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Page: 1/41

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 (2023)

#### KAZAKHSTAN

The following communication, dated 3 April 2024, is being circulated at the request of the delegation of Kazakhstan.

Modifications and additions compared to the 2022 licensing regime are highlighted in bold in the text for easy reference for other WTO Members.

#### Table of contents

|  |           |
|--|-----------|
| <b>1 OZONE DEPLETING SUBSTANCES .....</b>  | <b>2</b>  |
| <b>2 PLANT PROTECTION CHEMICALS.....</b>   | <b>5</b>  |
| <b>3 HAZARDOUS WASTE.....</b>  | <b>8</b>  |
| <b>4 NARCOTICS SUBSTANCES, PSYCHOTROPIC SUBSTANCES AND THEIR PRECURSORS. 12</b>  |           |
| <b>5 TOXIC SUBSTANCES WHICH ARE NOT PRECURSORS OF NARCOTIC AND<br/>PSYCHOTROPIC SUBSTANCES .....</b>   | <b>15</b> |
| <b>6 RADIO-ELECTRONIC MEANS AND/OR HIGH-FREQUENCY DEVICES OF CIVIL USE,<br/>INCLUDING THOSE BUILT-IN OR COMING WITH OTHER COMMODITIES.....</b> | <b>17</b> |
| <b>7 SPECIAL TECHNICAL MEANS INTENDED FOR COVERT OBTAINMENT OF INFORMATION<br/>.....</b>   | <b>20</b> |
| <b>8 ENCRYPTION (CRYPTOGRAPHIC) MEANS.....</b>   | <b>23</b> |
| <b>9 HUMAN ORGANS AND TISSUES, BLOOD AND ITS COMPONENTS, SAMPLES OF<br/>HUMAN BIOLOGICAL MATERIALS.....</b>                                    | <b>27</b> |
| <b>10 SERVICE AND CIVIL WEAPONS, ITS MAIN PARTS (COMPONENTS) AND<br/>CARTRIDGES THERETO.....</b>   | <b>30</b> |
| <b>11 CERTAIN TYPES OF AGRICULTURAL PRODUCTS .....</b>   | <b>33</b> |
| <b>12 MEDICAL PRODUCTS .....</b>   | <b>36</b> |
| <b>13 WILD LIVE ANIMALS AND PLANTS .....</b>   | <b>39</b> |

<sup>1</sup> See document [G/LIC/3](#), Annex, for the Questionnaire.

## 1 OZONE DEPLETING SUBSTANCES

### Outline of System

1. Kazakhstan manages its obligations for ozone depleting substances controlled by the Montreal Protocol on Substances that Deplete the Ozone Layer. 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 licences issued.

| Tariff line code(s)<br>affected, based on<br>HS (2012) | Detailed Product Description   |               |
|--|--------------------------------|---------------|
| of 2903 79 300 0                                       | fluorodichloromethane          | CHFCl2        |
| of 2903 71 000 0                                       | difluorochloromethane          | CHF2Cl        |
| of 2903 79 300 0                                       | fluorochloromethane            | CH2FCl        |
| of 2903 79 300 0                                       | fluorotetrachloroethane        | C2HFCl4       |
| of 2903 79 300 0                                       | difluorodichloroethane         | C2HF2Cl3      |
| of 2903 72 000 0                                       | trifluorodichloroethane        | C2HF3Cl2      |
| of 2903 72 000 0                                       | trifluorodichloroethane        | CHCl2CF3      |
| of 2903 79 300 0                                       | tetrafluorochloroethane        | C2HF4Cl       |
| of 2903 79 300 0                                       | tetrafluorochloroethane        | CHFClCF3      |
| of 2903 79 300 0                                       | fluorotrichloroethane          | C2H2FCl3      |
| of 2903 79 300 0                                       | difluorodichloroethane         | C2H2F2Cl2     |
| of 2903 79 300 0                                       | trifluorochloroethane          | C2H2F3Cl      |
| of 2903 73 000 0                                       | 1-fluoro-2,2-dichloroethane    | C2H3FCI2      |
| of 2903 73 000 0                                       | 1,1,1-fluorodichloroethane     | CH3CFCl2      |
| of 2903 74 000 0                                       | 1-chlorine, 2,2-difluoroethane | C2H3F2Cl      |
| of 2903 74 000 0                                       | 1,1,1-difluorochloroethane     | CH3CF2Cl      |
| of 2903 79 300 0                                       | fluorochloroethane             | C2H4FCl       |
| of 2903 79 300 0                                       | fluorohexachloropropane        | C3HFCl6       |
| of 2903 79 300 0                                       | difluoropentachloropropane     | C3HF2Cl5      |
| of 2903 79 300 0                                       | trifluorotetrachloropropane    | C3HF3Cl4      |
| of 2903 79 300 0                                       | tetrafluorotrichloropropane    | C3HF4Cl3      |
| of 2903 75 000 0                                       | pentafluorodichloropropane     | C3HF5Cl2      |
| of 2903 75 000 0                                       | 1-trifluorine, 2-difluorine    | CF3CF2CHCl2   |
| of 2903 75 000 0                                       | 3-dichloropropane              | CF2ClCF2CHClF |
| of 2903 79 300 0                                       | 1,1-difluorochlor              | C3HF6Cl       |
| of 2903 79 300 0                                       | 2-difluorine                   | C3H2FCl5      |
| of 2903 79 300 0                                       | 3-chlorofluoropropane          | C3H2F2Cl4     |
| of 2903 79 300 0                                       | hexafluorochloropropane        | C3H2F3Cl3     |
| of 2903 79 300 0                                       | fluoropentachloropropane       | C3H2F4Cl2     |
| of 2903 79 300 0                                       | difluorotetrachloropropane     | C3H2F5Cl      |
| of 2903 79 300 0                                       | trifluorotrichloropropane      | C3H3FCl4      |
| of 2903 79 300 0                                       | tetrafluorodichloropropane     | C3H3F2Cl3     |
| of 2903 79 300 0                                       | trifluorodichloropropane       | C3H3F3Cl2     |
| of 2903 79 300 0                                       | pentafluorochloropropane       | C3H3F4Cl      |
| of 2903 79 300 0                                       | fluorotetrachloropropane       | C3H4FCl3      |
| of 2903 79 300 0                                       | difluorotrichloropropane       | C3H4F2Cl2     |
| of 2903 79 300 0                                       | trifluorodichloropropane       | C3H4F3Cl      |
| of 2903 79 300 0                                       | tetrafluorochloropropane       | C3H5FCl2      |
| of 2903 79 300 0                                       | fluorotrichloropropane         | C3H5F2Cl      |
| of 2903 79 300 0                                       | difluorodichloropropane        | C3H6FCl       |
| of 2903 45 000 0                                       | trifluorochloropropane         | CHF2CHF2      |
| of 2903 45 000 0                                       | difluorochloropropane          | CH2FCF3       |

