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Committee on Import Licensing

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## REPLIES TO QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES<sup>1</sup>

### NOTIFICATION UNDER ARTICLE 7.3 OF THE AGREEMENT ON IMPORT LICENSING PROCEDURES (2016)

#### KAZAKHSTAN

The following communication, dated 20 June 2016, is being circulated at the request of the delegation of Kazakhstan.

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<sup>1</sup> See document G/LIC/3, Annex, for the Questionnaire.

## 1 OZONE DEPLETING SUBSTANCES

### Outline of System

1. The Republic of Kazakhstan manages its obligations for ozone depleting substances controlled by the Montreal Protocol on Substances that Deplete the Ozone Layer through the common list of goods that are subject to bans and restrictions on importation and exportation by parties of the Customs Union of the Eurasian Economic Community in trade with third countries (Decision of the Collegium of the Eurasian Economic Commission No. 134 of 16 August 2012, Annex 2.1). The import, export and manufacture of the ozone depleting substances is prohibited under the Montreal Protocol, except where an essential or critical use exemption has been granted by the parties to the Montreal Protocol. Kazakhstan's Montreal Protocol obligations are implemented through a system of licensing.

### Purposes and coverage of licensing

2. The requirements of the licensing systems are:

- Import or export of ozone depleting substances;
- Pre-charged equipment containing ozone depleting substances.

Strict conditions and reporting requirements apply in relation to all licenses issued.

Tariff line code(s) affected, based on HS(2012)	Detailed Product Description
Ex 2903 79 110 0	CHFCl <sub>2</sub> (HCFC-21) Fluorodichloromethane
Ex 2903 71 000 0	CHF <sub>2</sub> Cl (HCFC-22) Difluorochloromethane
Ex 2903 79 110 0	CH <sub>2</sub> FCI (HCFC-31) Fluorochloromethane
Ex 2903 79 110 0	C <sub>2</sub> HFCl <sub>4</sub> (HCFC-121) Tetrachlorofluoroethane
Ex 2903 79 110 0	C <sub>2</sub> HF <sub>2</sub> Cl <sub>3</sub> (HCFC-122) Trichlorodifluoroethane
Ex 2903 79 110 0	C <sub>2</sub> HF <sub>3</sub> Cl <sub>2</sub> (HCFC-123a) Dichlorotrifluoroethane
Ex 2903 79 110 0	CHCl <sub>2</sub> CF <sub>3</sub> (HCFC-123) Dichlorotrifluoroethane
Ex 2903 79 110 0	C <sub>2</sub> HF <sub>4</sub> Cl (HCFC-124a) Chlorotetrafluoroethane
Ex 2903 79 110 0	CHFClCF <sub>3</sub> (HCFC-124) Chlorotetrafluoroethane
Ex 2903 79 110 0	C <sub>2</sub> H <sub>2</sub> FCI <sub>3</sub> (HCFC-131) Trichlorofluoroethane
Ex 2903 79 110 0	C <sub>2</sub> H <sub>2</sub> F <sub>2</sub> Cl <sub>2</sub> (HCFC-132) Dichlorodifluoroethane
Ex 2903 79 110 0	C <sub>2</sub> H <sub>2</sub> F <sub>3</sub> Cl (HCFC-133) Chlorotrifluoroethane
Ex 2903 73 000 0	C <sub>2</sub> H <sub>3</sub> FCI <sub>2</sub> (HCFC-141) 1-fluoro-2,2-dichloroethane
Ex 2903 73 000 0	CH <sub>3</sub> CFCl <sub>2</sub> (HCFC-141b) 1-fluoro-1,1-dichloroethane
Ex 2903 74 000 0	C <sub>2</sub> H <sub>3</sub> F <sub>2</sub> Cl (HCFC-142) 1-Chloro-2,2-difluoroethane
Ex 2903 74 000 0	CH <sub>3</sub> CF <sub>2</sub> Cl (HCFC-142b) 1-Chloro-1,1-difluoroethane
Ex 2903 79 110 0	C <sub>2</sub> H <sub>4</sub> FCI (HCFC-151) Chlorofluoroethane
Ex 2903 79 110 0	C <sub>3</sub> HFCl <sub>6</sub> (HCFC-221) Hexachlorofluoropropane
Ex 2903 79 110 0	C <sub>3</sub> HF <sub>2</sub> Cl <sub>5</sub> (HCFC-222) Pentachlorodifluoropropane
Ex 2903 79 110 0	C <sub>3</sub> HF <sub>3</sub> Cl <sub>4</sub> (HCFC-223) Tetrachlorotrifluoropropane
Ex 2903 79 110 0	C <sub>3</sub> HF <sub>4</sub> Cl <sub>3</sub> (HCFC-224) Trichlorotetrafluoropropane
Ex 2903 75 000 0	C <sub>3</sub> HF <sub>5</sub> Cl <sub>2</sub> (HCFC-225) Dichloropentafluoropropane
Ex 2903 75 000 0	CF <sub>3</sub> CF <sub>2</sub> CHCl <sub>2</sub> (HCFC-225ca) 1-trifluoro, 2-difluoro, 3- dichloropropane
Ex 2903 75 000 0	CF <sub>2</sub> ClCF <sub>2</sub> CHClF (HCFC-225cb) 1,1-chlorodifluoro, 2-difluoro, 3- dichloropropane
Ex 2903 79 110 0	C <sub>3</sub> HF <sub>6</sub> Cl (HCFC-226) Chlorohexafluoropropane
Ex 2903 79 110 0	C <sub>3</sub> H <sub>2</sub> FCI <sub>5</sub> (HCFC-231) Pentachlorofluoropropane
Ex 2903 79 110 0	C <sub>3</sub> H <sub>2</sub> F <sub>2</sub> Cl <sub>4</sub> (HCFC-232) Tetrachlorodifluoropropane
Ex 2903 79 110 0	C <sub>3</sub> H <sub>2</sub> F <sub>3</sub> Cl <sub>3</sub> (HCFC-233) Trichlorotrifluoropropane
Ex 2903 79 110 0	C <sub>3</sub> H <sub>2</sub> F <sub>4</sub> Cl <sub>2</sub> (HCFC-234) Dichlorotetrafluoropropane
Ex 2903 79 110 0	C <sub>3</sub> H <sub>2</sub> F <sub>5</sub> Cl (HCFC-235) Chloropentafluoropropane
Ex 2903 79 110 0	C <sub>3</sub> H <sub>3</sub> FCI <sub>4</sub> (HCFC-241) Tetrachlorofluoropropane
Ex 2903 79 110 0	C <sub>3</sub> H <sub>3</sub> F <sub>2</sub> Cl <sub>3</sub> (HCFC-242) Trichlorodifluoropropane
Ex 2903 79 110 0	C <sub>3</sub> H <sub>3</sub> F <sub>3</sub> Cl <sub>2</sub> (HCFC-243) Dichlorotrifluoropropane
Ex 2903 79 110 0	C <sub>3</sub> H <sub>3</sub> F <sub>4</sub> Cl (HCFC-244) Chlorotetrafluoropropane
Ex 2903 79 110 0	C <sub>3</sub> H <sub>4</sub> FCI <sub>3</sub> (HCFC-251) Trichlorofluoropropane
Ex 2903 79 110 0	C <sub>3</sub> H <sub>4</sub> F <sub>2</sub> Cl <sub>2</sub> (HCFC-252) Dichlorodifluoropropane
Ex 2903 79 110 0	C <sub>3</sub> H <sub>4</sub> F <sub>3</sub> Cl (HCFC-253) Chlorotrifluoropropane

Tariff line code(s) affected, based on HS(2012)	Detailed Product Description
Ex 2903 79 110 0	C3H5FCI2 (HCFC-261) Dichlorofluoropropane
Ex 2903 79 110 0	C3H5F2CI (HCFC-262) Chlorodifluoropropane
Ex 2903 79 110 0	C3H6FCI (HCFC-271) Chlorofluoropropane

3. The system applies to goods from all countries-parties of the Montreal Protocol.
4. The licensing system implements Kazakhstan's legal obligations under the Montreal Protocol. As well as limits on production and consumption of ozone depleting substances leading to eventual phase-out, the Protocol requires the establishment of a licensing system.
5. The legislation under which licences are maintained includes:
  - Treaty on the Eurasian Economic Union (EAEU) of 29 May of 2014;
  - Annex No. 7 "Protocol on Non-Tariff Measures Concerning Third Countries" to the Treaty on the EAEU;
  - Decision of the Collegium of the Eurasian Economic Commission No. 134 "On Normative Legal Acts in the Area of Non-Tariff Regulation" of 16 August 2012;
  - Environmental Code of the Republic of Kazakhstan No. 212 of 9 January 2007;
  - Law of the Republic of Kazakhstan No. 176 "On the Accession of the Republic of Kazakhstan to the Montreal Protocol on Substances, Depleting the Ozone Layer" of 30 October 1997;
  - Law of the Republic of Kazakhstan No. 544-II "On Regulation of Trade Activity" of 12 April 2004;
  - Law of the Republic of Kazakhstan No. 202-V "On Permissions and Notifications" of 16 May 2014;
  - Resolution of the Government of the Republic of Kazakhstan No. 287 "On Approval of List of Goods Subjects to Import/Export Licensing, Licensers and State Bodies, Coordinating the Issuance of Licenses" of 24 April 2015;
  - Resolution of the Government of the Republic of Kazakhstan No. 983 "On Approval of the List of the State Service" of 18 September 2013;
  - Order of the Minister of the National Economy of the Republic of Kazakhstan No. 67 "On Approval of the Qualification Requirements Maintained for Activities on Export and Import Licensing of Goods, List of Documents Confirming Compliance with them, Application Forms for Obtaining a License and (or) Annex to the License, the Form of a License and (or) Annexes to the License" of 30 January 2015.

Licensing is a legislative requirement. It is an offence to import, export or manufacture a scheduled substance without a licence. It is not possible to abolish this system without legislative approval.

The legislation does not leave designation of products to administrative discretion. All substances that require licenses are specified in a schedule to the legislation. No other substances require licensing under this legislation.

## Procedures

6. Not available.
7. Where there is no quantitative limit on importation of a product or on imports from a particular country:
  - a) Application should be made in advance of arrival of the goods. The maximum processing time for a licence is 15 working days.
  - b) No.
  - c) No.
  - d) Yes, consideration of a licence application is effected by a single administrative body – the Ministry of Energy of the Republic of Kazakhstan.

8. Part II of the Appendix to Annex No. 7 "Rules of the Issuance of Licenses and Permits to Export and/or Import Goods" to the EAEU Treaty establishes the grounds for refusing licenses: (i) incomplete or inaccurate information in the documents submitted by the applicant to obtain a licence; (ii) noncompliance with the requirements stipulated in the Appendix to Annex No. 7 to the EAEU Treaty; (iii) termination or suspension of one or more documents that served as the basis for issuance of a licence; (iv) violation of international obligations of an EAEU member State, which may occur as a result of performance of the contract which requires a licence; (v) exhaustion of quota (in the case of registration of a licence for goods subject to quotas); and (vi) in cases established by the Commission.

The decision to refuse a licence has to be justified and presented by the authorized body to the applicant in writing.

### **Eligibility of importers to apply for licence**

9. All persons, firms and institutions are eligible to apply for licences.

### **Documentation and other requirements for application for licence**

10. Application forms are available on the website of the Ministry of National Economy of the Republic of Kazakhstan in Section "State Services" ([http://economy.gov.kz/ru/gosudarstvennye-uslugi/elements.php?SECTION\\_ID=9814](http://economy.gov.kz/ru/gosudarstvennye-uslugi/elements.php?SECTION_ID=9814)).

An importer is required to submit the following documents with the application:

- A digital copy of the application form;
- A copy of the contract;
- A copy of the registration document from the tax authority or a copy of the document on the state registration;
- A copy of the certificate of insurance;
- A copy of the charter of the juridical person;
- Certificate of the compliance or conclusion of the chemical-analytical laboratory accreditation in accordance with the legislation;
- Documents confirming the fact of their reclamation (in case of import of recycled ozone depleting substances).

11. Upon importation, an importer must present standard customs documentation along with a valid licence.

12. Licence application fee is 10 Monthly Calculated Indices<sup>2</sup>.

13. There is no deposit or advance payment requirement associated with the issue of licences.

### **Conditions of licensing**

14. Licences are valid for the licence period and cannot be extended.

15. There is no penalty for the non-utilisation of a licence or a portion of a licence.

16. Licences are not transferable between importers.

17. Licensees are not permitted to trade in ozone depleting substances with non-Parties to the Montreal Protocol. Conditions may also apply to the purpose to which the imported substance is to be applied if its consumption has been approved for a specific purpose through the Montreal Protocol.

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<sup>2</sup> Monthly Calculation Index (MCI) is an index used in Kazakhstan for the purpose of calculation of pensions and other social allowances as well as for the application of penalties, calculation of taxes and other payments to the budget, annually approved by Law "On Republican Budget". In 2016 MCI is 2 121 tenge.

### Other procedural requirements

18. There are no other administrative procedures, apart from import licensing required prior to importation.

19. Foreign exchange is automatically provided by the banking authorities for goods to be imported.

## 2 PLANT PROTECTION CHEMICALS

### Outline of System

1. Import of unregistered plant protection means samples for the registration and production tests and researches, as well as limited number of unregistered plant protection means for elimination of newly detected quarantine pest hotbeds is carried out without a license by presentation of the conclusion of the Republic of Kazakhstan's executive authority, exercising state registration of plant protection means, on the appropriateness of import with indication of plant protection means names, quantity, preparation form, rate of application, concentration, packaging, factory name and country of origin (the Common List of Goods that are Subject to Non-tariff Measures in Trade with Third Countries, approved by Decision of the Collegium of the Eurasian Economic Commission No.30 of 21 April 2015, Annex 2.2).

### Purposes and coverage of licensing

2. Imports of unregistered plant protection means are subject to non-automatic licensing.

Tariff line code(s) affected, based on HS(2012)	Detailed Product Description
Ex 3808, except for 3808 94	Plant protection chemicals, except for the tape with adhesive layer to protect the trees from insects

3. The system applies to goods originating in and coming from all countries.

4. Non-automatic import licensing is for the purpose of administering import restrictions maintained to protect human, animal or plant life or health.

5. The legislation under which licences are maintained includes:

- Treaty on the Eurasian Economic Union (EAEU) of 29 May 2014;
- Annex No. 7 "Protocol on Non-Tariff Measures Concerning Third Countries" to the Treaty on the EAEU;
- Decision of the Collegium of the Eurasian Economic Commission (EEC) No. 30 "On Measures of Non-Tariff Regulation" of 21 April 2015;
- Law of the Republic of Kazakhstan No. 544-II "On Regulation of Trade Activity" of 12 April 2004;
- Law of the Republic of Kazakhstan No. 202-V "On Permissions and Notifications" of 16 May 2014;
- Resolution of the Government of the Republic of Kazakhstan No. 287 "On Approval of List of Goods Subjects to Import/Export Licensing, Licensers and State Bodies, Coordinating the Issuance of Licenses" of 24 April 2015;
- Resolution of the Government of the Republic of Kazakhstan No. 983 "On Approval of the - List of the State Service" of 18 September 2013;
- Order of the Minister of the National Economy of the Republic of Kazakhstan No. 67 "On Approval of the Qualification Requirements Maintained for Activities on Export and Import Licensing of Goods, List of Documents Confirming Compliance with them, Application Forms for Obtaining a License and (or) Annex to the License, the Form of a License and (or) Annexes to the License" of 30 January 2015.

