

# WORLD TRADE ORGANIZATION

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**Working Party on the  
Accession of Kazakhstan**

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## **ACCESSION OF KAZAKSTAN**

### Synoptic Table on Legislation of the Republic of Kazakhstan (2003)

The Ministry of Industry and Trade of the Republic of Kazakhstan has submitted the following Synoptic Table on Legislation of the Republic of Kazakhstan with the request that it be circulated to members of the Working Party.

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Draft Law Title	Relevant WTO Agreements	Synopsis	Date of Submission of the Draft Law to the Parliament of the Republic of Kazakhstan
On Changes and Amendments to Legislative Acts on Standardization and Certification	Technical Barriers to Trade	<p>The Draft Law is primarily aimed at further development and improvement of the current standardization system of the Republic of Kazakhstan by harmonizing it with international requirements and principles, set out by the WTO. The draft law contains a number of changes and amendments to the Laws of the Republic of Kazakhstan "On Standardization", and "On Certification". In particular, the draft law introduces:</p> <ul style="list-style-type: none"> <li>– certain conceptual corrections harmonized with international requirements and providing for the future transition to voluntary standards;</li> <li>– provisions on approval by the Gosstandart of translations of international, regional, national standards of foreign countries, as well as state standards into the national language and Russian aimed to ensure uniform interpretation of normative acts on standardization;</li> <li>– requirements to the establishment of products classification system; includes provisions on implementation of the products classification system in the Republic of Kazakhstan, and lists products to be covered by the system; and</li> <li>– changes to the certification system organizational structure; expands on normalization of activities of certification bodies and test centers, etc.</li> </ul>	Under discussion in the Parliament of the Republic of Kazakhstan
On Mandatory Insurance of Legal Liabilities of Tour Agents and Operators	General Agreement on Trade in Services	The Draft Law regulates public relations, arising in the process of mandatory insurance of legal liabilities of tour agents and operators under tourist service contracts aimed to protect interests of third parties, whose life, health or property has been negatively affected as a result of professional activities of tour agents and operators.	Under discussion in the Parliament of the Republic of Kazakhstan

Draft Law Title	Relevant WTO Agreements	Synopsis	Date of Submission of the Draft Law to the Parliament of the Republic of Kazakhstan
On Changes and Amendments to Legislative Acts of the Republic of Kazakhstan due to enactment of the Law of the Republic of Kazakhstan "On Architecture, Urban Development, and Construction Activities in the Republic of Kazakhstan"	General Agreement on Trade in Services	The Draft Law has been developed to curb inconsistencies of legal norms set out in the Law of the Republic of Kazakhstan "On Architecture, Urban Development, and Construction Activities in the Republic of Kazakhstan" and other legislative acts, adopted earlier, regarding state expert evaluation of building projects, developed for various sectors; improvement of quality of project documents, ensuring safety of constructed objects, as well as an efficient use of attracted investments.	Under discussion in the Parliament of the Republic of Kazakhstan
Forestry Code of the Republic of Kazakhstan	Agreement on Agriculture General Agreement on Trade in Services	The Draft Law sets legal norms for protection, and reproduction of forests; enhancement of their ecological potential and longevity, as well as principles of rational use.	Under discussion in the Parliament of the Republic of Kazakhstan
On Mandatory Insurance in the Sphere of Plant Cultivation	General Agreement on Trade in Services Agreement on Agriculture	The Draft Law has been developed to protect economic interests of producers of goods of plant origin from adverse effects, resulting in a partial or total crop damage, by means of indemnity payments. The Draft Law determines the cases where provisions on indemnity payments shall apply, the value of indemnity payments, as well as appropriate procedures.	Under discussion in the Parliament of the Republic of Kazakhstan
Land Code	General Agreement on Trade in Services Agreement on Agriculture	The Draft Code has been developed to protect economic interests of producers of goods of plant origin from adverse effects, resulting in a partial or total crop damage, by means of indemnity payments. The Draft Code determines the cases where provisions on indemnity payments shall apply, the value of indemnity payments, as well as appropriate procedures.	Under discussion in the Parliament of the Republic of Kazakhstan
On Changes and Amendments to Legislative Acts on Regulation of Land Relations	General Agreement on Trade in Services Agreement on Agriculture	The Draft Law has been developed to bring norms set out in certain legislative acts of the Republic of Kazakhstan in line with norms of the Land Code of the Republic of Kazakhstan, which, in turn, will allow to avoid divergences between the norms of the Land Code and other legislative acts, regulating land relations.	Under discussion in the Parliament of the Republic of Kazakhstan
On Motor Transport	General Agreement on Trade in Services	Regulates relations between carriers, passengers, consignors, consignees, other natural persons and legal entities, operating in the sphere of motor transport.	Under discussion in the Parliament of the Republic of Kazakhstan