| Tariff line code(s)<br>affected, based on<br>HS (2012) | Detailed Product Description          |                 |
|--|---------------------------------------|-----------------|
| of 2903 44 000 0                                       | fluorochloropropane                   | CH2FCHF2        |
| of 2903 47 000 0                                       | 1,1,2,2-tetrafluoroethane             | CHF2CH2CF3      |
| of 2903 48 000 0                                       | 1,1,1,2-tetrafluoroethane             | CF3CH2CF2CH3    |
| of 2903 46 000 0                                       | 1,1,2-trifluoroethane                 | CF3CHFCH3       |
| of 2903 46 000 0                                       | 1,1,1,3,3-pentafluoropropane          | CH2FCF2CF3      |
| of 2903 46 000 0                                       | 1,1,1,3,3-pentafluorobutane           | CHF2CHFCH3      |
| of 2903 46 000 0                                       | 1,1,1,2,3,3,3-heptafluoropropane      | CF3CH2CF3       |
| of 2903 47 000 0                                       | 1,1,1,2,2,3-hexafluoropropane         | CH2FCF2CHF2     |
| of 2903 48 000 0                                       | 1,1,1,2,3,3-hexafluoropropane         | CF3CHFCHFCF2CF3 |
| 2903 42 000 0  | 1,1,1,3,3,3-hexafluoropropane         | CH2F2           |
| of 2903 44 000 0                                       | 1,1,2,2,3-pentafluoropropane          | CHF2CF3         |
| of 2903 44 000 0                                       | 1,1,1,2,2,3,4,5,5,5-decafluoropentane | CH3CF3          |
| of 2903 43 000 0                                       | difluoromethane                       | CH3F            |
| of 2903 43 000 0                                       | pentafluoroethane                     | CH2FCH2F        |
| of 2903 43 000 0                                       | 1,1,1-trifluoroethane                 | CH3CHF2         |
| <b>2903 41 000 0</b>                                   | fluoromethane                         | CHF3            |
| of 2903 79 300 0                                       | 1,2-difluoroethane                    | CHFCl2          |
| of 2903 71 000 0                                       | 1,1-difluoroethane                    | CHF2Cl          |
| of 2903 79 300 0                                       | trifluoromethane                      | CH2FCI          |

3. The system applies to goods from all countries-parties to 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 2014;
- Annex No. 7 "Protocol on Non-Tariff Measures Concerning Third Countries" to the Treaty on the EAEU;
- Agreement on Movement of Ozone-depleting Substances and Products Containing Them and Accounting for Ozone-depleting Substances in Mutual Trade of the Member States of the Eurasian Economic Union of 29 May 2015;
- Decision of the Collegium of the Eurasian Economic Commission (EEC) No. 30 "On Measures of Non-Tariff Regulation" of 21 April 2015 (Section 2.1);
- Regulation on the importation/exportation of ozone-depleting substances and products containing ozone-depleting substances into/from the customs territory of the Eurasian Economic Union (Annex No. 20 to Decision No. 30 of the Board of the Eurasian Economic Commission dated 21 April 2015);
- Environmental Code of the Republic of Kazakhstan No. 400-VI of 2 January 2021;
- 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 the List of Goods, the Export and (or) Import of which is Carried out on the Basis of Permits in accordance with International Treaties and Permits Issued by State Bodies" of 24 April 2015;
- Order of the Acting Minister of Digital Development, Innovation and Aerospace Industry of the Republic of Kazakhstan No. 39/NK "On Approval of the Register of Public Services" of 31 January 2020;
- 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 Licence and (or) Annex to the Licence, the Form of a Licence and (or) Annexes to the Licence" of 30 January 2015;

- **Order of the Ministry of Ecology and Natural Resources of the Republic of Kazakhstan of 2 June 2020 No. 130 "On Approval of the Rules for the Provision of Governmental Services in the Field of Environmental Protection".**

Licensing is a legislative requirement. It is an offence to import, export or manufacture the mentioned 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 licences are specified in a schedule to the legislation. No other substances require licensing under this legislation.

### Procedures

6. Not applicable.

7. a) Application should be filed in advance of arrival of the goods. The maximum processing time for licence is 8 working days.

b) No.

c) No.

d) Yes, a licence application is considered by a single administrative body – the Ministry of Ecology, Geology and Natural Resources of the Republic of Kazakhstan.

8. Part II of the Appendix to Annex No. 7 "Rules of the Issuance of Licences and Permits to Export and/or Import Goods" to the EAEU Treaty establishes the grounds for refusing licences: (i) incomplete or inaccurate information in the documents submitted by the applicant to obtain a licence; (ii) non-compliance 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).

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 at: [//adilet.zan.kz/rus/docs/V2000020823#z211](http://adilet.zan.kz/rus/docs/V2000020823#z211). An importer is required to submit the following documents to the authorized body via the web portal of electronic licensing of the Republic of Kazakhstan "E-license" (<http://elicense.kz/?lang=en>) or via the web portal of "Electronic government" of the Republic of Kazakhstan "e-gov" (<https://egov.kz/cms/en>):

- electronic application;
- an electronic copy of the contract for the provision of intermediary services (in case if an intermediary represents an applicant);
- an electronic copy of the certificate of conformity or a written notice from the manufacturer that the ozone-depleting substances and (or) products containing ozone-depleting substances produced by him meet the requirements of the documents in accordance with which they are manufactured;
- an electronic copy of the current insurance policy;
- in case of import of recycled ozone-depleting substances, an electronic copy of the agreement (contract) with an organization on the recovery of ozone-depleting substances (submitted in case when the recovery will be carried out by a non-applicant) and confirmation that the organization that plans to recover the ozone-depleting substances has an equipment that meets the established requirements;
- in case of import of recycled ozone-depleting substances, an electronic copy of the agreement (contract) with an organization on destruction of ozone-depleting substances (submitted in

- case when destruction will be carried out by a non-applicant) and confirmation that the organization that plans to destroy ozone-depleting substances has a destruction equipment which complies with the destruction technologies for ozone-depleting substances approved by the Decisions of the Parties to the Montreal Protocol;
- in case of import of ozone-depleting substances for use as raw materials, an electronic copy of the applicant's letter confirming the use of ozone-depleting substances exclusively as raw materials for the production of ozone-friendly chemicals, or a copy of the agreement (contract) with an organization that will use ozone-depleting substances exclusively as raw materials for production of ozone friendly chemicals;
  - an electronic copy of information confirming that the movement of ozone-depleting substances is carried out in reusable containers, if an EAEU member state establishes a ban on the import (export) of ozone-depleting substances in single-use containers.

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

12. Licence application fee is ten 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.

### 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 licence by presentation of the conclusion 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 licensing.

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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 2023 MCI is 3,450 tenge.**

| <b>Tariff line code(s) affected, based on HS (2012)</b> | <b>Detailed Product Description</b>   |
|---|---|
| of 3808 (except for 3808 94)                            | Plant protection products (pesticides), excluding any sticky tape to protect trees from insects |

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

4. 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 (Section 2.2);
- Law of the Republic of Kazakhstan No. 331 "On Plant Protection" of 3 July 2002;
- 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 the List of Goods, the Export and (or) Import of which is Carried out on the Basis of Permits in accordance with International Treaties and Permits Issued by State Bodies" of 24 April 2015;
- Order of the Acting Minister of Digital Development, Innovation and Aerospace Industry of the Republic of Kazakhstan No. 39 /NK "On Approval of the Register of Public Services" of 31 January 2020;
- 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 Licence and (or) Annex to the Licence, the Form of a Licence and (or) Annexes to the Licence" of 30 January 2015;
- Order of the Ministry of Agriculture of the Republic of Kazakhstan of 29 September 2020 No. 299 "On Approval of the Rules for the Governmental Service "Issuance of License for Import of Plant Protection Chemicals (Pesticides)"

## Procedures

6. Not applicable.

7. a) Application should be filed in advance of arrival of the goods. The maximum processing time for licence is five working days.

b) No.

c) No.

d) Importer has to apply to one administrative body - the State Inspection Committee in the Agroindustrial Complex of the Ministry of Agriculture of the Republic of Kazakhstan.

8. Part II of the Appendix to Annex No. 7 "Rules of the Issuance of Licences and Permits to Export and/or Import Goods" to the EAEU Treaty establishes the grounds for refusing licences: (i) incomplete or inaccurate information in the documents submitted by the applicant to obtain a licence; (ii) non-compliance 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).

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 at: <https://adilet.zan.kz/rus/docs/V2000021494#z69>.