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## Procedures

6. Not applicable.

7. Where there is no quantitative limit on importation of a product or on imports from a particular country:

- a) Application should be made in advance of arrival of the goods. The maximum processing time for a licence is 15 working days.
- b) No.
- c) No.
- d) The importer has to approach one administrative organ - the Industrial Development and Safety Committee of the Ministry of Investments and Development of the Republic of Kazakhstan. The Ministry of Investments and Development coordinates with the Ministry of Agriculture and the Ministry of Energy upon issuing licences.

8. Part II of the Appendix to Annex No. 7 "Rules of the Issuance of Licenses and Permits to Export and/or Import Goods" to the EAEU Treaty establishes the grounds for refusing licenses: (i) incomplete or inaccurate information in the documents submitted by the applicant to obtain a licence; (ii) noncompliance with the requirements stipulated in the Appendix to Annex No. 7 to the EAEU Treaty; (iii) termination or suspension of one or more documents that served as the basis for issuance of a licence; (iv) violation of international obligations of an EAEU member State, which may occur as a result of performance of the contract which requires a licence; (v) exhaustion of quota (in the case of registration of a licence for goods subject to quotas); and (vi) in cases established by the Commission.

The decision to refuse a licence has to be justified and presented by the authorized body to the applicant in writing.

## Eligibility of importers to apply for licence

9. All persons, firms and institutions are eligible to apply for licences.

## Documentation and other requirements for application for licence

10. Application forms are available on the website of the Ministry of National Economy of the Republic of Kazakhstan in Section "State Services" ([http://economy.gov.kz/ru/gosudarstvennye-uslugi/elements.php?SECTION\\_ID=9814](http://economy.gov.kz/ru/gosudarstvennye-uslugi/elements.php?SECTION_ID=9814)).

11. An importer is required to submit the following documents with the application:

- A digital copy of the application form;
- A copy of the contract;
- A copy of the registration document from the tax authority or a copy of the document on the state registration;
- A copy of the license for production (formulation) of pesticides (toxic chemicals), the sale of pesticides (toxic chemicals), the use of pesticides (toxic chemicals) in aerosol or fumigant ways;
- Copies of the constitutive documents to agricultural land and the amount of pesticides needed for the chemical treatment of agricultural land (If the applicant imports pesticides (toxic chemicals) not for sale, but for use on agricultural land belonging to him by right of ownership or land use rights);
- A copy of the licensing agreement between the company, the registrant of pesticides (toxic chemicals), and distribution companies or a letter of confirmation from the company, the registrant of pesticides (toxic chemicals), on the official distributorship of the seller (in case of import of pesticides (toxic chemicals) from distribution company);
- The original notification letter from the company, the registrant of pesticides (toxic chemicals), on the change of the production factory, which made imported registered pesticides (toxic chemicals) and its active substances with the preservation of the

formulation and the technology of its production. A copy of the license agreement, as well as a license or authorization of the manufacturing plant for the production of the imported pesticide (toxic chemicals) and its active substances (in case of the change of the pesticide producer (toxic chemicals);

- A copy of the agreement with the company for recycling, storage and disposal of waste, including packaging materials used for the production and further sale of goods to consumers (if the applicant is an agent);
- A copy of the contract (agreement) which sets out the procedure for return of defective plant protection products to the exporter;
- A copy of the passport on chemical products safety;
- A copy of the contract on obligatory ecological insurance;
- A copy of the conclusion on the state ecological examination on storage warehouses.

12. Licence application fee is 10 Monthly Calculated Indices.

13. There is no deposit or advance payment requirement associated with the issue of licences.

### Conditions of licensing

14. Licences are valid for the licence period and cannot be extended.

15. There is no penalty for the non-utilisation of a licence or a portion of a licence.

16. Licences are not transferable between importers.

17. There are no conditions attached to the issuance of a licence.

### Other procedural requirements

18. There are no other administrative procedures, apart from import licensing required prior to importation.

19. Foreign exchange is automatically provided by the banking authorities for goods to be imported.

## 3 HAZARDOUS WASTE

### Outline of System

1. The Republic of Kazakhstan manages its obligations for hazardous waste controlled by the Basel Convention for the Control of Trans-boundary Movements of Hazardous Waste and their Disposal (Basel Convention) through the Common List of Goods that are Subject to Non-tariff Measures in Trade with Third Countries (Decision of the Collegium of the Eurasian Economic Commission No. 30 "On Measures of Non-tariff Regulation" of 21 April 2015, Annex 2.3).

### Purposes and coverage of licensing

2. In accordance with the Republic of Kazakhstan's obligations under the Basel, the licensing system applies to hazardous wastes as listed in the Schedules to the Basel Convention.

Tariff line code(s) affected, based on HS(2012)	Detailed Product Description
2618 00 000 0	Granulated slag (slag sand) from the manufacture of ferrous metals
2619 00	Slag, dross (other than granulated slag), scalings and other waste from the manufacture of ferrous metals
Ex 2620 30 000 0	Scalings containing copper oxide
2620	Slag, ash and residues (other than from the manufacture of ferrous metals) containing metals, arsenic or their compounds, including:
2620 11 000 0	Hard zinc
Ex 2620 21 000 0	Lead output, lead dross
Ex 2620 29 000 0	Lead sludge, containing 30% of lead or more

Tariff line code(s) affected, based on HS(2012)	Detailed Product Description
Ex 2620 40 000 0	Aluminium slag
Ex 2620 99 950 9	Salt slag, containing magnesium
Ex 2620 99 950 9	Light metal outputs, containing magnesium
Ex 2620	Spent catalysts, suitable only for metal recovery or for the production of chemical reactants
Ex 3825 Ex 2620	Wastes, which composition includes as a component or contaminant any of the following substances:
	Metal carbonyls
Ex 2620 91 000 0 Ex 3825	Hexavalent chromium compounds
Ex 2620 30 000 0	Dust and residues from gas cleaning systems of copper smelteries
Ex 2620 30 000 0	Wastes in the form of sludge, except for the anode sludge, from operations of electrolytic separation and purification of copper
Ex 3825 Ex 2620 30 000 0	Wastes containing copper chloride or copper cyanide
Ex 2619 00 900 0	Slag, formed during the manufacture of iron and steel, used as raw material for titanium sponge and vanadium obtainment
Ex 7112 30 000 0	Ashes from the printed circuit boards incineration, containing precious metal(s) or compounds of precious metal(s)
Ex 7112 30 000 0	Ash from the film incineration, containing precious metal(s) or compounds of precious metal(s)
Ex 7112 99 000 0	Film wastes, containing silver haloids and metallic silver
Ex 7112 99 000 0	Photographic paper wastes, containing silver haloids and metallic silver
Ex 2520 10 000 0 Ex 3825	Gypsum wastes formed during the industrial chemical processes
Ex 3912 20	Nitrocellulose wastes
Ex 2907 Ex 2908	Wastes of phenols and phenol compounds including chlorophenol in the form of liquids or sludges
Ex 3825 41 000 0 Ex 3825 49 000 0	Whether or not halogenated non-aqueous distillation residues formed during the operations of recovery (regeneration) of organic solvents
Ex 3825 61 000 0	Wastes formed during the production of aliphatic halogenated hydrocarbons (chloromethane, dichloroethane, allyl chloride, epichlorohydrin), consisting of a mixture of polychlorinated hydrocarbons by 80-90%
	Wastes containing or contaminated with the following compounds:
Ex 2837 Ex 3825	Inorganic cyanides, except for waste containing precious metal(s) or compounds of precious metal(s) in solid form with traces of inorganic cyanides
Ex 2926 Ex 2929 Ex 3825	Organic cyanides
	Wastes of acid and alkaline solutions, the main compound of which is the following substances:
Ex 2806 10 000 0	Hydrochloric acid, pH <= 2
Ex 2807 00	Sulfuric acid, oleum
Ex 2808 00 000 0	Nitric acid, pH <= 2
Ex 2811 11 000 0	Hydrofluoric acid
Ex 2811 19 100 0	Hydrobromic acid
Ex 2814 20 000 0	Ammonia in aqueous solution
Ex 2815 12 000 0	Sodium hydroxide, pH > = 11.5
Ex 2815 20 000 0	Potassium hydroxide pH > = 11.5
Ex 2620 30 000 0 Ex 2620 99 950 9	Slag from copper production, excluding chemically stabilized, with a high iron content (above 20%) and processed in accordance with industry standards
Ex 2620 11 000 0 Ex 2620 19 000 0 Ex 2620 99 950 9	Slag from zinc production, excluding chemically stabilized, with a high iron content (above 20%) and processed in accordance with industry standards
Ex 2620 Ex 2621 Ex 3825	Slag and ash, including seaweed ash (kelp), including:
	Boiler slags



Tariff line code(s) affected, based on HS(2012)	Detailed Product Description
	Solid residues, salt-containing residues and residues from smoke filters of furnace aggregate with a conventional fuel (without reactive gypsum)
	Volatile ash and dust from firing installation plants (excluding the volatile ash and dust from waste incineration plants and pyrolysis plants)
	Neutralized red clay from alumina production
	Ash from coal-fired power plants, (including volatile)
Ex 3802	Spent activated carbon, except for those formed during the processing of drinking water, in the food industry and vitamin production
Ex chapter 28 Ex 3824 Ex 3825	Wastes containing inorganic fluorine compounds in the form of liquids or sludges, excluding calcium fluoride sludge
Ex 4004 00 000 0	Wastes, cuttings and scrap of rubber (excluding hard rubber)
Ex 4012 20 000	Used pneumatic tires
2307 00	Wine lees; argol
Ex 3504 00	Wastes of leather industry in the form of dust, ash, sludge, powder, containing hexavalent chromium compounds and biocides
Ex 4115 10 000 0 Ex 4115 20 000 0	Cuttings and other wastes of leather or composition leather, not suitable for the production of leather articles, containing hexavalent chromium compounds and biocides
Ex 0511 99 100 0 Ex(4101-4103) Ex 4301	Wastes of skins and raw fur materials, containing hexavalent chromium compounds or biocides
Ex 5003 00 000 0 Ex 5103 20 000 0 Ex 5202 10 000 0 Ex 5505 Ex 5601 30 000 0	Wastes in the form of spinning down
Ex 3206 Ex 3208 Ex 3212 Ex 3825	Wastes of pigments, dyes, paints and varnishes containing heavy metals and/or organic solvents
Ex 2805 40 Ex 7204 Ex 7404 00 Ex 7503 00 Ex 7602 00	Wastes of metals and alloys (except for scrap and alloys in the form of finished products: sheets, plates, girders, rods, tubes, etc.) containing any of the following substances:
Ex 7802 00 000 0	Antimony
Ex 7902 00 000 0	Cadmium
Ex 8002 00 000 0	Selenium
Ex 8101 97 000 0	Tellurium
Ex 8102 97 000 0 Ex 8103 30 000 0 Ex 8104 20 000 0 Ex 8105 30 000 0 Ex 8106 00 100 0 Ex 8107 30 000 0 Ex 8108 30 000 0 Ex 8109 30 000 0 Ex 8110 20 000 0 Ex 8111 00 190 0 Ex 8112 13 000 0 Ex 8112 22 000 0 Ex 8112 52 000 0 Ex 8112 92 210 9 Ex 8113 00 400 0	Thallium
Ex 2620 29 000 0 Ex 2620 91 000 0 Ex 2620 99 950 9 Ex 2620 60 000 0	Wastes (except for metal waste in solid form) including as a component or contaminant any of the following substances:
	Antimony and antimony compounds
	Beryllium, beryllium compounds
	Cadmium, cadmium compounds

Tariff line code(s) affected, based on HS(2012)	Detailed Product Description
	Lead and lead compounds
	Selenium and selenium compounds
	Tellurium, tellurium compounds
	Thallium, thallium compounds
Ex 2620 19 000 0 Ex 2530 90 000 9	Leaching residues after zinc processing, in the form of dust, sludge (jarosite, hematite, etc.)
Ex 7802 00 000 0 Ex 8548 10 910 0	Waste lead-acid batteries, not assembled
Ex 8548 10 100 0 Ex 8548 10 210 0 Ex 8548 10 290 0	Unsorted used batteries
Ex 85	Electrical equipment scrap or electrical junctions including galvanic piles, batteries, mercury switches, glass from cathode- ray tubes and other glass with an active coat, or contaminated with cadmium, mercury, lead, polychlorinated biphenyls at a concentration level of 50 mg/]kg and above
Ex 2710	Waste oils, including:
	Oil products in the form of water emulsions or mixes with water oil products in the form of slime from tanks storages the oil products unsuitable for further use as primary products
2710 91 000 0	Waste oils containing polychloride biphenyls, polychlorinated terphenyls or polybrominated biphenyls
Ex 2710 91 000 0	Waste of substances and products containing or polluted: the polychlorinated diphenyl (PHD) polychlorinated by the terphenyl (PHT) polychlorinated by naphthalene (PHN) or polybrominated by a diphenyl (PBD) including any other polybrominated analogs of these connections at concentration level from 50 mg/kg and above

3. The system applies to hazardous wastes originating in and coming from all countries that are Parties to the Basel Convention.

4. The licensing system ensures that Kazakhstan's commitments as a Party to the Basel Convention are upheld. To that effect, trans-boundary movements of hazardous wastes and other wastes is to be reduced to the minimum, consistent with the environmentally sound and efficient management of such wastes, and to be conducted in such a manner which will protect human health and the environment against the adverse effects which may result from such movement. The licensing system is not intended to restrict the quantity or value of imports.

5. Licensing is a statutory requirement for the import of any hazardous waste listed in Schedules to the Basel Convention. It is not possible to abolish the system without legislative approval. The legislation under which licences are maintained includes:

- Treaty on the Eurasian Economic Union (EAEU) of 29 May of 2014;
- Annex No. 7 "Protocol on Non-Tariff Measures Concerning Third Countries" to the Treaty on the EAEU;
- Decision of the Collegium of the Eurasian Economic Commission No. 134 "On Normative Legal Acts in the Area of Non-Tariff Regulation" of 16 August 2012;
- Law of the Republic of Kazakhstan No. 389 "On Accession of the Republic of Kazakhstan to the Basel Convention for the Control of Trans-boundary Movements of Hazardous Waste and Their Disposal" of 10 February 2003;
- Environmental Code of the Republic of Kazakhstan No. 212 of 9 January 2007;
- Law of the Republic of Kazakhstan No. 544-II "On Regulation of Trade Activity" of 12 April 2004;
- Law of the Republic of Kazakhstan No. 202-V "On Permissions and Notifications" of 16 May 2014;
- Resolution of the Government of the Republic of Kazakhstan No. 287 "On Approval of List of Goods Subjects to Import/Export Licensing, Licensers and State Bodies, Coordinating the Issuance of Licenses" of 24 April 2015;
- Resolution of the Government of the Republic of Kazakhstan No. 983 "On Approval of the List of the State Service" of 18 September 2013;

- Resolution of the Government of the Republic of Kazakhstan No. 594 "On Approval of the Rules of import, export and transit of wastes" of 11 July 2007;
- Order of the Minister of the National Economy of the Republic of Kazakhstan No. 67 "On Approval of the Qualification Requirements Maintained for Activities on Export and Import Licensing of Goods, List of Documents Confirming Compliance with them, Application Forms for Obtaining a License and (or) Annex to the License, the Form of a License and (or) Annexes to the License" of 30 January 2015.