Draft Law Title	Relevant WTO Agreements	Synopsis	Date of Submission of the Draft Law to the Parliament of the Republic of Kazakhstan
On Changes and Amendments to the Law of the Republic of Kazakhstan "On Competition and Restriction of Monopolies"	General Agreement on Tariffs and Trade 1994 General Agreement on Trade in Services	The Draft Law is primarily aimed to determine the legal platform for state regulation of activities of major market agents in order to create favorable conditions for an efficient operation of commodity markets.	Under discussion in the Parliament of the Republic of Kazakhstan
On State Regulation of Production and Turnover of Tobacco Goods	General Agreement on Tariffs and Trade 1994 Agreement on Sanitary and Phytosanitary Measures	The Draft Law has been developed to protect human health by means of state quality control, effected over tobacco goods, both produced in and imported to the Republic of Kazakhstan, as well as to control the volume of budget receipts in the form of excises levied on production and turnover of tobacco goods.	Under discussion in the Parliament of the Republic of Kazakhstan
On Changes and Amendments to Legislative Acts on Lawyers	General Agreement on Trade in Services	The Draft Law is primarily aimed at the improvement of the procedural status of lawyers in court hearings and development of new mechanisms for the defense, as well as for the prosecution, in order to create conditions allowing for contention in the process of administration of justice.	Under discussion in the Parliament of the Republic of Kazakhstan
On Changes and Amendments to Legislative Acts on Notaries	General Agreement on Trade in Services	The Draft Law has been developed to set additional qualifying requirements to persons, wishing to perform as notaries; introduce the bottom level of charges for notary services; and to clarify functions of the bodies of justice and notaries offices.	Under discussion in the Parliament of the Republic of Kazakhstan
On Advertising	General Agreement on Trade in Services Agreement on Trade-Related Aspects of Intellectual Property Rights	The Draft Law contains general and specific requirements to advertising, conditions of production, positioning, distribution, and use; terms and conditions of liabilities arising from inappropriate advertising; peculiarities of promotion of specific products, advertising of financial, insurance, investment services, and securities.	Under discussion in the Parliament of the Republic of Kazakhstan
On Mandatory Insurance of Legal Liabilities of Carriers before Passengers	General Agreement on Trade in Services	The Draft Law has been developed to provide insurance protection to all passengers, irrespective of the means of transportation and the carrier involved. The type of insurance protects economic interests of a carrier, arising from its responsibility to indemnify damages caused to life, health, and (or) property of passengers.	Under discussion in the Parliament of the Republic of Kazakhstan
On Mandatory Insurance of Legal Liabilities of Owners of Motor Vehicles	General Agreement on Trade in Services	The Draft Law has been developed to protect interests of both owners of motor vehicles, and persons, who can potentially be harmed as a result of exploitation of motor vehicles.	Under discussion in the Parliament of the Republic of Kazakhstan

Draft Law Title	Relevant WTO Agreements	Synopsis	Date of Submission of the Draft Law to the Parliament of the Republic of Kazakhstan
On Legal Liabilities of Auditors and Auditing Organizations	General Agreement on Trade in Services	The Draft Law has been developed to provide a high level of protection for parties, injured as a result of errors and lapses made by an auditor (auditing organization) in the course of auditing procedures.	Under discussion in the Parliament of the Republic of Kazakhstan
On Legal Liabilities of Private Notaries	General Agreement on Trade in Services	Mandatory insurance of legal liabilities of private notaries is primarily targeted at ensuring protection of economic interests of third parties, injured as a result of professional activities of a private notary. The proposed insurance mechanism addresses the need to protect legitimate interests of notaries by shifting the burden of possible costs, arising from adjustment of claims of third parties, to the insurance organization.	Under discussion in the Parliament of the Republic of Kazakhstan
On Changes and Amendments to Legislative Acts of the Republic of Kazakhstan on Insurance Activities	General Agreement on Trade in Services	The Draft Law has been prepared to bring norms set out in the effective legislative acts in line with the norms of the Draft Law of the Republic of Kazakhstan "On Mandatory Insurance of Legal Liabilities of Owners of Motor Vehicles" and the Draft Law "On Mandatory Insurance of Legal Liabilities of Carriers Before Passengers".	Under discussion in the Parliament of the Republic of Kazakhstan
On Changes and Amendments to the Code of the Republic of Kazakhstan on Administrative Offences	General Agreement on Trade in Services	The Draft Laws have been developed to supplement the Code of Administrative Offences with provisions on administrative liabilities of private notaries, auditors, and auditing organizations arising from instances, when they evade conclusion of contracts on mandatory insurance of their legal liabilities; failure to pay, delayed or incomplete payment of contributions to the fund that guarantees indemnity payments to insurers (insured, beneficiaries) under mandatory insurance contracts in case of enforced dissolution of the insurance organization.	Under discussion in the Parliament of the Republic of Kazakhstan
On Insurance Indemnity Guarantee Fund	General Agreement on Trade in Services	The Draft Law has been prepared to help implement state policies on mandatory insurance, improve the level of protection of legitimate interests of insurers (insured, beneficiaries) and the level of confidence of natural persons and organizations in the national insurance market; ensure efficiency of the major types of insurance – mandatory insurance of legal liabilities of owners of motor vehicles and mandatory insurance of legal liabilities of carriers before passengers.	Under discussion in the Parliament of the Republic of Kazakhstan