An importer is required to submit the following documents to the authorized body via the web portal of electronic licensing of the Republic of Kazakhstan "E-license" (<http://elicense.kz/?lang=en>) or via the web portal of "Electronic government" of the Republic of Kazakhstan "e-gov" (<https://egov.kz/cms/en>):

- electronic application;
- an electronic copy of a document confirming the payment of a license fee to the budget for the right to engage in certain types of activities;
- an electronic copy of the foreign trade contract;
- an electronic copy of documents confirming compliance with the qualification requirements established by the 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 Licence and/or Annex to the Licence, the Form of a Licence and/or Annexes to the Licence" of 30 January 2015;
- information on the ID of an individual;
- information on the state registration (re-registration) of a legal entity, on the registration of an individual entrepreneur, or on the commencement of activities as an individual entrepreneur;
- information on the availability of a license for the production (formulation) of pesticides, the sale of pesticides, the use of pesticides by aerosol or fumigation methods;
- information on registration with the tax authority;
- information on payment to the budget of the license fee for the right to engage in certain types of activities.

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

12. Licence application fee is ten 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.

15. There is no penalty for the non-utilization 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 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  | Granular slag (slag sand) obtained during the production of ferrous metals  |
| 2619 00  | Slag, dross (except granulated slag), scale and other waste products of ferrous metals  |
| of 2620 30 000 0   | Scale containing copper oxide   |
| 2620   | Slag, ash and residues (other than those formed in the production of ferrous metals) containing metals, arsenic or their compounds, including:  |
| 2620 11 000 0  | hard zinc   |
| of 2620 21 000 0 -<br>of 2620 29 000 0                   | gartzink, lead, lead, lead sludge with a lead content of 30% or more  |
| of 2620 40 000 0   | aluminium slag  |
| of 2620 99 950 9   | salt slags containing magnesium   |
| of 2620 99 950 9   | light metal removals containing magnesium   |
| of 2620  | spent catalysts suitable only for metal extraction or for the production of chemical reagents   |
| of 2620<br>of 3825                                       | Waste containing any of the following substances as a component or contaminant:   |
|  | metal carbonyls   |
| of 2620 91 000 0<br>of 3825                              | hexavalent chromium compounds   |
| of 2620 30 000 0   | Dust and residues from gas treatment systems of copper smelters   |
| of 2620 30 000 0   | Waste in the form of sludge from operations of electrolytic isolation and purification of copper (except for anode sludge)  |
| of 2620 30 000 0<br>of 3825                              | Waste containing copper chloride or copper cyanide  |
| of 2619 00 900 0   | Slag formed in the production of cast iron and steel, used as raw materials for the production of titanium sponge and vanadium  |
| of 7112 30 000 0   | Ash from the combustion of printed circuit boards containing precious metal (metals) or compounds of precious metal (metals)  |
| of 7112 30 000 0   | Ash containing precious metal (metals) or precious metal (metals) compounds formed from the burning of photographic film  |
| of 7112 99 000 0   | Waste films containing silver halides and/or metallic silver  |
| of 7112 99 000 0   | Photo paper waste containing silver halides and/or metallic silver  |
| of 2520 10 000 0<br>of 3825                              | Gypsum waste generated in chemical industrial processes   |
| of 3912 20   | Nitrocellulose waste  |
| of 2907<br>of 2908                                       | Waste of phenols and phenolic compounds, including chlorophenol, in the form of liquids or slurries   |
| of 3825 41 000 0<br>of 3825 49 000 0<br>of 3825 61 000 0 | Halogenated or non-halogenated non-aqueous distillation residues formed during the recovery (regeneration) operations of organic solvents   |
|  | Waste generated during the production of aliphatic halogenated hydrocarbons (chloromethane, dichloroethane, allyl chloride, epichlorohydrin), consisting of a mixture of polychlorinated hydrocarbons by 80 - 90% |
|  | Waste containing or contaminated with the following compounds:  |
| of 2837<br>of 3825                                       | inorganic cyanides, with the exception of waste containing precious metal (metals) or precious metal (metals) compounds in solid form with traces of inorganic cyanides   |
| of 2926<br>of 2929                                       | organic cyanides  |



| Tariff line code(s) affected,<br>based on HS (2012)  | Detailed Product Description  |
|--|---|
| of 3825  |   |
|  | Waste of acid and alkaline solutions, the main component of which are the following substances:   |
| of 2806 10 000 0   | hydrochloric acid pH ≤ 2  |
| of 2807 00 000   | sulfuric acid, oleum  |
| of 2808 00 000 0   | nitric acid pH ≤ 2  |
| of 2811 11 000 0   | hydrofluoric acid (hydrofluoric acid)   |
| of 2811 19 100 0   | hydrobromic acid  |
| of 2814 20 000 0   | ammonia in aqueous solution   |
| of 2815 12 000 0   | sodium hydroxide pH > = 11.5  |
| of 2815 20 000 0   | potassium hydroxide pH > = 11.5   |
| of 2620 30 000 0<br>of 2620 99 950 9   | Slag from the production of copper (with the exception of chemically stabilized, with a high iron content (above 20%) and processed in accordance with industrial standards)  |
| of 2620 11 000 0<br>of 2620 19 000 0<br>of 2620 99 950 9   | Slag from the production of zinc (with the exception of chemically stabilized, with a high iron content (more than 20%) and processed in accordance with industrial standards)  |
| of 2620<br>of 2621<br>of 3825  | Other slag and ash, including seaweed ash (kelp), including:<br>boiler slags, solid salt-containing residues and smoke-collecting devices of furnace units with traditional fuel (without reactive gypsum)<br>fly ash and dust from combustion plants (with the exception of fly ash and dust from waste incineration plants and pyrolysis plants)<br>neutralized red clay from alumina production<br>ash from coal-fired power plants (including volatile) |
| of 3802  | Spent activated carbon (except for that formed during the treatment of drinking water, in the food industry and in the production of vitamins)  |
| of 28,<br>of 3824,<br>of 3825  | Waste containing inorganic fluorine compounds in the form of liquids or sludge, with the exception of calcium fluoride sludge   |
| of 4004 00 000 0   | Waste, scraps and scraps of rubber (except hard rubber)   |
| 4012 20 000 1*<br>4012 20 000 9  | Used pneumatic tires and tires  |
| 2307 00  | Wine sucks, wine stone  |
| of 3504 00   | Leather production waste in the form of dust, ash, sludge, powder containing hexavalent chromium compounds and biocides   |
| of 4115 10 000 0<br>of 4115 20 000 0   | Scraps and other waste of leather or composite leather, unsuitable for the production of leather products, containing hexavalent chromium compounds and biocides  |
| of 0511 99 100 0<br>of 4101 - of 4103<br>of 4301   | Waste of hides or fur-fur raw materials containing hexavalent chromium compounds or biocides  |
| of 5003 00 000 0<br>of 5103 20 000 0<br>of 5202 10 000 0<br>of 5505<br>of 5601 30 000 0  | Waste in the form of fluff from spinning production   |
| of 3206, of 3208<br>of 3212, of 3825   | Waste of pigments, dyes, paints and varnishes containing heavy metals and/or organic solvents   |
| of 2805 40<br>of 7204<br>of 7404 00<br>of 7503 00<br>of 7602 00  | Waste of metals and alloys, which include any substances listed below (with the exception of scrap and alloys in the form of finished products: sheets, plates, beams, rods, pipes, etc.):  |
| of 7802 00 000 0   | antimony  |
| of 7902 00 000 0   | cadmium   |
| of 8002 00 000 0   | selenium  |
| of 8101 97 000 0   | tellurium   |
| of 8102 97 000 0<br>of 8103 30 000 0<br>of 8104 20 000 0<br>of 8105 30 000 0<br>of 8106 90 000 0<br>of 8109 31 000 0<br>of 8109 39 000 0<br>of 8112 41 000 1<br>of 8112 61 000 0 | thallium  |

