not specified in the list of employed foreign labor.
11. One more ground for the revocation of a work permit was fixed – it is failure to submit within three months the list of employed foreign labor or any established reports.
12. The deadlines for submission of reports are changed, now the employer shall on a monthly basis but not quarterly submit to the authorized body the information on employment of foreign labor and fulfillment of special requirements.]

**Acts of the RK Ministries and Departments:**

1. Order No. 80 of the RK Ministry of Finance, On Approval of the Forms and Rules of Submission by Different State Bodies of the Data on Production Volumes, Petroleum Products Turnover, and Other Necessary Information to the Unified Data Base, dated February 18, 2004.

[Note: the Order has approved the Rules for Submission by different state bodies the data on production volume, petroleum products turnover, and other necessary information to the unified data base, and also the forms of submitting by different state bodies the data on production volume, oil products turnover, and other necessary information to the unified data base]

2. Order No. 149-ОД of the RK Antimonopoly Agency, On Approval of the Rules for Procurement by the Subjects of Natural Monopoly of Material and Financial Resources and Services, which Costs are Calculated when Forming Tariffs (Prices, Dues Rates), for the Services Rendered by Them, dated June 6, 2003

[Note: the Rules establish general legal and economic principles, and the procedure of procurement by the subjects of natural monopoly of material and financial resources and services, which costs are calculated when forming tariffs (prices, dues' rates) for the services rendered by them]. □