## Procedures

6. Not applicable.

7. Where there is no quantitative limit on importation of a product or on imports from a particular country.

- a) Application should be made in advance of arrival of the goods. The maximum processing time for a licence is 15 working days.
- b) No.
- c) No.
- d) The importer has to approach one administrative organ - the Industrial Development and Safety Committee of the Ministry of Investments and Development of the Republic of Kazakhstan. The Ministry of Investments and Development coordinates with the Ministry of Energy upon issuing licences.

8. Part II of the Appendix to Annex No. 7 "Rules of the Issuance of Licenses and Permits to Export and/or Import Goods" to the EAEU Treaty establishes the grounds for refusing licenses: (i) incomplete or inaccurate information in the documents submitted by the applicant to obtain a licence; (ii) noncompliance with the requirements stipulated in the Appendix to Annex No. 7 to the EAEU Treaty; (iii) termination or suspension of one or more documents that served as the basis for issuance of a licence; (iv) violation of international obligations of an EAEU member State, which may occur as a result of performance of the contract which requires a licence; (v) exhaustion of quota (in the case of registration of a licence for goods subject to quotas); and (vi) in cases established by the Commission.

The decision to refuse a licence has to be justified and presented by the authorized body to the applicant in writing.

## Eligibility of importers to apply for licence

9. All persons, firms and institutions are eligible to apply for licences.

## Documentation and other requirements for application for licence

10. Application forms are available on the website of the Ministry of National Economy of the Republic of Kazakhstan in Section "State Services" ([http://economy.gov.kz/ru/gosudarstvennye-uslugi/elements.php?SECTION\\_ID=9814](http://economy.gov.kz/ru/gosudarstvennye-uslugi/elements.php?SECTION_ID=9814)).

An importer is required to submit the following documents with the application:

- A digital copy of the application form;
- A copy of the contract;
- A copy of the registration document from the tax authority or a copy of the document on the state registration;
- A copy of the activity license for the use of waste;
- A copy of the contract (agreement) between the importer and consumer of the goods (if the applicant is an agent);
- A copy of the contract (agreement) on transportation;
- A copy of the conclusion of the state ecological examination;

- A copy of the contract (agreement) between the importer and the person responsible for the disposal of waste, which sets out ecological safe use of this waste;
- The notification of the transboundary transportation of hazardous waste in accordance with the Basel Convention;
- The documents on the transportation of hazardous waste in accordance with the Basel Convention;
- Information on the availability of technical (technological) possibilities for the use of hazardous waste;
- A copy of the document certifying coverage by insurance, bond or other guarantee during the transboundary movement of hazardous wastes in accordance with the legislation and the Basel Convention.

11. Upon importation, an importer must present standard customs documentation along with a valid licence.

12. Licence application fee is 10 Monthly Calculated Indices.

13. There is no deposit or advance payment requirement associated with the issue of licences.

### Conditions of licensing

14. Licences are valid for the licence period and cannot be extended.

15. There is no penalty for the non-utilisation of a licence or a portion of a licence.

16. Licences are not transferable between importers.

17. There are no conditions attached to the issuance of a licence.

### Other procedural requirements

18. There are no other administrative procedures, apart from import licensing required prior to importation.

19. Foreign exchange is automatically provided by the banking authorities for goods to be imported.

## 4 PRECIOUS GEMS

### Outline of System

1. The licensing system is applied to regulate the import of precious gems in accordance with Kazakhstan's Kimberley Process Certification Scheme commitments for rough diamonds (the Common List of Goods that are Subject to Non-tariff Measures in Trade with Third Countries, approved by Decision of the Collegium of the Eurasian Economic Commission No. 30 "On Measures of Non-tariff Regulation" of 21 April 2015, Annex 2.9).

### Purposes and coverage of licensing

2. The licensing system permits to regulate the turnover of precious gems.

Tariff line code(s) affected, based on HS(2012)	Detailed Product Description
7102 21 000 0	Industrial diamonds, unworked or simply sawn, cleaved or bruted
Ex 7102 31 000 0	Non-industrial diamonds, unworked or simply sawn, cleaved or bruted, which can be used for the manufacture of diamonds
7102 10 000 0	Diamonds unsorted
Ex 7103 10 000 9 7103 91 000 0 Ex 7103 99 000 9	Precious stones (other than diamonds), raw or processed
7101 10 000 0	Natural Pearls
Ex 2530 90 000 1	Unique amber formation

Tariff line code(s) affected, based on HS(2012)	Detailed Product Description
7102 29 000 0	Diamonds, industrial, except for unworked or simply sawn, cleaved or bruted
7105 10 000 0	Dust and powder of diamonds
Ex 7102 39 000 0	Diamonds in the rough, but not mounted or non-industrial (diamonds)
Ex 7116 10 000 0 Ex 7116 20	Products from precious stones and natural pearls

3. The system applies to importers of precious gems from all countries.
4. The system enables the Government to monitor the quantities of precious gems imported. The system is not intended to restrict the quantity or volume of imports.
5. The controls on the importation of goods specified in this category are statutory requirements under the legislation detailed below:
  - Treaty on the Eurasian Economic Union (EAEU) of 29 May 2014;
  - Annex No. 7 "Protocol on Non-Tariff Measures Concerning Third Countries" to the Treaty on the EAEU;
  - Decision of the Collegium of the Eurasian Economic Commission No. 30 "On Measures of Non-Tariff Regulation" of 21 April 2015;
  - Law of the Republic of Kazakhstan No. 544-II "On Regulation of Trade Activity" of 12 April 2004;
  - Law of the Republic of Kazakhstan No. 202-V "On Permissions and Notifications" of 16 May 2014;
  - Resolution of the Government of the Republic of Kazakhstan No. 287 "On Approval of List of Goods Subjects to Import/Export Licensing, Licensers and State Bodies, Coordinating the Issuance of Licenses" of 24 April 2015;
  - Resolution of the Government of the Republic of Kazakhstan No. 983 "On Approval of the List of the State Service" of 18 September 2013;
  - Resolution of the Government of the Republic of Kazakhstan No. 1479 "On Determination of the Authorized Organization for the Examination of Precious Gems, including Rough Diamonds and Jewelry Made of Precious Metals and Precious Gems, and the Approval of the Rules of Import into the territory of the Republic of Kazakhstan from Countries outside the Customs Union, and export from the territory of the Republic of Kazakhstan to These Countries Precious Gems, Jewelry Made of Precious Metals and Precious Gems, Importation into the Territory of the Republic of Kazakhstan and Exportation from the Territory of the Republic of Kazakhstan of Rough Diamonds Based on the Kimberley Process Certification Scheme and Marking of Articles of Precious Metals and Precious Gems" of 23 November 2012.

This system cannot be abolished without legislative approval.

## Procedures

6. Not applicable.
7. Where there is no quantitative limit on importation of a product or on imports from a particular country.
  - a) There is no minimum advance notice required for the Act of State Control. Goods arriving at the custom without the Act of State Control cannot be imported. The maximum processing time for the issuance of the Act of State Control is one day.
  - b) No.
  - c) No.
  - d) The Act of State Control is issued by the Ministry of Investments and Development of the Republic of Kazakhstan.

8. Part II of the Appendix to Annex No. 7 "Rules of the Issuance of Licenses and Permits to Export and/or Import Goods" to the EAEU Treaty establishes the grounds for refusing licenses: (i) incomplete or inaccurate information in the documents submitted by the applicant to obtain a licence; (ii) noncompliance with the requirements stipulated in the Appendix to Annex No. 7 to the EAEU Treaty; (iii) termination or suspension of one or more documents that served as the basis for issuance of a licence; (iv) violation of international obligations of an EAEU member State, which may occur as a result of performance of the contract which requires a licence; (v) exhaustion of quota (in the case of registration of a licence for goods subject to quotas); and (vi) in cases established by the Commission.

The decision to refuse a licence has to be justified and presented by the authorized body to the applicant in writing.

#### **Eligibility of importers to apply for licence**

9. All persons, firms and institutions are eligible to apply for the Act of State Control.

#### **Documentation and other requirements for application for licence**

10. Application forms are available on the website of the Ministry of National Economy of the Republic of Kazakhstan in Section "State Services" ([http://economy.gov.kz/ru/gosudarstvennyye-uslugi/elements.php?SECTION\\_ID=9814](http://economy.gov.kz/ru/gosudarstvennyye-uslugi/elements.php?SECTION_ID=9814)).

An importer is required to submit the following documents with the application:

- A digital copy of the application form;
- A copy of the contract;
- A copy of the registration document from the tax authority or a copy of the document on the state registration.

11. Upon importation, an importer must present standard customs documentation along with the Act of State Control and the Kimberley Process Certification Scheme documents for rough diamonds.

12. There is no application fee for the Act of State Control.

13. There is no deposit or advance payment requirement associated with the issue of the Act of State Control.

#### **Conditions of licensing**

14. Authentic accompanying Kimberley Process certificate within the period of validity.

15. Not applicable.

16. Not applicable.

17. There are no conditions attached to the issuance of the Act of State Control.

#### **Other procedural requirements**

18. There are no other administrative procedures.

19. Foreign exchange is automatically provided by the banking authorities for goods to be imported.

### **5 PRECIOUS METALS AND RAW MATERIALS CONTAINING PRECIOUS METALS**

#### **Outline of System**

1. Licences are issued to regulate the import of precious metals and raw materials containing precious metals (the Common List of Goods that are Subject to Non-tariff Measures in Trade with

Third Countries, approved by Decision of the Collegium of the Eurasian Economic Commission No. 30 "On Measures of Non-tariff Regulation" of 21 April 2015, Annex 2.10).

### Purposes and coverage of licensing

2. The licensing system permits to regulate the turnover of precious metals and raw materials containing precious metals.

Tariff line code(s) affected, based on HS(2012)	Detailed Product Description
Ex 7106 10 000 0 Ex 7106 91 000 Ex 7108 11 000 0 Ex 7108 12 000 Ex 7108 20 000	Untreated gold or silver (only fine gold or silver in the form of ingots, plates, powders and granules, as well as gold, used for minting of coins)
Ex 7110 11 000 Ex 7110 19 100 0 Ex 7110 21 000 Ex 7110 29 000 0 Ex 7110 31 000 0 Ex 7110 41 000 0	Untreated platinum and platinum group metals (platinum only refined and platinum group metals in the form of ingots, plates, powder and granules)
Ex 7106 Ex 7108 Ex 7110	Raw precious metals (only unique and non-refining nuggets)
Ex 7112	Waste and scrap of precious metals
2616	Ores, concentrates of precious metals
Ex 7106 10 000 0 Ex 7106 91 000 Ex 7108 11 000 0 Ex 7108 12 000 9 Ex 7110 11 000 9 Ex 7110 21 000 9 Ex 7110 31 000 0 Ex 7110 41 000 0	Untreated precious metals, including in powder form (except for the unique and not subject to refining nuggets refined precious metals in the form of ingots, plates, powder and granules)
Ex 7112	Zinc debris
Ex 2603 00 000 0 Ex 2604 00 000 0 Ex 2607 00 000 Ex 2608 00 000 0 Ex 2609 00 000 0 Ex 2617	Ore concentrates of nonferrous metals, precious metals containing
Ex 7401 00 000 0 Ex 7402 00 000 0 Ex 7501 Ex 7801 99 100 0	Intermediate non-ferrous metal containing precious metals
2843 10 2843 21 000 0 2843 29 000 0 2843 30 000 0 2843 90 7106 10 000 0 7106 92 000 0 7107 00 000 0 7108 13 7109 00 000 0 7110 19 7110 29 000 0 7110 39 000 0 7110 49 000 0 7111 00 000 0 7113 7114 7115 8544 9003 19 000 1 9021 29 000 0 9101 9102	Precious metals in the form of goods and products

Tariff line code(s) affected, based on HS(2012)	Detailed Product Description
9103 9105 9111 9112 9113 10 100 0 Ex 9608 10 920 0 Ex 9608 10 990 0 Ex 9608 30 000 0	
7118	Coins

3. The system applies to importers of precious metals and raw materials containing precious metals from all countries.

4. The use of import licences enables the Government to monitor the quantities of controlled means imported. The system is not intended to restrict the quantity or volume of imports.

5. The controls on the importation of goods specified in this category are statutory requirements under the legislation detailed below:

- Treaty on the Eurasian Economic Union (EAEU) of 29 May 2014;
- Annex No. 7 "Protocol on Non-Tariff Measures Concerning Third Countries" to the Treaty on the EAEU;
- Decision of the Collegium of the Eurasian Economic Commission (EEC) No. 30 "On Measures of Non-Tariff Regulation" of 21 April 2015;
- Law of the Republic of Kazakhstan No. 544-II "On Regulation of Trade Activity" of 12 April 2004;
- Law of the Republic of Kazakhstan No. 202-V "On Permissions and Notifications" of 16 May 2014;
- Resolution of the Government of the Republic of Kazakhstan No. 287 "On Approval of List of Goods Subjects to Import/Export Licensing, Licensers and State Bodies, Coordinating the Issuance of Licenses" of 24 April 2015;
- Resolution of the Government of the Republic of Kazakhstan No. 983 "On Approval of the List of the State Service" of 18 September 2013;
- Resolution of the Government of the Republic of Kazakhstan No. 924 "On Approval of Rules of Importation into the Territory of the Republic of Kazakhstan from Countries Outside the Customs Union, and Exportation from the Territory of the Republic of Kazakhstan into these Countries Precious Metals and Raw Materials Containing Precious Metals, and on Amendments to Resolution of the Government of the Republic of Kazakhstan No. 1237 of 26 November 2004 "On Certain Issues of the Ministry of Industry and New Technologies of the Republic of Kazakhstan" of 16 August 2011.

This system cannot be abolished without legislative approval.

## Procedures

6. Not applicable.

7. Where there is no quantitative limit on importation of a product or on imports from a particular country.

- a) There is no minimum advance notice required for the licence. The maximum processing time for a licence is 15 days.
- b) No.
- c) No.
- d) The importer has to approach one administrative organ - the Ministry of Investments and Development of the Republic of Kazakhstan.



8. Part II of the Appendix to Annex No. 7 "Rules of the Issuance of Licenses and Permits to Export and/or Import Goods" to the EAEU Treaty establishes the grounds for refusing licenses: (i) incomplete or inaccurate information in the documents submitted by the applicant to obtain a licence; (ii) noncompliance with the requirements stipulated in the Appendix to Annex No. 7 to the EAEU Treaty; (iii) termination or suspension of one or more documents that served as the basis for issuance of a licence; (iv) violation of international obligations of an EAEU member State, which may occur as a result of performance of the contract which requires a licence; (v) exhaustion of quota (in the case of registration of a licence for goods subject to quotas); and (vi) in cases established by the Commission.

The decision to refuse a licence has to be justified and presented by the authorized body to the applicant in writing.