| Tariff line code(s) affected,<br>based on HS (2012)  | Detailed Product Description  |
|--|---|
| of 8112 92 210 8<br>of 8108 30 000 0<br>of 8110 20 000 0<br>of 8111 00 190 0<br>of 8112 13 000 0<br>of 8112 22 000 0<br>of 8112 52 000 0<br>of 8113 00 400 0 |   |
| of 2620 29 000 0<br>of 2620 60 000 0<br>of 2620 91 000 0<br>of 2620 99 950 9   | Waste containing as a component or contaminant any of the following substances (with the exception of solid metal waste):<br>antimony, antimony compounds<br>beryllium, beryllium compounds<br>cadmium, cadmium compounds lead, lead compounds<br>selenium, selenium compounds, tellurium compounds, thallium compounds, thallium compounds |
| of 2620 19 000 0<br>of 2530 90 000 9   | Leaching residues after zinc treatment in the form of dust, sludge (jarosite, hematite, etc.)   |
| of 7802 00 000 0<br>of 8549 11 000 0   | Spent lead-acid batteries in disassembled form  |
| of 8549 11 000 0<br>of 8549 12 000 0<br>of 8549 14 000 0<br>of 8549 19 000 0   | Unsorted used batteries   |
| of 85  | Scrap electrical equipment or electrical components including galvanic cells, batteries, mercury switches, cathode ray tube glass and other glass having an active coating, or contaminated with cadmium, mercury, lead, polychlorinated biphenyls at a concentration level of 50 mg/kg and above   |
| of 2710  | Spent petroleum products, including:<br>petroleum products in the form of aqueous emulsions or mixtures with water<br>petroleum products in the form of sludge from storage tanks<br>petroleum products unsuitable for further use as primary products  |
| 2710 91 000 0  | spent petroleum products containing polychlorobiphenyls (PCBs), polychloroterphenyls (PCTs) or polybromobiphenyls (PBBs)  |
| of 2710 91 000 0   | waste of substances and products containing or contaminated with: polychlorinated biphenyl (PCBs), polychlorinated terphenyl (PCTs), polychlorinated naphthalene (PCNs) or polybrominated biphenyl (PBBs), including any other polybrominated analogues of these compounds at a concentration level of 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.

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.

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 (Section 2.3);
- 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. 400-VI of 2 January 2021;

- 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 the List of Goods, the Export and (or) Import of which is Carried out on the Basis of Permits in accordance with International Treaties and Permits Issued by State Bodies" of 24 April 2015;
- Order of the Acting Minister of Digital Development, Innovation and Aerospace Industry of the Republic of Kazakhstan No. 39/NK "On Approval of the Register of Public Services" of 31 January 2020;
- 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 Licence and (or) Annex to the Licence, the Form of a Licence and/or Annexes to the Licence" of 30 January 2015;
- Order of the Ministry of Ecology, Geology and Natural Resources of the Republic of Kazakhstan of 2 June 2020 No. 130 "On Approval of the Rules for the Provision of Governmental Services in the Field of Environmental Protection".

### Procedures

6. Not applicable.

7. a) Application should be filed in advance of arrival of the goods. The maximum processing time for licence is 15 working days.

b) No.

c) No.

d) Yes, a licence application is considered by a single administrative body – **the Committee for Environmental Regulation and Control of the Ministry of Ecology and Natural Resources of the Republic of Kazakhstan.**

8. Part II of the Appendix to Annex No. 7 "Rules of the Issuance of Licences and Permits to Export and/or Import Goods" to the EAEU Treaty establishes the grounds for refusing licences: (i) incomplete or inaccurate information in the documents submitted by the applicant to obtain a licence; (ii) non-compliance 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).

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 at: <https://adilet.zan.kz/rus/docs/V2000020823#https://adilet.zan.kz/rus/docs/V2000020823#z949z949>.

An importer is required to submit the following documents to the authorized body via the web portal of electronic licensing of the Republic of Kazakhstan "E-license" (<http://elicense.kz/?lang=en>) or via the web portal of "Electronic government" of the Republic of Kazakhstan "e-gov" (<https://egov.kz/cms/en>):

- electronic application;

- a copy of the contract of sale;
- a copy of the license to carry out a licensed type of activity or information on the availability of a license to carry out a licensed type of activity;
- a copy of the contract between the exporter and the manufacturer or the importer and the consumer of the goods (if an applicant acts as an intermediary);
- a copy of the contract for transportation;
- a copy of the Conclusion of the State Environmental Expertise;
- a copy of the contract between the exporter (importer) and the person responsible for waste disposal, which stipulates the environmentally sound use of these wastes;
- notification of transboundary movement of hazardous waste in accordance with paragraph 1 of Article 6 of the Basel Convention (three copies);
- a document on the transportation of waste in accordance with Annex V B of the Basel Convention (three copies);
- information on the availability of technical (technological) possibilities for the use of hazardous waste (an extract from the technological regulation confirming the possibility of using hazardous waste as a raw material, or another document confirming their involvement in the use that does not allow the formation of other hazardous waste or their residues);
- a copy of the document confirming the coverage by insurance or other guarantee for the transboundary movement of hazardous waste in accordance with paragraph 11 of Article 6 of the Basel Convention;
- a copy of the license to carry out the type of activity for the use of waste.

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

12. Licence application fee is ten 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.

15. There is no penalty for the non-utilization 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 licence.

### **Other procedural requirements**

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

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

## **4 NARCOTICS SUBSTANCES, PSYCHOTROPIC SUBSTANCES 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 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;
- Agreement on the Procedure of Movement of Narcotic Drugs, Psychotropic Substances and their Precursors on the Customs Territory of the Customs Union of 24 October 2013;
- 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 (Section 2.12);
- 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 the List of Goods, the Export and (or) Import of which is Carried out on the Basis of Permits in accordance with International Treaties and Permits Issued by State Bodies" of 24 April 2015;
- Order of the Acting Minister of Digital Development, Innovation and Aerospace Industry of the Republic of Kazakhstan No. 39/NK "On Approval of the Register of Public Services" of 31 January 2020;
- 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 Licence and (or) Annex to the Licence, the Form of a Licence and (or) Annexes to the Licence" of 30 January 2015;
- Order of the Ministry of Internal Affairs of the Republic of Kazakhstan of 31 March 2020 No. 276 "On Approval of the Rules for the Provision of Governmental Services in the Field of Circulation of Narcotic Drugs, Psychotropic Substances and Precursors".

This system cannot be abolished without legislative approval.

## Procedures

6. Not applicable.

7. a) Application should be filed in advance of arrival of the goods. The maximum processing time for licence is three working days.

b) No.

c) No.

- d) Yes, an application is considered by only administrative body - 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 Licences and Permits to Export and/or Import Goods" to the EAEU Treaty establishes the grounds for refusing licences: (i) incomplete or inaccurate information in the documents submitted by the applicant to obtain a licence; (ii) non-compliance 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).

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 legal entities are eligible to apply for licences.

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

10. Application forms are available at: <https://adilet.zan.kz/rus/docs/V2000020231#z3>. An importer is required to submit the following documents to the authorized body via the web portal of electronic licensing of the Republic of Kazakhstan "E-license" (<http://elicense.kz/?lang=en>) or via the web portal of "Electronic government" of the Republic of Kazakhstan "e-gov" (<https://egov.kz/cms/en>):

- electronic application;
- information on document confirming the payment of license fee for the right to engage in certain types of activities;
- electronic copy of a foreign trade contract;
- electronic copy of permission of competent authority of the import state to import to his territory of concrete consignment of controlled substances if it is provided by the legislation of the relevant state, or the formal notice from this body that the specified permission is not required.