Draft Law Title	Relevant WTO Agreements	Synopsis	Date of Submission of the Draft Law to the Parliament of the Republic of Kazakhstan
On Amendments to the Law of the Republic of Kazakhstan "On Insurance Activities"	General Agreement on Trade in Services	The development of the Draft Law has become a result of the preparation of the Draft Law of the Republic of Kazakhstan "On Indemnity Payment Guarantee Fund", and is devised as a follow-up to the latter.	Under discussion in the Parliament of the Republic of Kazakhstan
On Securities Market	General Agreement on Trade in Services	The Draft Law is aimed at the development of the securities market of the Republic of Kazakhstan. It has been developed incorporating current legal practices and contains norms, directed at further improvement of mechanisms of state regulation of securities market, covering issues within competence of the authorized body.	Under discussion in the Parliament of the Republic of Kazakhstan
On Changes and Amendments to Legislative Acts of the Republic of Kazakhstan on Securities Market and Joint-Stock Companies	General Agreement on Trade in Services	<p>The Draft Law introduces changes and amendments addressing the following issues:</p> <ul style="list-style-type: none"> <li>– registration and re-registration of legal entities, and, in particular, of joint-stock companies;</li> <li>– procedures relating to establishment of a legal entity, operation of joint-stock companies, and circulation of securities in the Republic of Kazakhstan; and</li> <li>– itemization of procedures relating to the state registration of the issue of securities.</li> </ul>	Under discussion in the Parliament of the Republic of Kazakhstan
On Changes and Amendments to the Law of the Republic of Kazakhstan "On Grain"	Agreement on Agriculture	The Draft Law elaborates on the norms of renewal and transfer of the national grain reserves, addresses issues of grain storage and quality control, and covers procedures relating to issuing, circulation, and redemption of grain vouchers.	Under discussion in the Parliament of the Republic of Kazakhstan
On Changes and Amendments to Legislative Acts on Circulation of Bills, Payments, and Money Transfers	General Agreement on Trade in Services	The Draft Law has been developed to help improve the platform, regulating payments and money transfers; mechanisms of application of financial instruments; increase the potential of bills as a payment instrument, with the view to unify provisions set out in the legislation, and to bring a number of norms stipulated by the Law of the Republic of Kazakhstan "On Payments and Money Transfers" in line with the norms of the Civil Code.	Under discussion in the Parliament of the Republic of Kazakhstan

Draft Law Title	Relevant WTO Agreements	Synopsis	Date of Submission of the Draft Law to the Parliament of the Republic of Kazakhstan
On Changes and Amendments to the Law of the Republic of Kazakhstan "On Plant Quarantine"	Agreement on Agriculture	The Draft Law introduces the norm providing for pesticide stocking, as well as a number of clarifying changes, regulating quarantine activities. Implementation of the norms set out in the draft law will enable adoption of additional measures targeted at strengthening of the protection administered in the Republic of Kazakhstan against quarantine objects.	Under discussion in the Parliament of the Republic of Kazakhstan
On Mass Media (new variant)	General Agreement on Trade in Services	The Draft Law has been developed to ensure fulfillment of the constitutional rights of citizens to freedom of expression, obtaining and dissemination of information; encourage development of mass media, growth and strengthening of the single information space in the Republic of Kazakhstan.	To be submitted to the Parliament of the Republic of Kazakhstan in June of this year
On Changes and Amendments to Legislative Acts of the Republic of Kazakhstan (on intellectual property rights)	Agreement on Trade-Related Aspects of Intellectual Property Rights	The Draft Law has been developed to harmonize the national legislation with the requirements set out in the international treaties and agreements, regulating mechanisms of protection of intellectual property rights. The harmonization will enable the Republic of Kazakhstan to raise the level of efficiency of its system of protection of intellectual property rights, adopt additional measures aimed to ensure the appropriate level of protection of intellectual property rights both of citizens of the Republic of Kazakhstan and foreign holders of intellectual property rights. The Draft Law is aimed to cancel inefficient provisions of the current legislation and introduce up-to-date mechanisms enabling legislative regulation of relations in this sphere. Also, the Draft Law provides for a number of changes and amendments to the Laws of the Republic of Kazakhstan "On Trademarks, Service Marks, and Appellations of Origin", "On Protection of Selection Achievements in the Republic of Kazakhstan", "On Copyright and Relating Rights", "On Legal Protection of Layout Design of Integrated Microcircuits", and the Patent Law of the Republic of Kazakhstan. Thus, the Draft Law introduces, inter alia, retroactive copyright protection, new terms and definitions aimed to unify the national legislation with international treaties and agreements.	To be submitted to the Parliament of the Republic of Kazakhstan in June of this year