### **Eligibility of importers to apply for licence**

9. All persons, firms and institutions are eligible to apply for licences.

### **Documentation and other requirements for application for licence**

10. Application forms are available on the website of the Ministry of National Economy of the Republic of Kazakhstan in Section "State Services" ([http://economy.gov.kz/ru/gosudarstvennye-uslugi/elements.php?SECTION\\_ID=9814](http://economy.gov.kz/ru/gosudarstvennye-uslugi/elements.php?SECTION_ID=9814)).

An importer is required to submit the following documents with the application:

- A digital copy of the application form;
- A copy of the contract;
- A copy of the registration document from the tax authority or a copy of the document on the state registration.

11. Upon importation, an importer must present standard customs documentation along with a valid licence.

12. Licence application fee is 10 Monthly Calculated Indices.

13. There is no deposit or advance payment requirement associated with the issue of licences.

### **Conditions of licensing**

14. Licences are valid for the licence period and cannot be extended.

15. There is no penalty for the non-utilisation of a licence or a portion of a licence.

16. Licences are not transferable between importers.

17. There are no conditions attached to the issuance of a licence.

### **Other procedural requirements**

18. There are no other administrative procedures, apart from import licensing required prior to importation.

19. Foreign exchange is automatically provided by the banking authorities for goods to be imported.

## **6 NARCOTIC DRUGS, SUBSTANCES WITH PSYCHOTROPIC EFFECTS AND THEIR PRECURSORS**

### **Outline of System**

1. Licences are issued to control the import of specified narcotic drugs, substances with psychotropic effects and their precursors (the Common List of Goods that are Subject to Non-tariff

Measures in Trade with Third Countries, approved by Decision of the Collegium of the Eurasian Economic Commission No. 30 "On Measures of Non-tariff Regulation" of 21 April 2015, Annex 2.12).

### Purposes and coverage of licensing

2. This system fulfils part of the Republic of Kazakhstan's obligation under the Single Convention on Narcotic Drugs, 1961, the Convention on Psychotropic Substances, 1971, and Table I and Table II of the Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988.

3. The system applies to importers of controlled substances from all countries.

4. The use of import licences enables the Government to monitor the quantities of controlled substances imported. This is intended to prevent the over-supply and diversion of controlled substances and is one strategy adopted to address drug misuse. The system is based on the requirements of the international treaties. The system is not intended to restrict the quantity or volume of imports.

5. The controls on the importation of goods specified in this category are statutory requirements under the legislation detailed below:

- Treaty on the Eurasian Economic Union (EAEU) of 29 May 2014;
- Annex No. 7 "Protocol on Non-Tariff Measures Concerning Third Countries" to the Treaty on the EAEU;
- Decision of the Collegium of the Eurasian Economic Commission No. 30 "On Measures of Non-Tariff Regulation" of 21 April 2015;
- Law of the Republic of Kazakhstan No. 257 "On Accession of the Republic of Kazakhstan to the Single Convention on Narcotic Drugs, 1961 with Amendments in accordance with the Protocol 1972 on Amendments to the Single Convention on Narcotic Drugs, 1961" of 1 July 1998
- Law of the Republic of Kazakhstan No. 249 "On Accession of the Republic of Kazakhstan to the Convention on Psychotropic Substances" of 29 June 1998;
- Law of the Republic of Kazakhstan No. 246 "On Accession of the Republic of Kazakhstan to UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances" of 29 June 1998;
- Law of the Republic of Kazakhstan No. 279-I "On Narcotic Drugs, Psychotropic Substances and Their Substitutes, Precursors and Countermeasures on their Illegal Circulations and Misuse" of 10 July 1998;
- Law of the Republic of Kazakhstan No. 544-II "On Regulation of Trade Activity" of 12 April 2004;
- Law of the Republic of Kazakhstan No. 202-V "On Permissions and Notifications" of 16 May 2014;
- Resolution of the Government of the Republic of Kazakhstan No. 287 "On Approval of List of Goods Subjects to Import/Export Licensing, Licensers and State Bodies, Coordinating the Issuance of Licenses" of 24 April 2015;
- Resolution of the Government of the Republic of Kazakhstan No. 983 "On Approval of the List of the State Service" of 18 September 2013;
- Order of the Minister of the National Economy of the Republic of Kazakhstan No. 67 "On Approval of the Qualification Requirements Maintained for Activities on Export and Import Licensing of Goods, List of Documents Confirming Compliance with them, Application Forms for Obtaining a License and (or) Annex to the License, the Form of a License and (or) Annexes to the License" of 30 January 2015.

This system cannot be abolished without legislative approval.

### Procedures

6. Not applicable.

7. Where there is no quantitative limit on importation of a product or on imports from a particular country.

- 
- a) Application should be made in advance of arrival of the goods. The maximum processing time for a licence is 15 working days.
  - b) No.
  - c) No.
  - d) The importer has to approach one administrative organ - the Ministry of Internal Affairs of the Republic of Kazakhstan.

8. Part II of the Appendix to Annex No. 7 "Rules of the Issuance of Licenses and Permits to Export and/or Import Goods" to the EAEU Treaty establishes the grounds for refusing licenses: (i) incomplete or inaccurate information in the documents submitted by the applicant to obtain a licence; (ii) noncompliance with the requirements stipulated in the Appendix to Annex No. 7 to the EAEU Treaty; (iii) termination or suspension of one or more documents that served as the basis for issuance of a licence; (iv) violation of international obligations of an EAEU member State, which may occur as a result of performance of the contract which requires a licence; (v) exhaustion of quota (in the case of registration of a licence for goods subject to quotas); and (vi) in cases established by the Commission.

The decision to refuse a licence has to be justified and presented by the authorized body to the applicant in writing.

#### **Eligibility of importers to apply for licence**

9. All persons, firms and institutions are eligible to apply for licences.

#### **Documentation and other requirements for application for licence**

10. Application forms are available on the website of the Ministry of National Economy of the Republic of Kazakhstan in Section "State Services" ([http://economy.gov.kz/ru/gosudarstvennye-uslugi/elements.php?SECTION\\_ID=9814](http://economy.gov.kz/ru/gosudarstvennye-uslugi/elements.php?SECTION_ID=9814)).

An importer is required to submit the following documents with the application:

- A digital copy of the application form;
- A copy of the contract;
- A copy of the registration document from the tax authority or a copy of the document on the state registration;
- The activity licence for the circulation of drugs (narcotics), psychoactive substances and precursors.

11. Upon importation, an importer must present standard customs documentation along with a valid licence.

12. Licence application fee is 10 Monthly Calculated Indices.

13. There is no deposit or advance payment requirement associated with the issue of licences.

#### **Conditions of licensing**

14. Licences are valid for the licence period and cannot be extended.

15. There is no penalty for the non-utilisation of a licence or a portion of a licence.

16. Licences are not transferable between importers.

17. There are no conditions attached to the issuance of a licence.

### Other procedural requirements

18. There are no other administrative procedures, apart from import licensing required prior to importation.

19. Foreign exchange is automatically provided by the banking authorities for goods to be imported.

## 7 TOXIC SUBSTANCES EXCEPT FOR PRECURSORS OF THE NARCOTIC DRUGS AND SUBSTANCES WITH PSYCHOTROPIC EFFECTS

### Outline of System

1. Licences are issued to control the import of toxic substances except for precursors of the drugs and substances with psychotropic effects (the Common List of Goods that are Subject to Bans and Restrictions on Importation and Exportation by Parties of the Customs Union of the Eurasian Economic Community in Trade with Third Countries, approved by Decision of the Collegium of the Eurasian Economic Commission No. 134 of 16 August 2012, Annex 2.13).

### Purposes and coverage of licensing

2. The licensing system permits to control the turnover of toxic substances of different origins for protection of human, animal or plant life or health.

Tariff line code(s) affected, based on HS(2012)	Detailed Product Description
Ex 1211 90 850 9	Aconite
Ex 2939 99 000 0	Aconitine
Ex 2922 19 850 0	Amizylum
Ex 2933 39 990 0	Aceclidine
Ex 2837 19 000 0	Barium cyanide
Ex 2939 99 000 0	Brucine
Ex 2939 99 000 0	Hyoscyamine base
Ex 2939 99 000 0	Hyoscyamine camforate
Ex 2939 99 000 0	Hyoscyamine sulfate
Ex 2905 59	Gliflor
Ex 2837 19 000 0	Cadmium cyanide
Ex 2837 19 000 0	Calcium cyanide
Ex 2924 19 000 0	Carbacholinum
Ex 2930 90 990 0	Merkaptofos
2905 11 000 0	Methyl alcohol (methanol)
2804 80 000 0	Arsenic
Ex 2811 29 900 0	Arsenious anhydride
Ex 2811 29 900 0	Arsenic anhydride
Ex 2842 90 800 0	Sodium arsenate
Ex 2939 99 000 0	Nicotine
Ex 2931 90 900 9	Novarsenolum
Ex 2852 00 000 7	Promeran
Ex 2805 40	Metallic mercury
Ex 2852 10 000 8	Mercury diiodid
Ex 2852 10 000 8	Mercury dichloride
Ex 2852 10 000 8	Mercury oxicyanid
Ex 2852 10 000 8	Mercury salicylate
Ex 2852 10 000 8	Mercury cyanide
Ex 2843 29 000 0	Silver cyanide
Ex 2939 99 000 0	Scopolamine hydrobromide
Ex 2939 99 000 0	Strychnine nitrate
Ex 2939 99 000 0	Belladonna alkaloids
Ex 8112 51 000 0	Thallium
Ex 2931 90 900 9	Nickel tetracarbonyl
Ex 2931 10 000 0	Tetraethyl lead
Ex 1211 90 850 9	Herb of Djungarian aconite, fresh
Ex 2907 11 000 0	Phenol

Tariff line code(s) affected, based on HS(2012)	Detailed Product Description
Ex 2848 00 000 0	Zinc phosphide
2804 70 001 0	Yellow phosphorus
Ex 2843 29 000 0	Silver fluoride
Ex 2926 90 950 0	O-chloro benzylidenmalonodinitril **
Ex 2837 19 000 0	Zinc cyanide
Ex 2939 20 000 0	Cinchonine
Ex 1302 19 800 0	Glume grass extract
Ex 2852 10 000 8	Ethyl mercury phosphate
Ex 2852 10 000 8	Ethyl mercury chloride
Ex 3001 90 980 0	Snake venom
Ex 3001 90 980 0	Bee venom, purified
Ex 2837 11 000 0	Sodium Cyanides
Ex 2837 19 000 0	Potassium Cyanides
Ex 2837 19 000 0	Copper cyanides

3. The system applies to importers of controlled substances from all countries.
4. The use of import licences enables the Government to monitor the quantities of controlled substances imported. The system is not intended to restrict the quantity or volume of imports.
5. The legislation under which licences are maintained includes:
  - Treaty on the Eurasian Economic Union (EAEU) of 29 May of 2014;
  - Annex No. 7 "Protocol on Non-Tariff Measures Concerning Third Countries" to the Treaty on the EAEU;
  - Decision of the Collegium of the Eurasian Economic Commission No. 134 "On Normative Legal Acts in the Area of Non-Tariff Regulation" of 16 August 2012;
  - Law of the Republic of Kazakhstan No. 544-II "On Regulation of Trade Activity" of 12 April 2004;
  - Law of the Republic of Kazakhstan No. 202-V "On Permissions and Notifications" of 16 May 2014;
  - Resolution of the Government of the Republic of Kazakhstan No. 287 "On Approval of List of Goods Subjects to Import/Export Licensing, Licensers and State Bodies, Coordinating the Issuance of Licenses" of 24 April 2015;
  - Resolution of the Government of the Republic of Kazakhstan No. 983 "On Approval of the List of the State Service" of 18 September 2013;
  - Order of the Minister of the National Economy of the Republic of Kazakhstan No. 67 "On Approval of the Qualification Requirements Maintained for Activities on Export and Import Licensing of Goods, List of Documents Confirming Compliance with them, Application Forms for Obtaining a License and (or) Annex to the License, the Form of a License and (or) Annexes to the License" of 30 January 2015.

This system cannot be abolished without legislative approval.

### Procedures

6. Not applicable.
7. Where there is no quantitative limit on importation of a product or on imports from a particular country.
  - a) Application should be made in advance of arrival of the goods. The maximum processing time for a licence is 15 working days.
  - b) No.
  - c) No.
  - d) The importer has to approach one administrative organ - the Industrial Development and Industry Safety Committee of the Ministry of Investments and Development of the Republic

of Kazakhstan. The Ministry of Investments and Development coordinates with the Ministry of National Economy upon issuing licences.

8. Part II of the Appendix to Annex No. 7 "Rules of the Issuance of Licenses and Permits to Export and/or Import Goods" to the EAEU Treaty establishes the grounds for refusing licenses: (i) incomplete or inaccurate information in the documents submitted by the applicant to obtain a licence; (ii) noncompliance with the requirements stipulated in the Appendix to Annex No. 7 to the EAEU Treaty; (iii) termination or suspension of one or more documents that served as the basis for issuance of a licence; (iv) violation of international obligations of an EAEU member State, which may occur as a result of performance of the contract which requires a licence; (v) exhaustion of quota (in the case of registration of a licence for goods subject to quotas); and (vi) in cases established by the Commission.

The decision to refuse a licence has to be justified and presented by the authorized body to the applicant in writing.

### **Eligibility of importers to apply for licence**

9. All persons, firms and institutions are eligible to apply for licences.

### **Documentation and other requirements for application for licence**

10. Application forms are available on the website of the Ministry of National Economy of the Republic of Kazakhstan in Section "State Services" ([http://economy.gov.kz/ru/gosudarstvennye-uslugi/elements.php?SECTION\\_ID=9814](http://economy.gov.kz/ru/gosudarstvennye-uslugi/elements.php?SECTION_ID=9814)).

An importer is required to submit the following documents with the application:

- A digital copy of the application form;
- A copy of the contract;
- A copy of the registration document from the tax authority or a copy of the document on the state registration;
- A copy of the activity licence for production, processing, purchase, storage, sale, use and destruction of toxic substances;
- A copy of the sanitary and epidemiological conclusion on the storage of toxic substances;
- Passport of safety of toxic products;
- A copy of the certificate of insurance.

11. Upon importation, an importer must present standard customs documentation along with a valid licence.

12. Licence application fee is 10 Monthly Calculated Indices.

13. There is no deposit or advance payment requirement associated with the issue of licences.

### **Conditions of licensing**

14. Licences are valid for the licence period and cannot be extended.

15. There is no penalty for the non-utilisation of a licence or a portion of a licence.

16. Licences are not transferable between importers.

17. There are no conditions attached to the issuance of a licence.

### **Other procedural requirements**

18. There are no other administrative procedures, apart from import licensing required prior to importation.

19. Foreign exchange is automatically provided by the banking authorities for goods to be imported.

## 8 CIVIL RADIO-ELECTRONIC AND/OR HIGH-FREQUENCY MEANS (REM AND HFM) INCLUDING BUILT-IN OR FORMING PART OF OTHER GOODS

### Outline of System

1. Licences are issued to regulate the import of civil radio-electronic and/or high-frequency means (REM and HFM) including built-in or forming part of other goods (the Common List of Goods that are Subject to Non-tariff Measures in Trade with Third Countries, approved Decision of the Collegium of the Eurasian Economic Commission No. 30 "On Measures of Non-tariff Regulation" of 21 April 2015, Annex 2.16).