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

12. Licence application fee is ten 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.

15. There is no penalty for the non-utilization 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.

## 5 TOXIC SUBSTANCES WHICH ARE NOT PRECURSORS OF NARCOTIC AND PSYCHOTROPIC SUBSTANCES

### 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.

### 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,<br>based on HS (2012) | Detailed Product Description           |
|---|--|
| of 1211 90 860 8                                    | Aconite                                |
| of 2939 79 000 0                                    | Aconitine                              |
| of 2939 80 000 0                                    |  |
| of 2922 19 700 0                                    | Amizil                                 |
| of 2933 39 980 0                                    | Aceclidine                             |
| of 2837 19 000 0                                    | Barium cyanide                         |
| of 2939 79 000 0                                    | Brucine                                |
| of 2939 80 000 0                                    |  |
| of 2939 79 000 0                                    | Hyoscyamine base                       |
| of 2939 80 000 0                                    |  |
| of 2939 79 000 0                                    | Hyoscyaminacamforate                   |
| of 2939 80 000 0                                    |  |
| of 2939 79 000 0                                    | Hyoscyamine Sulfate                    |
| of 2939 80 000 0                                    |  |
| of 2905 59  | Gliflor                                |
| of 2837 19 000 0                                    | Cadmium cyanide                        |
| of 2837 19 000 0                                    | Calcium cyanide                        |
| of 2924 19 000 9                                    | Carbacholine                           |
| of 2930 90 950 8                                    | Mercaptophos                           |
| 2905 11 000 0                                       | Methyl alcohol (methanol)              |
| 2804 80 000 0                                       | Arsenic                                |
| of 2811 29 100 0                                    | Arsenic anhydride                      |
| of 2811 29 900 0                                    | Arsenic anhydride                      |
| of 2842 90 800 0                                    | Sodium Arsenate                        |
| of 2939 79 000 0                                    | Nicotine                               |
| of 2939 80 000 0                                    |  |
| of 2931 90 000 9                                    | Novarsenol                             |
| of 2852 90 000 7                                    | Numbered                               |
| 2805 40 100 0                                       | Mercury metal                          |
| 2805 40 900 0                                       |  |
| of 2852 10 000 8                                    | Mercury diiodide                       |
| of 2852 10 000 8                                    | Mercury dichloride                     |
| of 2852 10 000 8                                    | Mercury Oxycyanide                     |
| of 2852 10 000 8                                    | Mercury Salicylate                     |
| of 2852 10 000 8                                    | Mercury cyanide                        |
| of 2843 29 000 0                                    | Silver cyanide                         |
| of 2939 79 000 0                                    | Scopolamine hydrobromide               |
| of 2939 80 000 0                                    |  |
| of 2939 79 000 0                                    | Strychnine Nitrate                     |
| of 2939 80 000 0                                    |  |
| of 2939 79 000 0                                    | The sum of the alkaloids of the beauty |
| of 2939 80 000 0                                    |  |
| of 8112 51 000 0                                    | Thallium unprocessed                   |
| of 2931 90 000 9                                    | Nickel Tetracarbonyl                   |
| of 2931 10 000 0                                    | Tetraethyl lead                        |
| of 2931 10 000 0                                    | Tetramethyl lead                       |
| of 1211 90 860 8                                    | Jungar's aconite grass is fresh        |
| of 2907 11 000 0                                    | Phenol                                 |
| of 2853 90 900 0                                    | Zinc Phosphide                         |
| 2804 70 001 0                                       | Phosphorus yellow                      |
| of 2843 29 000 0                                    | Silver Fluoride                        |

| Tariff line code(s) affected,<br>based on HS (2012) | Detailed Product Description       |
|---|------------------------------------|
| of 2926 90 980 0                                    | O-chlorobenzylidenemalonodini-tril |
| of 2837 19 000 0                                    | Zinc cyanide                       |
| of 2939 20 000 0                                    | Cinchonine                         |
| of 1302 19 900 0                                    | Chilibuha Extract                  |
| of 2852 10 000 8                                    | Ethylmercurphosphate               |
| of 2852 10 000 8                                    | Ethyl mercuric chloride            |
| of 3001 90 980 0                                    | Snake venom                        |
| of 3001 90 980 0                                    | Bee venom purified                 |
| of 2837 11 000 0                                    | Sodium cyanide                     |
| of 2837 19 000 0                                    | Potassium cyanide                  |
| of 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 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 (Section 2.13);
- 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 the List of Goods, the Export and (or) Import of which is Carried out on the Basis of Permits in accordance with International Treaties and Permits Issued by State Bodies" of 24 April 2015;
- Order of the Acting Minister of Digital Development, Innovation and Aerospace Industry of the Republic of Kazakhstan No. 39/NK "On Approval of the Register of Public Services" of 31 January 2020;
- 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 Licence and (or) Annex to the Licence, the Form of a Licence and/or Annexes to the Licence" of 30 January 2015;
- Order of the Ministry of Industry and Infrastructural Development of the Republic of Kazakhstan of 26 June 2020 No. 374 "On Approval of the Rules for the Provision of the Governmental Service "Issuance of License for the Import and/or Export of Certain Types of Goods".

This system cannot be abolished without legislative approval.

## Procedures

6. Not applicable.

7. a) Application should be made in advance of arrival of the goods. The maximum processing time for licence is five working days.

b) No.

c) No.

d) **Yes, an application is considered by one government agency - the Ministry of Industry and Construction of the Republic of Kazakhstan.**

8. Part II of the Appendix to Annex No. 7 "Rules of the Issuance of Licences and Permits to Export and/or Import Goods" to the EAEU Treaty establishes the grounds for refusing licences: (i) incomplete or inaccurate information in the documents submitted by the applicant to obtain a



licence; (ii) non-compliance 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).

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 at: <https://adilet.zan.kz/rus/docs/V2000020907>.

An importer is required to submit the following documents to the authorized body via the web portal of electronic licensing of the Republic of Kazakhstan "E-license" (<http://elicense.kz/?lang=en>) or via the web portal of "Electronic government" of the Republic of Kazakhstan "e-gov" (<https://egov.kz/cms/en>):

An importer is required to submit the following documents:

- electronic application;
- document confirming the payment of license fee for the right to engage in certain practice;
- other documents specified in the 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 Licence and/or Annex to the Licence, the Form of a Licence and/or Annexes to the Licence" of 30 January 2015.

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

12. Licence application fee is ten 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.

15. There is no penalty for the non-utilization 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 RADIO-ELECTRONIC MEANS AND/OR HIGH-FREQUENCY DEVICES OF CIVIL USE, INCLUDING THOSE BUILT-IN OR COMING WITH OTHER COMMODITIES**

### **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.

| <b>Tariff line code(s)<br/>affected, based on HS<br/>(2012)</b>  | <b>Detailed Product Description</b>   |
|--|---|
| of 8419<br>of 8514<br>of 8540<br>of 8543<br>of 9018<br>of 9027   | High-frequency devices, equipment and equipment for industrial, scientific and medical purposes, including high-frequency generators  |
| of 8470<br>of 8471<br>of 8517<br>of 8518<br>of 8519<br>of 8521<br>of 8525<br>of 8526<br>of 8527<br>of 8528<br>of 8531<br>of 90 | Radio-electronic means of various applications for transmitting or receiving voice, images, data and/or other types of information  |
| of 8526<br>of 8527   | Software and hardware complexes of technical radio monitoring, reception equipment designed to detect radio-electronic means that 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 (EEC) No. 30 "On Measures of Non-Tariff Regulation" of 21 April 2015 (Section 2.16);
- 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 the List of Goods, the Export and (or) Import of which is Carried out on the Basis of Permits in accordance with International Treaties and Permits Issued by State Bodies" of 24 April 2015;
- Order of the Acting Minister of Digital Development, Innovation and Aerospace Industry of the Republic of Kazakhstan No. 39/NK "On Approval of the Register of Public Services" of 31 January 2020;
- 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 Licence and (or) Annex to the Licence, the Form of a Licence and/or Annexes to the Licence" of 30 January 2015;
- Order of the Ministry of Digital Development, Innovation and Aerospace Industry of the Republic of Kazakhstan of 30 April 2020 No. 168/NK "On Approval of the Rules for the Provision

of Governmental Service "Issuance of Conclusions for the Importation into the Territory of the Republic of Kazakhstan of Radio-electronic Means and High-frequency Devices for Civil Purposes, Including Built-in or Coming in the Composition of Other Goods, in cases other than Importation, and/or the Issuance of a License for Their Importation".