Draft Law Title	Relevant WTO Agreements	Synopsis	Date of Submission of the Draft Law to the Parliament of the Republic of Kazakhstan
On Mandatory Environmental Insurance	Agreement on Sanitary and Phytosanitary Measures General Agreement on Trade in Services	The Draft Law has been developed to support the mechanism of mandatory insurance of legal liabilities of legal entities and natural persons with the view to ensure that environmental damages arising from emergency situations will be covered by guaranteed indemnity payments, and that the insurer has the funds, required to conduct post-pollution recovery works.	To be submitted to the Parliament of the Republic of Kazakhstan in June of this year.
On Culture	General Agreement on Trade in Services	The Draft Law is a new variant of the Law of the Republic of Kazakhstan "On Culture". It defines the legal, economic, social, and organizational platform for the state regulation of social relations, arising in the process of creation, revival, preservation, development, use, and dissemination of culture in the Republic of Kazakhstan.	To be submitted to the Parliament of the Republic of Kazakhstan in June of this year
On Protection, Reproduction, and Use of Fauna (new variant)	Agreement on Sanitary and Phytosanitary Measures General Agreement on Trade in Services	The Draft Law has been developed to bring legal relations arising in the sphere of preservation and use of fauna in line with the norms set out in the current legislation regulating environmental protection, wildlife sanctuaries, forests, water resources, as well as land relations with the view to achieve the required level of improvement enabling creation of favorable conditions for animal life, preservation of wildlife diversity, and integrity of habitats. Also, the Draft Law is aimed to strengthen legal platform regulating this sphere.	To be submitted to the Parliament of the Republic of Kazakhstan in July of this year
On Inland Water Transport	General Agreement on Trade in Services	The Draft Law regulates relations between state bodies and organizations of inland water transport of the Republic of Kazakhstan, carriers, consignors, consignees, passengers, as well as other natural persons and legal entities arising in the process of inland navigation, conveyance of passengers, shipment of luggage and cargos by inland water transport. Also, the Draft Law defines relating rights, responsibilities, and liabilities.	To be submitted to the Parliament of the Republic of Kazakhstan in September of this year
On Investment Funds	Agreement on Trade-Related Investment Measures	The Draft Law has been developed to help improve forms of investments, develop investment activities in the Republic of Kazakhstan, and lift the burden of the current unnecessary regulatory norms impeding establishment of investment funds and unit trusts, and enable transition from the current system of organization of investment funds in the form of joint-stock companies to a system of unit trusts.	To be submitted to the Parliament of the Republic of Kazakhstan in December of this year



Draft Law Title	Relevant WTO Agreements	Synopsis	Date of Submission of the Draft Law to the Parliament of the Republic of Kazakhstan
On Changes and Amendments to Legislative Acts of the Republic of Kazakhstan on Environmental Protection	Agreement on Sanitary and Phytosanitary Measures General Agreement on Trade in Services	The Draft Law provides for introduction of changes and amendments to the Law of the Republic of Kazakhstan "On Environmental Protection" and other legislative acts addressing issues on production and consumption waste, prevention of environmental damage of consumption waste, invigoration of processes relating to implementation of non-waste technologies.	To be submitted to the Parliament of the Republic of Kazakhstan in November of this year
On Production and Consumption Waste	Agreement on Sanitary and Phytosanitary Measures General Agreement on Trade in Services	The Draft Law is aimed to regulate relations, arising in the process of management of production and consumption waste with the view to prevent, reduce and liquidate its adverse effects on the environment and human health, use the waste in the recycling technologies as an additional source of raw materials.	To be submitted to the Parliament of the Republic of Kazakhstan in November of this year
On Food Quality and Safety	Agreement on Sanitary and Phytosanitary Measures General Agreement on Trade in Services	The Draft Law has been developed to improve legal norms, regulating relations arising in the process of effecting food quality control, and ensuring safety of foods for the human health.	Under discussion by the Government of the Republic of Kazakhstan
On Changes and Amendments to Legislative Acts on Auditing	General Agreement on Trade in Services	The Draft Law has been prepared to trigger further development and improvement of auditing practices and activities in the Republic of Kazakhstan, improve investment environment, extend the range of international contacts, and enhance responsibilities of auditors and auditing organizations. The Draft Law stipulates that auditing practices and activities conform with international auditing standards.	Under discussion by the Government of the Republic of Kazakhstan