### Purposes and coverage of licensing

2. The licensing system permits to regulate the turnover of civil radio-electronic and/or high-frequency means (REM and HFM) including built-in or forming part of other goods.

Tariff line code(s) affected, based on HS(2012)	Detailed Product Description
Ex 8419 Ex 8514 Ex 8540 Ex 8543 Ex 9018 Ex 9027	High-frequency devices, appliances and equipment for industrial, scientific and medical purposes, which include high-frequency generators
Ex 8470 Ex 8471 Ex 8517 Ex 8518 Ex 8519 Ex 8521 Ex 8525 Ex 8526 Ex 8527 Ex 8528 Ex 8531 Ex 90	Radio electronic means of various utilization for the transmission or reception of voice, images, data and / or other types of information, including built-in or forming part of other goods
Ex 8526 Ex 8527	Hardware and software systems of technical radio control, reception apparatus, intended to detect radio-electronic means, which are a source of electromagnetic radiation

3. The system applies to importers of controlled means from all countries.

4. The use of import licences enables the Government to monitor the quantities of controlled means imported. The system is not intended to restrict the quantity or volume of imports.

5. The controls on the importation of goods specified in this category are statutory requirements under the legislation detailed below:

- Treaty on the Eurasian Economic Union (EAEU) of 29 May 2014;
- Annex No. 7 "Protocol on Non-Tariff Measures Concerning Third Countries" to the Treaty on the EAEU;
- Decision of the Collegium of the Eurasian Economic Commission No. 30 "On Measures of Non-Tariff Regulation" of 21 April 2015;
- Law of the Republic of Kazakhstan No. 544-II "On Regulation of Trade Activity" of 12 April 2004;
- Law of the Republic of Kazakhstan No. 202-V "On Permissions and Notifications" of 16 May 2014;
- Resolution of the Government of the Republic of Kazakhstan No. 287 "On Approval of List of Goods Subjects to Import/Export Licensing, Licensers and State Bodies, Coordinating the Issuance of Licenses" of 24 April 2015;
- Resolution of the Government of the Republic of Kazakhstan No. 983 "On Approval of the List of the State Service" of 18 September 2013;
- Order of the Minister of the National Economy of the Republic of Kazakhstan No. 67 "On Approval of the Qualification Requirements Maintained for Activities on Export and Import

Licensing of Goods, List of Documents Confirming Compliance with them, Application Forms for Obtaining a License and (or) Annex to the License, the Form of a License and (or) Annexes to the License" of 30 January 2015.

This system cannot be abolished without legislative approval.

### Procedures

6. Not applicable.

7. Where there is no quantitative limit on importation of a product or on imports from a particular country.

- a) There is no minimum advance notice required for a licence. The maximum processing time for a licence is 15 days.
- b) No.
- c) No.
- d) The importer has to approach one administrative organ - the Ministry of Investments and Development of the Republic of Kazakhstan.

8. Part II of the Appendix to Annex No. 7 "Rules of the Issuance of Licenses and Permits to Export and/or Import Goods" to the EAEU Treaty establishes the grounds for refusing licenses: (i) incomplete or inaccurate information in the documents submitted by the applicant to obtain a licence; (ii) noncompliance with the requirements stipulated in the Appendix to Annex No. 7 to the EAEU Treaty; (iii) termination or suspension of one or more documents that served as the basis for issuance of a licence; (iv) violation of international obligations of an EAEU member State, which may occur as a result of performance of the contract which requires a licence; (v) exhaustion of quota (in the case of registration of a licence for goods subject to quotas); and (vi) in cases established by the Commission.

The decision to refuse a licence has to be justified and presented by the authorized body to the applicant in writing.

### Eligibility of importers to apply for licence

9. All persons, firms and institutions are eligible to apply for licences.

### Documentation and other requirements for application for licence

10. Application forms are available on the website of the Ministry of National Economy of the Republic of Kazakhstan in Section "State Services" ([http://economy.gov.kz/ru/gosudarstvennye-uslugi/elements.php?SECTION\\_ID=9814](http://economy.gov.kz/ru/gosudarstvennye-uslugi/elements.php?SECTION_ID=9814)).

An importer is required to submit the following documents with the application:

- A digital copy of the application form;
- A copy of the contract;
- A copy of the registration document from the tax authority or a copy of the document on the state registration;
- Data on imported civil radio-electronic and/or high-frequency means;
- A copy of the certificate of compliance;
- A copy of the conclusion of the technical examination with regard to the designation of the imported goods to encryption goods and special technical devices designed for the conducting of operative-investigation activities issued by the National Security Committee of the Republic of Kazakhstan;
- A copy of the licence with regard to the designation (non-designation) of the imported goods to civil radio-electronic and/or high-frequency means;
- Conclusion on the possibility of importation of the indicated encryption goods.



11. Upon importation, an importer must present standard customs documentation along with a valid licence.

12. Licence application fee is 10 Monthly Calculated Indices.

13. There is no deposit or advance payment requirement associated with the issue of licences.

#### Conditions of licensing

14. Licences are valid for the licence period and cannot be extended.

15. There is no penalty for the non-utilisation of a licence or a portion of a licence.

16. Licences are not transferable between importers.

17. There are no conditions attached to the issuance of a licence.

#### Other procedural requirements

18. There are no other administrative procedures, apart from import licensing required prior to importation.

19. Foreign exchange is automatically provided by the banking authorities for goods to be imported.

### 9 SPECIAL DEVICES INTENDED FOR UNAUTHORIZED OBTAINING OF INFORMATION

#### Outline of System

1. Licences are issued to regulate the import of special devices intended for unauthorised obtaining of information (the Common List of Goods that are Subject to Non-tariff Measures in Trade with Third Countries, approved by Decision of the Collegium of the Eurasian Economic Commission No. 30 "On Measures of Non-tariff Regulation" of 21 April 2015, Annex 2.17).

#### Purposes and coverage of licensing

2. The licensing system permits to regulate the turnover of special devices intended for unauthorised obtaining of information including built-in or forming part of other goods.

Tariff line code(s) affected, based on HS(2012)	Detailed Product Description
	1. Special hardware for unauthorised obtaining and recording of audio information:
Ex 8517 61 000 Ex 8517 62 000 Ex 8517 69 390 0 Ex 8517 69 900 0	a) wire communication systems for unauthorised obtaining and (or) the recording of audio information;
Ex 8517 70 900 1 Ex 8518 30 950 0 Ex 8518 40 Ex 8523 49 450 0 Ex 8525 50 000 0 Ex 8525 60 000 0 Ex 8527 Ex 8529 10 390 0	b) radio-electronic devices for unauthorised obtaining and (or) the recording of audio information;
Ex 8519 81 510 0 Ex 8519 81 550 Ex 8519 81 610 Ex 8519 81 650 Ex 8519 81 750 Ex 8519 81 850 Ex 8519 89 900 0 Ex 8523 51	c) electronic devices for unauthorised recording of audio information;

Tariff line code(s) affected, based on HS(2012)	Detailed Product Description
	2. Special hardware for unauthorised visual surveillance and video recording:
Ex 9002	a) pin-hole lenses;
Ex 9006 51 000 0 Ex 9006 52 000 9 Ex 9006 53 100 0	b) photocameras possessing at least one of the following features: camouflaged under items of other functionality, having pin-hole lenses;
Ex 8525 80	c) television and video cameras, possessing at least one of the following features: camouflaged under items of other functionality, having pin-hole lenses; unauthorised obtaining and (or) recording of video information;
Ex 8517 61 000 Ex 8517 62 000	d) wire communication systems for unauthorised obtaining and (or) the recording of video information;
Ex 8517 69 390 0 Ex 8517 69 900 0 Ex 8523 49 450 0 Ex 8525 50 000 0 Ex 8525 60 000 0 Ex 8527 Ex 8529 10 390 0	e) radio-electronic devices for unauthorised obtaining and (or) the recording of video information;
Ex 8521 Ex 8523 51	f) electronic devices for unauthorised recording of video information;
	3. Special hardware for unauthorised wiretapping:
Ex 8517 61 000 Ex 8517 62 000	a) wire communication systems for unauthorised wiretapping;
Ex 8517 69 390 0 Ex 8517 69 900 0 Ex 8525 50 000 0 Ex 8525 60 000 0 Ex 8527 Ex 8529 10 390 0	b) radio-electronic devices for unauthorised wiretapping;
Ex 8519 81 510 0 Ex 8519 81 550 Ex 8519 81 610 Ex 8519 81 650 Ex 8519 81 750 Ex 8519 81 850 Ex 8523 51	c) electronic devices for unauthorised recording of information about telephone conversations
Ex 8471 Ex 8517 61 000 Ex 8517 62 000 Ex 8517 69 390 0 Ex 8517 69 900 0 Ex 8523 29 310 1 Ex 8523 29 310 2 Ex 8523 49 250 0 Ex 8523 49 910 1 Ex 8523 51 910 1 Ex 8523 59 910 1 Ex 8523 80 910 1 Ex 8527	4. Special hardware for unauthorised interception and recording of information from technical communication channels
Ex 9022 19 000 0	5. Special hardware for unauthorised monitoring of post mails and parcels
Ex 9022 19 000 0	6. Special hardware for unauthorised examination of articles and documents, including small-sized portable fluoroscopic, TV radiographic and X-ray equipment
	7. Special hardware for unauthorised break-in and inspection of premises, vehicles and other objects:
Ex 8301 70 000 0	a) means for opening the closure device;
Ex 9022 19 000 0	b) small-sized portable fluoroscopic, TV radiographic and X-ray equipment
Ex 8526 10 000 9 Ex 8526 91	8. Special hardware for unauthorised monitoring of the movement of vehicles and other objects
Ex 8471 Ex 8505 90 200 0 Ex 8517 61 000	9. Special hardware for unauthorised receiving (changing, destruction) of the information from the hardware of its storage, processing and transmission

Tariff line code(s) affected, based on HS(2012)	Detailed Product Description
Ex 8517 62 000 Ex 8517 69 390 0 Ex 8517 69 900 0 Ex 8523 29 310 1 Ex 8523 29 310 2 Ex 8523 49 250 0 Ex 8523 49 910 1 Ex 8523 51 910 1 Ex 8523 59 910 1 Ex 8523 80 910 1 Ex 8527	
Ex 9019 10 900 9	10. Special hardware for unauthorised personal identification. Special hardware for unauthorised recording of human psychophysiological reactions

3. The system applies to importers of controlled means from all countries.
4. The use of import licences enables the Government to monitor the quantities of controlled means imported. The system is not intended to restrict the quantity or volume of imports.
5. The controls on the importation of goods specified in this category are statutory requirements under the legislation detailed below:
  - Treaty on the Eurasian Economic Union (EAEU) of 29 May 2014;
  - Annex No. 7 "Protocol on Non-Tariff Measures Concerning Third Countries" to the Treaty on the EAEU;
  - Decision of the Collegium of the Eurasian Economic Commission No. 30 "On Measures of Non-Tariff Regulation" of 21 April 2015;
  - Law of the Republic of Kazakhstan No. 544-II "On Regulation of Trade Activity" of 12 April 2004;
  - Law of the Republic of Kazakhstan No. 202-V "On Permissions and Notifications" of 16 May 2014;
  - Resolution of the Government of the Republic of Kazakhstan No. 287 "On Approval of List of Goods Subjects to Import/Export Licensing, Licensers and State Bodies, Coordinating the Issuance of Licenses" of 24 April 2015;
  - Resolution of the Government of the Republic of Kazakhstan No. 983 "On Approval of the List of the State Service" of 18 September 2013;
  - Order of the Minister of the National Economy of the Republic of Kazakhstan No. 67 "On Approval of the Qualification Requirements Maintained for Activities on Export and Import Licensing of Goods, List of Documents Confirming Compliance with them, Application Forms for Obtaining a License and (or) Annex to the License, the Form of a License and (or) Annexes to the License" of 30 January 2015.

This system cannot be abolished without legislative approval.

### Procedures

6. Not applicable.
7. Where there is no quantitative limit on importation of a product or on imports from a particular country.
  - a) There is no minimum advance notice required for a licence. Goods arriving at the custom without a licence cannot be imported and retrospective permits cannot be issued. The maximum processing time for a licence is 15 days.
  - b) No.
  - c) No.

- d) The importer has to approach one administrative organ - the Industrial Development and Industry Safety Committee of the Ministry of Investments and Development of the Republic of Kazakhstan. The Ministry of Investments and Development coordinates with the National Security Committee upon issuing licences.

8. Part II of the Appendix to Annex No. 7 "Rules of the Issuance of Licenses and Permits to Export and/or Import Goods" to the EAEU Treaty establishes the grounds for refusing licenses: (i) incomplete or inaccurate information in the documents submitted by the applicant to obtain a licence; (ii) noncompliance with the requirements stipulated in the Appendix to Annex No. 7 to the EAEU Treaty; (iii) termination or suspension of one or more documents that served as the basis for issuance of a licence; (iv) violation of international obligations of an EAEU member State, which may occur as a result of performance of the contract which requires a licence; (v) exhaustion of quota (in the case of registration of a licence for goods subject to quotas); and (vi) in cases established by the Commission.

The decision to refuse a licence has to be justified and presented by the authorized body to the applicant in writing.

### **Eligibility of importers to apply for licence**

9. All persons, firms and institutions are eligible to apply for licences.

### **Documentation and other requirements for application for licence**

10. Application forms are available on the website of the Ministry of National Economy of the Republic of Kazakhstan in Section "State Services" ([http://economy.gov.kz/ru/gosudarstvennye-uslugi/elements.php?SECTION\\_ID=9814](http://economy.gov.kz/ru/gosudarstvennye-uslugi/elements.php?SECTION_ID=9814)).

An importer is required to submit the following documents with the application:

- A digital copy of the application form;
- A copy of the contract;
- A copy of the registration document from the tax authority or a copy of the document on the state registration;
- A copy of the activity licence for development, production, repair and sale of special technical devices designed for the conducting of operative-investigation activities;
- A copy of the technical documentation of the special technical devices;
- Conclusion on the technical examination with regard to designation of the imported goods to special technical devices designed for the conducting of operative-investigation activities issued by the National Security Committee of the Republic of Kazakhstan.

11. Upon importation, an importer must present standard customs documentation along with a valid licence.

12. Licence application fee is 10 Monthly Calculated Indices.

13. There is no deposit or advance payment requirement associated with the issue of licences.

### **Conditions of licensing**

14. Licences are valid for the licence period and cannot be extended.

15. There is no penalty for the non-utilisation of a licence or a portion of a licence.

16. Licences are not transferable between importers.

17. There are no conditions attached to the issuance of a licence.

### **Other procedural requirements**

18. There are no other administrative procedures, apart from import licensing required prior to importation.

19. Foreign exchange is automatically provided by the banking authorities for goods to be imported.

## 10 ENCRYPTION DEVICES

### Outline of System

1. Licences are issued to regulate the import of encryption devices (the Common List of Goods that are Subject to Non-tariff Measures in Trade with Third Countries, approved by Decision of the Collegium of the Eurasian Economic Commission No.30 "On Measures of Non-tariff Regulation" of 21 April 2015, Annex 2.19).

### Purposes and coverage of licensing

2. The licensing system permits to regulate the turnover of encryption devices including built-in or forming part of other goods.