This system cannot be abolished without legislative approval.

### **Procedures**

6. Not applicable.

7. a) There is no minimum advance notice required for a licence. The maximum processing time for licence is eight working days.

b) No.

c) No.

d) Yes, an application is considered by only authorized body- the Telecommunication Committee of the Ministry of Digital Development, Innovations and Aerospace Industry of the Republic of Kazakhstan, with the approval of the National Security Committee of the Republic of Kazakhstan upon issuing licences.

8. Part II of the Appendix to Annex No. 7 "Rules of the Issuance of Licences and Permits to Export and/or Import Goods" to the EAEU Treaty establishes the grounds for refusing licences: (i) incomplete or inaccurate information in the documents submitted by the applicant to obtain a licence; (ii) non-compliance 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).

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 at: <https://adilet.zan.kz/rus/docs/V2000020563#z184>.

An importer is required to submit the following documents to the authorized body via the web portal of electronic licensing of the Republic of Kazakhstan "E-license" (<http://elicense.kz/?lang=en>) or via the web portal of "Electronic government" of the Republic of Kazakhstan "e-gov" (<https://egov.kz/cms/en>):

- electronic application;
- other documents specified in the 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 Licence and/or Annex to the Licence, the Form of a Licence and/or Annexes to the Licence" of 30 January 2015.

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

12. Licence application fee is ten 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 non-utilization 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 SPECIAL TECHNICAL MEANS INTENDED FOR COVERT OBTAINMENT OF INFORMATION

### Outline of System

1. Licences are issued to regulate the import of special devices intended for unauthorized 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 unauthorized obtaining of information including built-in or forming part of other goods.

| Tariff line code(s) affected, based on HS (2012)  | Detailed Product Description   |
|---|--|
|   | Special technical means for the secret receipt and registration of acoustic information:   |
| of 8517 61 000<br>of 8517 62 000<br>of 8517 69 390 0<br>of 8517 69 900 0  | wired communication systems designed for the secret receipt and (or) registration of acoustic information  |
| of 8517 79 000 1<br>of 8518 30 950 0<br>of 8518 40<br>of 8523 49 450 0<br>of 8525 50 000 0<br>of 8525 60 000<br>of 8527<br>of 8529 10 390 0 | electronic devices designed for the secret receipt and (or) registration of acoustic information   |
| of 8519 81 510 0<br>of 8519 81 550<br>of 8519 81 610<br>of 8519 81 650<br>of 8519 81 750<br>of 8519 81 850<br>of 8519 89 900<br>of 8523 51  | electronic devices designed for the secret registration of acoustic information  |
|   | Special technical means for unspoken visual observation and recording of video information:  |
| of 9002   | lenses with the entrance pupil removed ("pin-hole")  |
| of 9006 53 100 0<br>of 9006 53 800 9<br>of 9006 59 000 9  | cameras having at least one of the following features: camouflaged for objects of other functional purpose; having lenses with an entrance pupil removed ("pin-hole")                      |
| of 8525 81  | television and video cameras having at least one of the following features: camouflaged for objects of other functional purpose; having lenses with an entrance pupil removed ("pin-hole") |

| <b>Tariff line code(s) affected,<br/>based on HS (2012)</b>  | <b>Detailed Product Description</b>  |
|--|--|
| of 8517 61 000<br>of 8517 62 000   | wired communication systems designed for the secret receipt and (or) registration of video information   |
| of 8517 69 390 0<br>of 8517 69 900 0<br>of 8523 49 450 0<br>of 8525 50 000 0<br>of 8525 60 000<br>of 8527<br>of 8529 10 390 0  | electronic devices intended for the secret receipt and (or) registration of video  |
| of 8521<br>of 8523 51  | information electronic devices intended for the secret registration of video information   |
|  | Special technical means for secret wiretapping of telephone conversations:   |
| of 8517 61 000<br>of 8517 62 000   | wired communication systems designed for secret wiretapping of telephone conversations   |
| of 8517 69 390 0<br>of 8517 69 900 0<br>of 8525 50 000 0<br>of 8525 60 000<br>of 8527<br>of 8529 10 390 0  | electronic devices designed for secret wiretapping of telephone conversations  |
| of 8519 81 510 0<br>of 8519 81 550<br>of 8519 81 610<br>of 8519 81 650<br>of 8519 81 750<br>of 8519 81 850<br>of 8523 51   | electronic devices designed for secret registration of information about telephone conversations   |
| of 8471<br>of 8517 61 000<br>of 8517 62 000<br>of 8517 69 390 0<br>of 8517 69 900 0<br>of 8523 29 310 1<br>of 8523 29 310 2<br>of 8523 49 250 0<br>of 8523 49 910 1<br>of 8523 51 910 1<br>of 8523 59 910 1<br>of 8523 80 910 1<br>of 8527 | Special technical means for secret interception and registration of information from technical communication channels  |
| of 9022 19 000 0   | Special technical means for secret control of mail messages and shipments  |
| of 9022 19 000 0   | Special technical means for covert examination of objects and documents, including portable small-sized X-ray, X-ray television and X-ray equipment            |
|  | Special technical means for covert penetration and inspection of premises, vehicles, and other objects:  |
| of 8301 70 000 0   | means for opening locking devices  |
| of 9022 19 000 0   | portable small-sized X-ray, X-ray television and X-ray equipment   |
| of 8526 10 000 9<br>of 8526 91   | Special technical means for covert control over the movement of vehicles and other objects   |
| of 8471<br>of 8505 90 200<br>of 8517 61 000<br>of 8517 62 000<br>of 8517 69 390 0<br>of 8517 69 900 0<br>of 8523 29 310 1<br>of 8523 29 310 2  | Special technical means for the secret receipt (modification, destruction) of information from the technical means of its storage, processing and transmission |

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 (Section 2.17);
- 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 the List of Goods, the Export and/or Import of which is Carried out on the Basis of Permits in accordance with International Treaties and Permits Issued by State Bodies" of 24 April 2015;
- Order of the Acting Minister of Digital Development, Innovation and Aerospace Industry of the Republic of Kazakhstan No. 39/NK "On Approval of the Register of Public Services" of 31 January 2020;
- 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 Licence and/or Annex to the Licence, the Form of a Licence and/or Annexes to the Licence" of 30 January 2015;
- Order of the Ministry of Industry and Infrastructural Development of the Republic of Kazakhstan of 26 June 2020 No. 374 "On Approval of the Rules for the Provision of the Governmental Service "Issuance of License for the Import and/or Export of Certain Types of Goods".

This system cannot be abolished without legislative approval.

### Procedures

6. Not applicable.

7.a) There is no minimum advance notice required for a licence. Goods arriving at the customs without a licence cannot be imported and retrospective permits cannot be issued. The maximum processing time for licence is five working days.

b) No.

c) No.

d) **Yes, an application is considered by only authorized body - the Ministry of Industry and Construction of the Republic of Kazakhstan, with the approval of the National Security Committee of the Republic of Kazakhstan.**

8. Part II of the Appendix to Annex No. 7 "Rules of the Issuance of Licences and Permits to Export and/or Import Goods" to the EAEU Treaty establishes the grounds for refusing licences: (i) incomplete or inaccurate information in the documents submitted by the applicant to obtain a licence; (ii) non-compliance 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 the case of refusal by a coordinating body to approve an application for the issuance of a licence, as well as due to the results of the examination or technical research, confirming that the importation or exportation of special technical equipment may damage the national security of the Member State.