Tariff line code(s) affected, based on HS(2012)	Detailed Product Description
Ex 8443 31 Ex 8443 32 100 9 Ex 8443 32 300 0 Ex 8443 99 100 0	1. Printers, copiers and fax machines and their electronic modules with encryption (cryptography) functions
Ex 8470 10 000 0	2. Pocket devices with calculating functions for recording, playback and displaying of data, with encryption (cryptography) functions
Ex 8471 30 000 0	3. Pocket computer with encryption (cryptography) functions
Ex 8471 30 000 0 Ex 8471 41 000 0 Ex 8471 49 000 0 Ex 8471 50 000 0 Ex 8471 90 000 0 Ex 8473 30 200 8	4. Computing machinery and parts thereof, with encryption (cryptography) functions
Ex 8471 70 500 0 Ex 8471 70 980 0 Ex 8471 80 000 0	5. Computing machinery devices of computers with encryption (cryptography) functions
Ex 8473 21 100 0 Ex 8473 21 900 0 Ex 8473 30 200 8 Ex 8473 30 800 0	6. Electronic modules and parts of pocket devices with encryption (cryptography) functions
Ex 8517 11 000 0 Ex 8517 12 000 0 Ex 8517 18 000 0	7. Subscriber communication devices with encryption (cryptography) functions
Ex 8517 61 000 1 Ex 8517 61 000 2 Ex 8517 61 000 8	8. Base stations with encryption (cryptography) functions
Ex 8517 62 000 Ex 8517 69 390 0 Ex 8517 69 900 0 Ex 8517 70 900	9. Telecommunications equipment and parts thereof, with encryption (cryptography) functions
Ex 8523 29 310 1 Ex 8523 29 310 2 Ex 8523 29 330 Ex 8523 29 390 Ex 8523 49 250 0 Ex 8523 49 310 0 Ex 8523 49 390 0 Ex 8523 49 450 0 Ex 8523 49 910 1 Ex 8523 49 930 0 Ex 8523 51 910 1 Ex 8523 51 930 0 Ex 8523 52 Ex 8523 59 910 1 Ex 8523 59 930 0 Ex 8523 80 910 1 Ex 8523 80 930 0	10. Encryption (cryptographic) software regardless of information medium

Tariff line code(s) affected, based on HS(2012)	Detailed Product Description
Ex 3704 00 Ex 3705 Ex 3706 Ex 4821 10 Ex 4901 10 000 0 Ex 4901 99 000 0 Ex 4911 99 000 0 Ex 8523 21 000 0 Ex 8523 29 310 1 Ex 8523 29 310 2 Ex 8523 29 330 Ex 8523 29 390 Ex 8523 49 250 0 Ex 8523 29 310 1 Ex 8523 29 310 2 Ex 8523 29 330 Ex 8523 29 390 Ex 8523 49 250 0 Ex 8523 49 310 0 Ex 8523 49 390 0 Ex 8523 49 450 0 Ex 8523 49 930 0 Ex 8523 49 930 0 Ex 8523 51 910 1 Ex 8523 51 930 0 Ex 8523 52 Ex 8523 59 910 1 Ex 8523 59 930 0 Ex 8523 80 910 1 Ex 8523 80 930 0	11. Key documents
Ex 8525 50 000 0 Ex 8525 60 000 Ex 8529 90 200 1 Ex 8529 90 650 0 Ex 8529 90 970 0	12. Apparatus for broadcasting and TV broadcasting and parts thereof, with encryption (cryptography) functions
Ex 8526 91 200 0 Ex 8526 91 800 0 Ex 8526 92 000 Ex 8529 90 650 0 Ex 8529 90 970 0	13. Radio navigation receivers, remote control equipment and parts thereof, with encryption (cryptography) functions
Ex 8517 62 000 Ex 8528 71 130 0 Ex 8529 90 650 0 Ex 8529 90 970 0	14. Apparatus for access to the "Internet" network and television receivers with communication function, and parts with encryption (cryptography) functions
Ex 8542 31 901 0 Ex 8542 31 909 0 Ex 8542 32 900 0	15. Electronic integrated chips, memory devices with encryption (cryptography) functions or containing encryption (cryptographic) means
Ex 8543 70 900 0 Ex 8543 90 000 0	16. Other electrical machinery and apparatus with specific functions, containing encryption (cryptographic) means
Ex 3704 00 Ex 3705 Ex 3706 Ex 4821 10 Ex 4901 10 000 0 Ex 4901 99 000 0 Ex 4911 99 000 0 Ex 8523 29 310 Ex 8523 29 330 Ex 8523 29 390 Ex 8523 29 900 0 Ex 8523 49 450 0 Ex 8523 49 510 0 Ex 8523 49 590 0 Ex 8523 49 930 0 Ex 8523 49 990 0 Ex 8523 51 930 0 Ex 8523 51 990 0	17. Normative and technical, design and operational documentation to the cryptography (cryptographic) tools specified in points 1 - 16 present sections (on any carriers)

Tariff line code(s) affected, based on HS(2012)	Detailed Product Description
Ex 8523 51 930 0 Ex 8523 59 930 0 Ex 8523 80 930 0 Ex 8523 80 990 0	

3. The system applies to importers of controlled means from all countries.
4. The use of import licences enables the Government to monitor the quantities of controlled means imported. The system is not intended to restrict the quantity or volume of import.
5. The controls on the importation of goods specified in this category are statutory requirements under the legislation detailed below:
  - Treaty on the Eurasian Economic Union (EAEU) of 29 May 2014;
  - Annex No. 7 "Protocol on Non-Tariff Measures Concerning Third Countries" to the Treaty on the EAEU;
  - Decision of the Collegium of the Eurasian Economic Commission No. 30 "On Measures of Non-Tariff Regulation" of 21 April 2015;
  - Law of the Republic of Kazakhstan No. 544-II "On Regulation of Trade Activity" of 12 April 2004;
  - Law of the Republic of Kazakhstan No. 202-V "On Permissions and Notifications" of 16 May 2014;
  - Resolution of the Government of the Republic of Kazakhstan No. 287 "On Approval of List of Goods Subjects to Import/Export Licensing, Licensers and State Bodies, Coordinating the Issuance of Licenses" of 24 April 2015;
  - Resolution of the Government of the Republic of Kazakhstan No. 983 "On Approval of the List of the State Service" of 18 September 2013;
  - Order of the Minister of the National Economy of the Republic of Kazakhstan No. 67 "On Approval of the Qualification Requirements Maintained for Activities on Export and Import Licensing of Goods, List of Documents Confirming Compliance with them, Application Forms for Obtaining a License and (or) Annex to the License, the Form of a License and (or) Annexes to the License" of 30 January 2015.

This system cannot be abolished without legislative approval.

### Procedures

6. Not applicable.
7. Where there is no quantitative limit on importation of a product or on imports from a particular country.
  - a) There is no minimum advance notice required for a licence. Goods arriving at the custom without a licence cannot be imported and retrospective permits cannot be issued. The maximum processing time for a licence is 15 days.
  - b) No.
  - c) No.
  - d) The importer has to approach one administrative organ - the Industrial Development and Industry Safety Committee of the Ministry of Investments and Development of the Republic of Kazakhstan. The Ministry of Investments and Development coordinates with the National Security Committee upon issuing licences.
8. Part II of the Appendix to Annex No. 7 "Rules of the Issuance of Licenses and Permits to Export and/or Import Goods" to the EAEU Treaty establishes the grounds for refusing licenses: (i) incomplete or inaccurate information in the documents submitted by the applicant to obtain a licence; (ii) noncompliance with the requirements stipulated in the Appendix to Annex No. 7 to the EAEU Treaty; (iii) termination or suspension of one or more documents that served as the basis for

issuance of a licence; (iv) violation of international obligations of an EAEU member State, which may occur as a result of performance of the contract which requires a licence; (v) exhaustion of quota (in the case of registration of a licence for goods subject to quotas); and (vi) in cases established by the Commission.

The decision to refuse a licence has to be justified and presented by the authorized body to the applicant in writing.

### **Eligibility of importers to apply for licence**

9. All persons, firms and institutions are eligible to apply for licences.

### **Documentation and other requirements for application for licence**

10. Application forms are available on the website of the Ministry of National Economy of the Republic of Kazakhstan in Section "State Services" ([http://economy.gov.kz/ru/gosudarstvennye-uslugi/elements.php?SECTION\\_ID=9814](http://economy.gov.kz/ru/gosudarstvennye-uslugi/elements.php?SECTION_ID=9814)).

An importer is required to submit the following documents with the application:

- A digital copy of the application form;
- A copy of the contract;
- A copy of the registration document from the tax authority or a copy of the document on the state registration;
- A copy of the activity licence for the development and sale (including other types of transfers) of cryptographic devices on information protection;
- The notification of the applicant on the absence of the imported encryption devices of radio-electronic and/or high-frequency means;
- A copy of the conclusion on the technical examination with regard to the designation of the imported goods to the special technical devices designed for the conducting of operative-investigation activities issued by the National Security Committee of the Republic of Kazakhstan;
- A copy of the technical documents on encryption devices.

11. Upon importation, an importer must present standard customs documentation along with a valid licence.

12. Licence application fee is 10 Monthly Calculated Indices.

13. There is no deposit or advance payment requirement associated with the issue of licences.

### **Conditions of licensing**

14. Licences are valid for the licence period and cannot be extended.

15. There is no penalty for the non-utilisation of a licence or a portion of a licence.

16. Licences are not transferable between importers.

17. There are no conditions attached to the issuance of a licence.

### **Other procedural requirements**

18. There are no other administrative procedures, apart from import licensing required prior to importation.

19. Foreign exchange is automatically provided by the banking authorities for goods to be imported.



## 11 HUMAN ORGANS AND TISSUES, BLOOD AND ITS COMPONENTS

### Outline of System

1. Licences are issued to control the import of human organs and tissues, blood and its components (the Common List of Goods that are Subject to Non-tariff Measures in Trade with Third Countries, approved by Decision of the Collegium of the Eurasian Economic Commission No. 30 "On Measures of Non-tariff Regulation" of 21 April 2015, Annex 2.21).

### Purposes and coverage of licensing

2. The licensing system permits to control the turnover of human organs and tissues, blood and its components for protection of human life or health.

Tariff line code(s) affected, based on HS(2012)	Detailed Product Description
Ex 3001 90 200 0	Allogeneic tissues (pancreas, thyroid, parathyroid, hypophysis and other endocrine tissues)
Ex 3001 90 200 0	Hematopoietic stem cells
Ex 3001 90 200 0	Phacocyst
Ex 3001 90 200 0	Skin
Ex 3001 90 200 0	Complex heart - lungs
Ex 3001 90 200 0	Conjunctiva
Ex 3001 90 200 0	Bone marrow
Ex 3002 10 910 0 Ex 3002 10 950 Ex 3002 90 100 0	Human blood and its components
Ex 3001 90 200 0	Liver and its parts
Ex 3001 90 200 0	The pancreas separately or in complex with other organs
Ex 3001 90 200 0	Kidneys
Ex 3001 90 200 0	Cornea
Ex 3001 90 200 0	Heart
Ex 3001 90 200 0	Sclera
Ex 3001 90 200 0	Bowels fragments
Ex 3001 90 200 0	Bones, bones fragments from the cortical bone
Ex 3001 90 200 0	Cartilaginous tissue
Ex 3001 90 200 0	Upper extremity and its fragments
Ex 3001 90 200 0	Cardiac valves
Ex 3001 90 200 0	Calvaria bones
Ex 3001 90 200 0	Lung
Ex 3001 90 200 0	Lower extremity and its fragments
Ex 3001 90 200 0	Vessels and parts of the vascular bed
Ex 3001 90 200 0	Tendons
Ex 3001 90 200 0	Dura mater
Ex 3001 90 200 0	Trachea
Ex 3001 90 200 0	Gametes and embryos
Ex 0511 99 853 9 Ex 0511 99 859 9 Ex 3002 10 950 9 Ex 3002 90 100 0	Samples of biological materials of the person (samples of cells, fabrics, biological liquids, secrets, products of person's vital activity, physiological and pathological secretion, smears, washouts, scraping)

3. The system applies to importers of controlled substances from all countries.

4. The use of import licences enables the Government to monitor the quantities of controlled substances imported. The system is not intended to restrict the quantity or volume of imports.

5. The controls on the importation of goods specified in this category are statutory requirements under the legislation detailed below:

- Treaty on the Eurasian Economic Union (EAEU) of 29 May 2014;
- Annex No. 7 "Protocol on Non-Tariff Measures Concerning Third Countries" to the Treaty on the EAEU;
- Decision of the Collegium of the Eurasian Economic Commission No. 30 "On Measures of Non-Tariff Regulation" of 21 April 2015;

- Code of the Republic of Kazakhstan No. 193-IV "On Public Health and Healthcare System" of 18 September 2009;
- Law of the Republic of Kazakhstan No. 544-II "On Regulation of Trade Activity" of 12 April 2004;
- Law of the Republic of Kazakhstan No. 202-V "On Permissions and Notifications" of 16 May 2014;
- Resolution of the Government of the Republic of Kazakhstan No. 287 "On Approval of List of Goods Subjects to Import/Export Licensing, Licensers and State Bodies, Coordinating the Issuance of Licenses" of 24 April 2015;
- Resolution of the Government of the Republic of Kazakhstan No. 983 "On Approval of the List of the State Service" of 18 September 2013;  
Order of the Minister of the National Economy of the Republic of Kazakhstan No. 67 "On Approval of the Qualification Requirements Maintained for Activities on Export and Import Licensing of Goods, List of Documents Confirming Compliance with them, Application Forms for Obtaining a License and (or) Annex to the License, the Form of a License and (or) Annexes to the License" of 30 January 2015.

This system cannot be abolished without legislative approval.

### Procedures

6. Not applicable.

7. Where there is no quantitative limit on importation of a product or on imports from a particular country.

- a) There is no minimum advance notice required for a licence. The maximum processing time for a licence for human organs is 1 working day; for a licence for human tissues and its components – 3 working days.
- b) No.
- c) No.
- d) The importer has to approach one administrative organ - the Control Committee of Medical and Pharmaceutical Activity of the Ministry of Public Health and Social Development of the Republic of Kazakhstan.

8. Part II of the Appendix to Annex No. 7 "Rules of the Issuance of Licenses and Permits to Export and/or Import Goods" to the EAEU Treaty establishes the grounds for refusing licenses: (i) incomplete or inaccurate information in the documents submitted by the applicant to obtain a licence; (ii) noncompliance with the requirements stipulated in the Appendix to Annex No. 7 to the EAEU Treaty; (iii) termination or suspension of one or more documents that served as the basis for issuance of a licence; (iv) violation of international obligations of an EAEU member State, which may occur as a result of performance of the contract which requires a licence; (v) exhaustion of quota (in the case of registration of a licence for goods subject to quotas); and (vi) in cases established by the Commission.

The decision to refuse a licence has to be justified and presented by the authorized body to the applicant in writing.

### Eligibility of importers to apply for licence

9. Only juridical persons and individual entrepreneurs.

### Documentation and other requirements for application for licence

10. Application forms are available on the website of the Ministry of National Economy of the Republic of Kazakhstan in Section "State Services" ([http://economy.gov.kz/ru/gosudarstvennye-uslugi/elements.php?SECTION\\_ID=9814](http://economy.gov.kz/ru/gosudarstvennye-uslugi/elements.php?SECTION_ID=9814)).

An importer is required to submit the following documents with the application:

- A digital copy of the application form;
- A copy of the contract;
- A copy of the registration document from the tax authority or a copy of the document on the state registration;
- A copy of the medical activity licence;
- Permission from the State Body of third countries responsible for taking decisions on the possibility of the import/export of human organs and tissues, blood and its components.

11. Upon importation, an importer must present standard customs documentation along with a valid licence.

12. Licence application fee is 10 Monthly Calculated Indices.

13. There is no deposit or advance payment requirement associated with the issue of licences.

### Conditions of licensing

14. Licences are valid for the licence period and cannot be extended.

15. There is no penalty for the non-utilisation of a licence or a portion of a licence.

16. Licences are not transferable between importers.

17. There are no conditions attached to the issuance of a licence.

### Other procedural requirements

18. There are no other administrative procedures, apart from import licensing required prior to importation.

19. Foreign exchange is automatically provided by the banking authorities for goods to be imported.

## 12 OFFICE AND CIVIL WEAPONS, ITS MAIN PARTS AND CARTRIDGES

### Outline of System

1. Conclusions are issued to regulate the import of office and civil weapons (the Common List of Goods that are Subject to Non-tariff Measures in Trade with Third Countries, approved by Decision of the Collegium of the Eurasian Economic Commission No. 30 "On Measures of Non-tariff Regulation" of 21 April 2015, Annex 2.22).

### Purposes and coverage of licensing

2. The system permits to regulate the turnover of office and civil weapons including its main parts and cartridges.

Tariff line code(s) affected, based on HS(2012)	Detailed Product Description
Ex 9302 00 000 0	Gas pistols and revolvers, including those with the possibility of firing by rubber bullets
Ex 9302 00 000 0	Sports pistols and revolvers with a rifled barrel
Ex 9302 00 000 0	Office pistols and revolvers with a rifled barrel
Ex 9302 00 000 0	Tubeless firearms of self-defence revolvers and pistols, including traumatic cartridges
Ex 9303 20	Sports smoothbore shotguns
Ex 9303 30 000 0	Sporting rifle with a rifled barrel
Ex 9303 20 100 0	Hunting single-smoothbore long-boled guns
Ex 9303 20 950 0 Ex 9303 30 000 0	Hunting double-barrelled and combined arms
Ex 9303 20 950 0	Hunting double-barrelled smoothbore arms, including with the barrels of various calibres

Tariff line code(s) affected, based on HS(2012)	Detailed Product Description
Ex 9303 30 000 0 Ex 9303 20 950 0	Hunting arms with a rifled barrel
Ex 9304 00 000 0	Pneumatic and hunting weapon with muzzle energy up to 25 J
Ex 9304 00 000 0	Sports pneumatic rifles and shotguns with a muzzle energy more than 3 J
Ex 9304 00 000 0	Sports pneumatic pistols and revolvers with a muzzle energy more than 3 J
Ex 9305 10 000 0	Main parts of sports pistols and revolvers
Ex 9305 10 000 0	Main (composite) parts of office pistols and revolvers
Ex 9305 20 000 1	Barrels of hunting and sporting shotguns and carbines
Ex 9305 20 000 1	Barrels of rifled hunting and sporting rifles and carbines
Ex 9305 20 000 9	Other main (composite) parts of hunting and sporting shotguns (shutter, drum, frame, receiver (block), forearm, trigger mechanism and parts and accessories thereto)
Ex 9305 20 000	Other main (composite) parts of hunting and sporting rifled shotguns (shutter, drum, frame, receiver (block), forearm, trigger mechanism and parts and accessories thereto)
Ex 9306 21 000 0	Cartridges for sporting and hunting shotguns, including test
Ex 9306 30 100 0	Cartridges for sports, office, tubeless firearms of self-defence pistols and revolvers
Ex 9306 30 900 0	Cartridges for sporting and hunting arms with a rifled barrel (other than pistols and revolvers), for gas arms of self-defence, including test
Ex 9306 29 000 0	Cartridge cases for smooth-bore hunting and sporting arms, including capsuled
Ex 9306 30 900 0	Cartridge cases for hunting and sporting weapons with a rifled barrel (other than pistols and revolvers), including capsuled
Ex 9306 30 900 0	Cartridge cases for gas weapon of self-defence, including capsuled
Ex 9306 30 100 0	Cartridge cases for sports and office pistols and revolvers, including capsuled
Ex 9306 30 100 0	Capsules for cartridges of office and civil arms
Ex 9307 00 000 0 Ex 8211	Cold bladed hunting weapons (knives and hunting knives)
Ex 9307 00 000 0	Cold bladed sporting arms
Ex 9307 00 000 0	Other cold bladed arms (cold bladed arms designed to be worn with a Cossack uniform, as well as with national costumes of the peoples of the customs union, intended for collectors)
Ex 9506 99 900 0	Sports bows and crossbows
Ex 9304 00 000 0	Electric arms: electric shock devices and spark-gaps with output parameters corresponding to the norms established by the authorized body in the field of health
Ex 9303	Arms, structurally designed for the delivery of luminous, smoke and sounds signals of more than 6 mm caliber

3. The system applies to importers of controlled means from all countries.

4. The use of licences enables the Government to monitor the quantities of controlled means imported. The system is not intended to restrict the quantity or volume of imports.

5. The controls on the importation of goods specified in this category are statutory requirements under the legislation detailed below:

- Treaty on the Eurasian Economic Union (EAEU) of 29 May 2014;
- Annex No. 7 "Protocol on Non-Tariff Measures Concerning Third Countries" to the Treaty on the EAEU;
- Decision of the Collegium of the Eurasian Economic Commission (EEC) No. 30 "On Measures of Non-Tariff Regulation" of 21 April 2015;
- Law of the Republic of Kazakhstan No. 544-II "On Regulation of Trade Activity" of 12 April 2004;
- Law of the Republic of Kazakhstan No. 202-V "On Permissions and Notifications" of 16 May 2014;
- Law of the Republic of Kazakhstan No. 1176 "On the State Control of Turnover of Certain Types of Weapon" of 3 August 2000.

- Resolution of the Government of the Republic of Kazakhstan No. 287 "On Approval of List of Goods Subjects to Import/Export Licensing, Licensers and State Bodies, Coordinating the Issuance of Licenses" of 24 April 2015;
- Resolution of the Government of the Republic of Kazakhstan No. 983 "On Approval of the List of the State Service" of 18 September 2013;  
Order of the Minister of the National Economy of the Republic of Kazakhstan No. 67 "On Approval of the Qualification Requirements Maintained for Activities on Export and Import Licensing of Goods, List of Documents Confirming Compliance with them, Application Forms for Obtaining a License and (or) Annex to the License, the Form of a License and (or) Annexes to the License" of 30 January 2015.

This system cannot be abolished without legislative approval.

### Procedures

6. Not applicable.

7. Where there is no quantitative limit on importation of a product or on imports from a particular country.

- a) There is no minimum advance notice required for a licence. Goods arriving at the custom without a licence cannot be imported. The maximum processing time for a licence is 15 days.
- b) No.
- c) No.
- d) The importer has to approach one administrative organ - the Ministry of Internal Affairs of the Republic of Kazakhstan upon issuing conclusion.

8. Part II of the Appendix to Annex No. 7 "Rules of the Issuance of Licenses and Permits to Export and/or Import Goods" to the EAEU Treaty establishes the grounds for refusing licenses (conclusions): (i) incomplete or inaccurate information in the documents submitted by the applicant to obtain a conclusion; (ii) noncompliance with the requirements stipulated in the Appendix to Annex No. 7 to the EAEU Treaty; (iii) termination or suspension of one or more documents that served as the basis for issuance of a conclusion; (iv) violation of international obligations of an EAEU member State, which may occur as a result of performance of the contract which requires a conclusion; (v) exhaustion of quota (in the case of registration of a conclusion for goods subject to quotas); and (vi) in cases established by the Commission.

The decision to refuse a licence has to be justified and presented by the authorized body to the applicant in writing.

### Eligibility of importers to apply for licence

9. All persons, firms and institutions are eligible to apply for licence.

### Documentation and other requirements for application for licence

10. Application forms are available on the website of the Ministry of National Economy of the Republic of Kazakhstan in Section "State Services" ([http://economy.gov.kz/ru/gosudarstvennye-uslugi/elements.php?SECTION\\_ID=9814](http://economy.gov.kz/ru/gosudarstvennye-uslugi/elements.php?SECTION_ID=9814)).

An importer is required to submit the following documents with the application:

- The application from the chief organization with the indication of quantity of weapons and its parts, etc.;
- A copy of the certificate on the state registration of juridical person;
- A copy of the licence on sale of office and civil weapons and its parts, issued by the authorized body of internal affairs;
- A notarized copy of a contract;

- A copy of a licence on the purchase of a weapon and its parts issued by the Department of Internal Affairs;
- A copy of the import certificate of the end user, issued by the authorized body in the sphere of export control;
- A copy of the contract on conducting certification weapons and its parts after importation into the territory of the Republic of Kazakhstan;
- A copy of the certificate of compliance;
- Data on the name and model of the fire-arms.

11. Upon importation, an importer must present standard customs documentation along with a valid licence.

12. Licence application fee is two Monthly Calculated Indices.

13. There is no deposit or advance payment requirement associated with the issue of licences.

### Conditions of licensing

14. Licences are valid for the licensing period and cannot be extended.

15. There is no penalty for the non-utilisation of a licence or a portion of a licence.

16. Licences are not transferable between importers.

17. There are no conditions attached to the issuance of a licence.

### Other procedural requirements

18. There are no other administrative procedures, apart from a licence required prior to importation.

19. Foreign exchange is automatically provided by the banking authorities for goods to be imported.

## 13 COMBINE HARVESTERS

### Outline of System

1. The system of the import licensing applies to combine harvesters as a result of application of a safeguard measure. The quota set by Decision of Collegium of the Eurasian Economic Commission No. 143 "On the Application of a Safeguard Measure by Introducing Import Quotas for Combine Harvesters and Modules of Combine Harvesters of 25 June 2013. The measure is valid until 21 August 2016. Methodology of allocation of the volume of import quota among participants in foreign trade approved by Decision of the Collegium of the Eurasian Economic Commission No. 12 of 05 February 2014.

### Purposes and coverage of licensing

2. The licensing system permits to regulate the import of pipes of combine harvesters.

Tariff line code(s) affected, based on HS(2012)	Detailed Product Description
8433 51 000 1 8433 51 000 9 8433 90 000 0	Combine harvesters and modules of combine harvesters, consisting at least of threshing and separating device equipped or not equipped with the threshing drum, cleaning systems and engine mounted on a support base or frame chassis, providing installation of bridges, wheels or tracks

3. The system applies to importers of controlled goods from all countries.

4. The use of import licences enables the Government to monitor the quantities of controlled goods imported.

5. The controls on the importation of goods specified in this category are statutory requirements under the legislation detailed below:

- Treaty on the Eurasian Economic Union (EAEU) of 29 May 2014;
- Annex No. 7 "Protocol on Non-Tariff Measures Concerning Third Countries" to the Treaty on the EAEU;
- Decision of the Collegium of the Eurasian Economic Commission No. 30 "On Measures of Non-Tariff Regulation" of 21 April 2015;
- Decision of Collegium of the Eurasian Economic Commission No. 143 of 25 June 2013 "On the Application of a Safeguard Measure by Introducing Import Quotas for Combine Harvesters and Modules of Combine Harvesters";
- Decision of the Collegium of the Eurasian Economic Commission No. 12 of 5 February 2014;
- Law of the Republic of Kazakhstan No. 544-II "On Regulation of Trade Activity" of 12 April 2004;
- Law of the Republic of Kazakhstan No. 202-V "On Permissions and Notifications" of 16 May 2014;
- Resolution of the Government of the Republic of Kazakhstan No. 287 "On Approval of List of Goods Subjects to Import/Export Licensing, Licensers and State Bodies, Coordinating the Issuance of Licenses" of 24 April 2015;
- Resolution of the Government of the Republic of Kazakhstan No. 983 "On Approval of the List of the State Service" of 18 September 2013.

This system cannot be abolished without legislative approval.

### Procedures

- 6.I. Information on allocation of quotas and formalities of filing applications for licences published on the website of the Ministry of National Economy of the Republic of Kazakhstan.
- II. The size of the quota is determined on a yearly basis. Licences are issued for imports on a yearly basis. Import quota set: in 2015 - 309, 2016 - 204.
- III. The list of importers to whom licences have been allocated is published in the official website of the Ministry of the National Economy of the Republic of Kazakhstan (<http://economy.gov.kz/ru/>).
- IV. From the time of announcing the opening of quotas, a period of at least 30 days is allowed for the submission of applications for licences.
- V. Applications for licences are processed within 15 days.
- VI. Not applicable.
- VII. Licence applications are considered by one administrative body - the Ministry of National Economy of the Republic of Kazakhstan.
- VIII. Licences are issued mainly on the basis of past performance. A portion of the quota is allocated to new importers. Applications are examined on receipt.
- IX.-X. Export permits from exporting countries are not required.
- XI. No licences are issued on condition that goods should be exported and not sold in the domestic market.

7. Not applicable.

8. Part II of the Appendix to Annex No. 7 "Rules of the Issuance of Licenses and Permits to Export and/or Import Goods" to the EAEU Treaty establishes the grounds for refusing licenses: (i) incomplete or inaccurate information in the documents submitted by the applicant to obtain a licence; (ii) noncompliance with the requirements stipulated in the Appendix to Annex No. 7 to the EAEU Treaty; (iii) termination or suspension of one or more documents that served as the basis for issuance of a licence; (iv) violation of international obligations of an EAEU member State, which

may occur as a result of performance of the contract which requires a licence; (v) exhaustion of quota (in the case of registration of a licence for goods subject to quotas); and (vi) in cases established by the Commission.

The decision to refuse a licence has to be justified and presented by the authorized body to the applicant in writing.

### **Eligibility of importers to apply for licence**

9. All persons, firms and institutions are eligible to apply for licences.

### **Documentation and other requirements for application for licence**

10. Application forms are available on the website of the Ministry of National Economy of the Republic of Kazakhstan in Section "State Services" ([http://economy.gov.kz/ru/gosudarstvennye-uslugi/elements.php?SECTION\\_ID=9814](http://economy.gov.kz/ru/gosudarstvennye-uslugi/elements.php?SECTION_ID=9814)).

An importer is required to submit the following documents with the application:

- A digital copy of the application form;
- Copy of a contract;
- Copy of the registration document from the tax authority or the copy of the document on state registration.