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 at: <https://adilet.zan.kz/rus/docs/V2000020907>. An importer is required to submit the following documents to the authorized body via the web portal of electronic licensing of the Republic of Kazakhstan "E-license" (<http://elicense.kz/?lang=en>) or via the web portal of "Electronic government" of the Republic of Kazakhstan "e-gov" (<https://egov.kz/cms/en>):

- electronic application;
- document confirming the payment of license fee for the right to engage in certain practice;
- other documents specified in the 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 Licence and/or Annex to the Licence, the Form of a Licence and/or Annexes to the Licence" of 30 January 2015.

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

12. Licence application fee is ten 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.

15. There is no penalty for the non-utilization 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 ENCRYPTION (CRYPTOGRAPHIC) MEANS

### 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  |
|--|---|
| of 8443 31<br>of 8443 32 100 9<br>of 8443 32 300 0<br>of 8443 99 100 0 | Printers, copiers and fax machines and their electronic modules with encryption (cryptography) functions  |
| of 8470 10 000 0   | Pocket machines for recording, reproducing and visual representation of data with computational functions, having encryption (cryptography) functions |

| Tariff line code(s) affected,<br>based on HS (2012)   | Detailed Product Description   |
|---|--|
| of 8471 30 000 0  | Pocket computers with encryption (cryptography) functions                                |
| of 8471 30 000 0<br>of 8471 41 000 0<br>of 8471 49 000 0<br>of 8471 50 000 0<br>of 8471 90 000 0<br>of 8473 30 200 8  | Computing machines and their parts having encryption (cryptography) functions            |
| of 8471 70 500 0<br>of 8471 70 980 0<br>of 8471 80 000 0  | Computer devices with encryption (cryptography) functions                                |
| of 8473 21 100 0<br>of 8473 21 900 0<br>of 8473 30 200 8<br>of 8473 30 800 0  | Electronic modules and parts of pocket machines with encryption (cryptography) functions |
| of 8517 11 000 0<br>of 8517 13 000 0<br>of 8517 14 000 0<br>of 8517 18 000 0  | Subscriber communication devices with encryption (cryptography) functions                |
| of 8517 61 000 1<br>of 8517 61 000 2<br>of 8517 61 000 8  | Base stations with encryption (cryptography) functions                                   |
| of 8517 62 000<br>of 8517 69 390 0<br>of 8517 69 900 0<br>of 8517 79 000  | Telecommunication equipment and its parts having encryption (cryptography) functions     |
| of 8523 29 310 1<br>of 8523 29 310 2<br>of 8523 29 330<br>of 8523 29 390<br>of 8523 49 250 0<br>of 8523 49 310 0<br>of 8523 49 390 0<br>of 8523 49 450 0<br>of 8523 49 910 1<br>of 8523 49 930 0<br>of 8523 51 910 1<br>of 8523 51 930 0<br>of 8523 52<br>of 8523 59 910 1<br>of 8523 59 930 0<br>of 8523 80 910 1<br>of 8523 80 930 0  | Software encryption (cryptographic) tools, regardless of the media                       |
| of 3704 00<br>of 3705 00<br>of 3706<br>of 4821 10<br>of 4901 10 000 0<br>of 4901 99 000 0<br>of 4911 99 000 0<br>of 8523 21 000 0<br>of 8523 29 310 1<br>of 8523 29 310 2<br>of 8523 29 330<br>of 8523 29 390<br>of 8523 49 250 0<br>of 8523 49 310 0<br>of 8523 49 390 0<br>of 8523 49 450 0<br>of 8523 49 910 1<br>of 8523 49 930 0<br>of 8523 51 910 1<br>of 8523 51 930 0<br>of 8523 52<br>of 8523 59 910 1<br>of 8523 59 930 0<br>of 8523 80 910 1<br>of 8523 80 930 0 | Key documents  |



| <b>Tariff line code(s) affected, based on HS (2012)</b>   | <b>Detailed Product Description</b>   |
|---|---|
| of 8525 50 000 0<br>of 8525 60 000<br>of 8529 90 200 2<br>of 8529 90 650<br>of 8529 90 960 0  | Broadcasting or television equipment and its parts having encryption (cryptography) functions   |
| of 8526 91 200 0<br>of 8526 91 800 0<br>of 8526 92 000<br>of 8529 90 650<br>of 8529 90 960 0  | Radio navigation receivers, remote control equipment and their parts having encryption (cryptography) functions   |
| of 8517 62 000<br>of 8528 71 150 0<br>of 8529 90 650<br>of 8529 90 960 0  | Equipment for access to the Internet information and communication network and television receivers with a communication function, their parts having encryption (cryptography) functions |
| of 8542 31 901 0<br>of 8542 31 909 0<br>of 8542 32 900 0  | Electronic integrated circuits, storage devices having encryption (cryptography) functions or containing encryption (cryptographic) means   |
| of 8543 70 800 0<br>of 8543 90 000 0  | Other electrical machines and equipment having individual functions, containing encryption (cryptographic) means  |
| of 3704 00<br>of 3705 00<br>of 3706<br>of 4821 10<br>of 4901 10 000 0<br>of 4901 99 000 0<br>of 4911 99 000 0<br>of 8523 29 310<br>of 8523 29 330<br>of 8523 29 390<br>of 8523 29 900 0<br>of 8523 49 450 0<br>of 8523 49 510 0<br>of 8523 49 590 0<br>of 8523 49 930 0<br>of 8523 49 990 0<br>of 8523 51 930 0<br>of 8523 51 990 0<br>of 8523 59 930 0<br>of 8523 59 990 0<br>of 8523 80 930 0<br>of 8523 80 990 0 | Regulatory and technical, design and operational documentation for the encryption (cryptographic) tools specified in paragraphs 1 to 16 of this section (on any media)                    |

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 (Section 2.19);
- 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 the List of Goods, the Export and (or) Import of which is Carried out on the Basis of Permits in accordance with International Treaties and Permits Issued by State Bodies" of 24 April 2015;
- Order of the Acting Minister of Digital Development, Innovation and Aerospace Industry of the Republic of Kazakhstan No. 39/NK "On Approval of the Register of Public Services" of

- 31 January 2020;
- 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 Licence and/or Annex to the Licence, the Form of a Licence and/or Annexes to the Licence" of 30 January 2015;
- Order of the Ministry of Industry and Infrastructural Development of the Republic of Kazakhstan of 26 June 2020 No. 374 "On Approval of the Rules for the Provision of the Governmental Service "Issuance of License for the Import and/or Export of Certain Types of Goods".

This system cannot be abolished without legislative approval.

### Procedures

6. Not applicable.

7.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 licence is five working days.

b) No.

c) No.

d) **Yes, an application is considered by only authorized body - the Ministry of Industry and Construction of the Republic of Kazakhstan, with the approval of the National Security Committee.**

8. Part II of the Appendix to Annex No. 7 "Rules of the Issuance of Licences and Permits to Export and/or Import Goods" to the EAEU Treaty establishes the grounds for refusing licences: (i) incomplete or inaccurate information in the documents submitted by the applicant to obtain a licence; (ii) non-compliance 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 a case of refusal by a coordinating body to issue a licence.

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 at: <https://adilet.zan.kz/rus/docs/V2000020907>. An importer is required to submit the following documents to the authorized body via the web portal of electronic licensing of the Republic of Kazakhstan "E-license" (<http://elicense.kz/?lang=en>) or via the web portal of "Electronic government" of the Republic of Kazakhstan "e-gov"(<https://egov.kz/cms/en>):

- electronic application;
- document confirming the payment of license fee for the right to engage in certain practice;
- other documents specified in the 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 Licence and/or Annex to the Licence, the Form of a Licence and/or Annexes to the Licence" of 30 January 2015.