11. Upon importation, an importer must present standard customs documentation along with a valid licence.

12. Licence application fee is 10 Monthly Calculated Indices.

13. There is no deposit or advance payment requirement associated with the issue of licences.

### **Conditions of licensing**

14. Licences are valid for the licence period and cannot be extended.

15. There is no penalty for the non-utilisation of a licence or a portion of a licence.

16. Licences are not transferable between importers.

17. There are no conditions attached to the issuance of a licence.

### **Other procedural requirements**

18. There are no other administrative procedures, apart from import licensing required prior to importation.

19. Foreign exchange is automatically provided by the banking authorities for goods to be imported.

## **14 MEAT**

### **Outline of System**

1. The system of the import licensing applies to meat in accordance with Decision of the Collegium of the Eurasian Economic Union No. 99 "On Setting of Tariff Rate Quotas for Imports in 2016 of Certain Types of Agricultural Goods into the Customs Territory of the Eurasian Economic Union, as well as the Volumes of Tariff Quotas for Imports of These Products into the Territory of Member States of the Eurasian Economic Union" of 18 august 2015. (The Common List of Goods that are Subject to Non-tariff Measures in Trade with Third Countries, approved by Decision of the Collegium of the Eurasian Economic Commission No. 30 "On Measures of Non-tariff Regulation" of 21 April 2015, Annex 2.27).



### Purposes and coverage of licensing

2. The licensing system permits to regulate the import of meat at zero tariff rates.

Tariff line code(s) affected, based on HS(2012)	Detailed Product Description
0201 10 000 1 0201 20 200 1 0201 20 300 1 0201 20 500 1 0201 20 900 1 0201 30 000 4	Meat of bovine animals, fresh or chilled.
0202 10 000 1 0202 20 100 1 0202 20 300 1 0202 20 500 1 0202 20 900 1 0202 30 100 4 0202 30 500 4 0202 30 900 4	Meat of bovine animals, frozen.
0203 11 100 1 0203 11 900 1 0203 12 110 1 0203 12 190 1 0203 12 900 1 0203 19 110 1 0203 19 130 1 0203 19 150 1 0203 19 550 1 0203 19 590 1 0203 19 900 1 0203 21 100 1 0203 21 900 1 0203 22 110 1 0203 22 190 1 0203 22 900 1 0203 29 110 1 0203 29 130 1 0203 29 150 1 0203 29 550 1 0203 29 590 1 0203 29 900 1	Pork, fresh, chilled or frozen.
0203 29 550 2 0203 29 900 2	Pork trimming
	Meat and edible offal, of the poultry of heading 0105, fresh, chilled or frozen:
0207 14 200 1 0207 14 600 1	Frozen half-car casses or quarter- carcasses of fowls of the species Gallus domesticus with the bone in, and frozen chicken drumsticks of fowls of the species Gallus domesticus with the bone in and pieces of them.
0207 13 100 1	Meat of fowls of the species Gallus domesticus boneless, fresh or chilled.
0207 14 100 1	Meat of fowls of the species Gallus domesticus boneless, frozen.
0207 27 100 1	Frozen meat of turkey, boneless.
0207 27 300 1 0207 27 400 1 0207 27 600 1 0207 27 700 1	Frozen parts of carcasses of turkeys.
0207 11 100 1 0207 11 300 1 0207 11 900 1 0207 12 100 1 0207 12 900 1 0207 13 200 1 0207 13 300 1 0207 13 400 1 0207 13 500 1 0207 13 600 1 0207 13 700 1	Meat and edible offal, of the poultry of heading 0105, fresh, chilled or frozen, not specified above.

Tariff line code(s) affected, based on HS(2012)	Detailed Product Description
0207 13 910 1 0207 13 990 1 0207 14 300 1 0207 14 400 1 0207 14 500 1 0207 14 700 1 0207 14 910 1 0207 14 990 1 0207 24 100 1 0207 24 900 1 0207 25 100 1 0207 25 900 1 0207 26 100 1 0207 26 200 1 0207 26 300 1 0207 26 400 1 0207 26 500 1 0207 26 600 1 0207 26 700 1 0207 26 800 1 0207 26 910 1 0207 26 990 1 0207 27 200 1 0207 27 500 1 0207 27 800 1 0207 27 910 1 0207 27 990 1 0207 41 200 1 0207 41 300 1 0207 41 800 1 0207 42 300 1 0207 42 800 1 0207 43 000 1 0207 44 100 1 0207 44 210 1 0207 44 310 1 0207 44 410 1 0207 44 510 1 0207 44 610 1 0207 44 710 1 0207 44 810 1 0207 44 910 1 0207 44 990 1 0207 45 100 1 0207 45 210 1 0207 45 310 1 0207 45 410 1 0207 45 510 1 0207 45 610 1 0207 45 710 1 0207 45 810 1 0207 45 930 1 0207 45 950 1 0207 45 990 1 0207 51 100 1 0207 51 900 1 0207 52 100 1 0207 52 900 1 0207 53 000 1 0207 54 100 1 0207 54 210 1 0207 54 310 1 0207 54 410 1 0207 54 510 1 0207 54 610 1 0207 54 710 1 0207 54 810 1 0207 54 910 1	

Tariff line code(s) affected, based on HS(2012)	Detailed Product Description
0207 54 990 1 0207 55 100 1 0207 55 210 1 0207 55 310 1 0207 55 410 1 0207 55 510 1 0207 55 610 1 0207 55 710 1 0207 55 810 1 0207 55 930 1 0207 55 950 1 0207 55 990 1 0207 60 050 1 0207 60 100 1 0207 60 210 1 0207 60 310 1 0207 60 410 1 0207 60 510 1 0207 60 610 1 0207 60 810 1 0207 60 910 1 0207 60 990 1	
0404 10 120 1 0404 10 160 1	Whey and modified whey in powder, pellets or other solid forms, not containing added sugar or other sweetening matter.

3. The system applies to importers of controlled goods from all countries.

4. The use of import licences enables the Government to monitor the quantities of controlled goods imported.

5. The controls on the importation of goods specified in this category are statutory requirements under the legislation detailed below:

- Treaty on the Eurasian Economic Union (EAEU) of 29 May 2014;
- Annex No. 7 "Protocol on Non-Tariff Measures Concerning Third Countries" to the Treaty on the EAEU;
- Decision of the Collegium of the Eurasian Economic Union No. 99 "On Setting of Tariff Rate Quotas for Imports in 2016 of Certain Types of Agricultural Goods into the Customs Territory of the Eurasian Economic Union, as well as the Volumes of Tariff Quotas for Imports of These Products into the Territory of Member States of the Eurasian Economic Union" of 18 august 2015;
- Law of the Republic of Kazakhstan No. 544-II "On Regulation of Trade Activity" of 12 April 2004;
- Law of the Republic of Kazakhstan No. 202-V "On Permissions and Notifications" of 16 May 2014;
- Resolution of the Government of the Republic of Kazakhstan No. 287 "On Approval of List of Goods Subjects to Import/Export Licensing, Licensers and State Bodies, Coordinating the Issuance of Licenses" of 24 April 2015;
- Resolution of the Government of the Republic of Kazakhstan No. 983 "On Approval of the List of the State Service" of 18 September 2013.

This system cannot be abolished without legislative approval.

## Procedures

6.I. Information about allocation of quotas and formalities of filing applications for licences published on the website of the Ministry of National Economy of the Republic of Kazakhstan.

II. The size of the quota is determined on a yearly basis. Licences are issued for imports on a yearly basis. The import quota is set by Decision of the Collegium of the Eurasian Economic Union No. 99 "On Setting of Tariff Rate Quotas for Imports in 2016 of Certain Types of Agricultural Goods into the Customs Territory of the Eurasian Economic Union, as well as the

Volumes of Tariff Quotas for Imports of These Products into the Territory of Member States of the Eurasian Economic Union" of 18 august 2015.

- III. The list of importers to whom licences have been allocated is published in the official website of the Ministry of the National Economy of the Republic of Kazakhstan (<http://economy.gov.kz/ru/>).
- IV. From the time of announcing the opening of quotas, a period of at least 30 days is allowed for the submission of applications for licences.
- V. Applications for licences are processed within 15 days.
- VI. Not applicable.
- VII. Licence applications are considered by one administrative body - the Ministry of National Economy of the Republic of Kazakhstan.
- VIII. Licences are issued mainly on the basis of past performance. A portion of the quota is allocated to new importers. Applications are examined on receipt.
- IX.-X. Export permits from exporting countries are not required.
- XI. No licences are issued on condition that goods should be exported and not sold in the domestic market.
7. Not applicable.

8. Part II of the Appendix to Annex No. 7 "Rules of the Issuance of Licenses and Permits to Export and/or Import Goods" to the EAEU Treaty establishes the grounds for refusing licenses: (i) incomplete or inaccurate information in the documents submitted by the applicant to obtain a licence; (ii) noncompliance with the requirements stipulated in the Appendix to Annex No. 7 to the EAEU Treaty; (iii) termination or suspension of one or more documents that served as the basis for issuance of a licence; (iv) violation of international obligations of an EAEU member State, which may occur as a result of performance of the contract which requires a licence; (v) exhaustion of quota (in the case of registration of a licence for goods subject to quotas); and (vi) in cases established by the Commission.

The decision to refuse a licence has to be justified and presented by the authorized body to the applicant in writing.

#### **Eligibility of importers to apply for licence**

9. All persons, firms and institutions are eligible to apply for licences.

#### **Documentation and other requirements for application for licence**

10. Application forms are available on the website of the Ministry of National Economy of the Republic of Kazakhstan in Section "State Services" ([http://economy.gov.kz/ru/gosudarstvennye-uslugi/elements.php?SECTION\\_ID=9814](http://economy.gov.kz/ru/gosudarstvennye-uslugi/elements.php?SECTION_ID=9814)).

An importer is required to submit the following documents with the application:

- Digital copy of the application form;
  - Copy of a contract;
  - Copy of the registration document from the tax authority or the copy of the document on state registration.
11. Upon importation, an importer must present standard customs documentation along with a valid licence.
  12. Licence application fee is 10 Monthly Calculated Indices.

13. There is no deposit or advance payment requirement associated with the issue of licences.

#### **Conditions of licensing**

14. Licences are valid for the licence period and cannot be extended.

15. There is no penalty for the non-utilisation of a licence or a portion of a licence.

16. Licences are not transferable between importers.

17. There are no conditions attached to the issuance of a licence.

#### **Other procedural requirements**

18. There are no other administrative procedures, apart from import licensing required prior to importation.

19. Foreign exchange is automatically provided by the banking authorities for goods to be imported.

### **15 RAW SUGAR**

#### **Outline of System**

1. The system of the import licensing applies to raw sugar imported into the Republic of Kazakhstan at zero tariff rates in accordance with Decision of the Commission of the Customs Union No.130 "On Common Customs Tariff Regulation of the Customs Union of the Republic of Belarus, the Republic of Kazakhstan and the Russian Federation" of 27 November 2009. The system will be in place until 1 January 2019.

#### **Purposes and coverage of licensing**

2. The licensing system permits to regulate the import of Cane Sugar (Raw Sugar Not Added Flavouring or Colouring Matter; Tariff line code – 1701 13 and 1701 14).

3. The system applies to importers of controlled goods from all countries.

4. The use of import licences enables the Government to monitor the quantities of controlled goods imported.

5. The controls on the importation of goods specified in this category are statutory requirements under the legislation detailed below:

- Treaty on the Eurasian Economic Union (EAEU) of 29 May 2014;
- Annex No. 7 "Protocol on Non-Tariff Measures Concerning Third Countries" to the Treaty on the EAEU;
- Decision of the Collegium of the Eurasian Economic Commission No. 134 "On Normative Legal Acts in the Area of Non-Tariff Regulation" of 16 August 2012;
- Decision of the Commission of the Customs Union No.130 "On Common Customs Tariff Regulation of the Customs Union of the Republic of Belarus, the Republic of Kazakhstan and the Russian Federation" of 27 November 2009.
- Law of the Republic of Kazakhstan No. 544-II "On Regulation of Trade Activity" of 12 April 2004;
- Law of the Republic of Kazakhstan No. 202-V "On Permissions and Notifications" of 16 May 2014;
- Resolution of the Government of the Republic of Kazakhstan No. 287 "On Approval of List of Goods Subjects to Import/Export Licensing, Licensers and State Bodies, Coordinating the Issuance of Licenses" of 24 April 2015;
- Resolution of the Government of the Republic of Kazakhstan No. 983 "On Approval of the List of the State Service" of 18 September 2013.

- Order of the Minister of the National Economy of the Republic of Kazakhstan No. 768 "On Approval of Volume of Quota on Duty Free Import of Cane Raw Sugar into the Territory of the Republic of Kazakhstan in 2016" of 14 December 2015.

This system cannot be abolished without legislative approval.

### Procedures

- 6.I. Information about allocation of quotas and formalities of filing applications for licences published on the website of the Ministry of National Economy of the Republic of Kazakhstan.
- II. The size of the quota is determined on a yearly basis. Licences are issued for imports on a yearly basis. The volume of raw sugar for import under zero tariff rate is 405 000 tons in 2016.
- III. The list of importers to whom licences have been allocated is published in the official website of the Ministry of the National Economy of the Republic of Kazakhstan (<http://economy.gov.kz/ru/>).
- IV. From the time of announcing the opening of quotas, a period of at least 30 days is allowed for the submission of applications for licences.
- V. Applications for licences are processed within 15 days.
- VI. Not applicable.
- VII. Licence applications are considered by one administrative body - the Ministry of National Economy of the Republic of Kazakhstan.
- VIII. Licences are issued mainly on the basis of past performance. A portion of the quota is allocated to new importers. Applications are examined on receipt.
- IX.-X. Export permits from exporting countries are not required.
- XI. No licences are issued on condition that goods should be exported and not sold in the domestic market.
7. Not applicable.

8. Part II of the Appendix to Annex No. 7 "Rules of the Issuance of Licenses and Permits to Export and/or Import Goods" to the EAEU Treaty establishes the grounds for refusing licenses: (i) incomplete or inaccurate information in the documents submitted by the applicant to obtain a licence; (ii) noncompliance with the requirements stipulated in the Appendix to Annex No. 7 to the EAEU Treaty; (iii) termination or suspension of one or more documents that served as the basis for issuance of a licence; (iv) violation of international obligations of an EAEU member State, which may occur as a result of performance of the contract which requires a licence; (v) exhaustion of quota (in the case of registration of a licence for goods subject to quotas); and (vi) in cases established by the Commission.

The decision to refuse a licence has to be justified and presented by the authorized body to the applicant in writing.

### Eligibility of importers to apply for licence

9. All persons, firms and institutions are eligible to apply for licences.

### Documentation and other requirements for application for licence

10. Application forms are available on the website of the Ministry of National Economy of the Republic of Kazakhstan in Section "State Services" ([http://economy.gov.kz/ru/gosudarstvennye-uslugi/elements.php?SECTION\\_ID=9814](http://economy.gov.kz/ru/gosudarstvennye-uslugi/elements.php?SECTION_ID=9814)).

An importer is required to submit the following documents with the application:

- A digital copy of the application form;
- A copy of a contract;
- A copy of the registration document from the tax authority or a copy of the document on the state registration.

11. Upon importation, an importer must present standard customs documentation along with a valid licence.

12. Licence application fee is 10 Monthly Calculated Indices.

13. There is no deposit or advance payment requirement associated with the issue of licences.

#### **Conditions of licensing**

14. Licences are valid for the licence period and cannot be extended.

15. There is no penalty for the non-utilisation of a licence or a portion of a licence.

16. Licences are not transferable between importers.

17. There are no conditions attached to the issuance of a licence.

#### **Other procedural requirements**

18. There are no other administrative procedures, apart from import licensing required prior to importation.

19. Foreign exchange is automatically provided by the banking authorities for goods to be imported.

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