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

12. Licence application fee is ten 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.

15. There is no penalty for the non-utilization 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 HUMAN ORGANS AND TISSUES, BLOOD AND ITS COMPONENTS, SAMPLES OF HUMAN BIOLOGICAL MATERIALS

### 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  |
|--|---|
| of 3001 90 200 0   | Allogeneic tissues (pancreas, thyroid, parathyroid glands, hypophysis and other endocrine tissues)                            |
| of 3001 90 200 0   | Hematopoietic stem cells  |
| of 3001 90 200 0   | Phacocyst petrous   |
| of 3001 90 200 0   | Skin  |
| of 3001 90 200 0   | Heart and lungs   |
| of 3001 90 200 0   | Conjunctiva   |
| of 3001 90 200 0   | Bone marrow   |
| of 3002 90 100 0<br>of 3002 12 000 3<br>of 3002 12 000 4<br>of 3002 12 000 5<br>of 3002 13 000 0<br>of 3002 14 000 0 | Human blood and its components  |
| of 3001 90 200 0   | Multivisceral complexes (liver – kidney, liver – kidney – adrenal glands – area of gastrointestinal tract, kidney – pancreas) |
| of 3001 90 200 0   | Liver and its parts   |
| of 3001 90 200 0   | The pancreas alone or in combination with other organs  |
| of 3001 90 200 0   | Kidneys   |
| of 3001 90 200 0   | Cornea  |
| of 3001 90 200 0   | Heart   |
| of 3001 90 200 0   | Sclerae   |

| <b>Tariff line code(s) affected, based on HS (2012)</b>  | <b>Detailed Product Description</b>  |
|--|--|
| of 3001 90 200 0   | Fragments of the intestine   |
| of 3001 90 200 0   | Bones, fragments of bones with a cortical layer  |
| of 3001 90 200 0   | Cartilage tissue   |
| of 3001 90 200 0   | Upper extremities and its fragments  |
| of 3001 90 200 0   | Heart valves   |
| of 3001 90 200 0   | Calvarial bones  |
| of 3001 90 200 0   | Lung   |
| of 3001 90 200 0   | Lower extremities and its fragments  |
| of 3001 90 200 0   | Vessels and areas of vascular bed  |
| of 3001 90 200 0   | Tendons  |
| of 3001 90 200 0   | Dura mater   |
| of 3001 90 200 0   | Trachea  |
| of 3001 90 200 0   | Sex cells and embryos  |
| of 0511 99 853 9<br>of 0511 99 859 9<br>of 3002 12 000 5<br>of 3002 13 000 0<br>of 3002 14 000 0<br>of 3002 90 100 0 | Trachea  |
| of 3001 90 200 0   | Samples of human biological materials (samples of cells, tissues, biological fluids, secrets, products of human vital activity, physiological and pathological excreta, smears, washings, scrapings) |

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 (Section 2.21);
- Code of the Republic of Kazakhstan No. 360-VI "On Public Health and Healthcare System" of 7 July 2020;
- 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 the List of Goods, the Export and/or Import of which is Carried out on the Basis of Permits in accordance with International Treaties and Permits Issued by State Bodies" of 24 April 2015;
- Order of the Acting Minister of Digital Development, Innovation and Aerospace Industry of the Republic of Kazakhstan No. 39/NK "On Approval of the Register of Public Services" of 31 January 2020;
- 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 Licence and/or Annex to the Licence, the Form of a Licence and/or Annexes to the Licence" of 30 January 2015;
- Order of the Ministry of Health of the Republic of Kazakhstan of 30 April 2020 No. KR DSM-43/2020 "On Approval of the Rules for the Provision of Governmental Service "Issuance of License for Importation into the Territory of the Republic of Kazakhstan from States that are not Members of the Eurasian Economic Union, and Export from the Territory of the Republic of Kazakhstan to These States of Organs (Parts of an Organ) and/or Tissues (Parts of Tissue) of a Person, Blood and Its Components".

This system cannot be abolished without legislative approval.

## Procedures

6. Not applicable.

7. a) There is no minimum advance notice required for a licence. The maximum processing time for licence for human organs is one working day; for licence for human tissues and its components – three working days, for licence for blood and its components – three working days.

b) No.

c) No.

d) **Yes, an application is considered by only authorized body - the Ministry of Healthcare of the Republic of Kazakhstan.**

8. Part II of the Appendix to Annex No. 7 "Rules of the Issuance of Licences and Permits to Export and/or Import Goods" to the EAEU Treaty establishes the grounds for refusing licences: (i) incomplete or inaccurate information in the documents submitted by the applicant to obtain a licence; (ii) non-compliance 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).

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 legal entities.

## Documentation and other requirements for application for licence

10. Application forms are available at: <https://adilet.zan.kz/rus/docs/V2000020556#z141>.

An importer is required to submit the following documents to the authorized body via the web portal of electronic licensing of the Republic of Kazakhstan "E-license" (<http://elicense.kz/?lang=en>) or via the web portal of "Electronic government" of the Republic of Kazakhstan "e-gov" (<https://egov.kz/cms/en>):

- electronic application;
- copy of a foreign trade contract;
- copy of permission of authorities of third countries responsible for taking decision on possibility of import/export of human organs and tissues, blood and its components;
- documents specified in paragraph 8 of the Governmental Service Standard "Issuance of License for Importation into the Territory of the Republic of Kazakhstan from States that are not Members of the Eurasian Economic Union, and Export from the Territory of the Republic of Kazakhstan to These States of Organs (Parts of an Organ) and/or Tissues (Parts of Tissue) of a person, blood and its components" (Order of the Minister of Health of the Republic of Kazakhstan of 30 April 2020 No. KP DSM-43/2020).

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

12. Licence application fee is ten 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-utilization 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 SERVICE AND CIVIL WEAPONS, ITS MAIN PARTS (COMPONENTS) AND CARTRIDGES THERETO

#### Outline of System

1. Licences are issued to regulate the import of service 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 weapon including its main parts and cartridges.

| Tariff line code(s) affected, based on HS (2012) | Detailed Product Description  |
|--|---|
| of 9302 00 000 0                                 | Gas pistols and revolvers, including the possibility of firing cartridges with a rubber bullet  |
| of 9302 00 000 0                                 | Sport pistols and revolvers with a rifled barrel  |
| of 9302 00 000 0                                 | Service pistols and revolvers with a rifled barrel  |
| of 9302 00 000 0                                 | Fire tuneless weapons (revolvers and pistols, including those with traumatic action cartridges)   |
| of 9303 20                                       | Smoothbore sports guns  |
| of 9303 30 000 0                                 | Sports rifles with a rifled barrel  |
| of 9303 20 100 0                                 | Hunting long single-barreled smooth-bore guns   |
| of 9303 20 950 0<br>of 9303 30 000 0             | Hunting dual-barreled or combined guns  |
| of 9303 20 950 0                                 | Hunting double-barreled smooth-bore guns, including those with different caliber barrels  |
| of 9303 30 000 0<br>of 9303 20 950 0             | Hunting shotguns with a rifled barrel   |
| of 9304 00 000 0                                 | Hunting pneumatic weapon with a muzzle energy no more than 25 J   |
| of 9304 00 000 0                                 | Sports pneumatic rifles and shotguns with muzzle energy more than 3 J   |
| of 9304 00 000 0                                 | Sports pneumatic pistols and revolvers with muzzle energy more than 3 J   |
| of 9305 10 000 0                                 | Main (composite) parts of sports pistols and revolvers (barrel, bolt, drum, frame, receiver, trigger and parts and accessories thereto)   |
| of 9305 10 000 0                                 | Main (composite) parts of duty pistols and revolvers (barrel, bolt, drum, frame, receiver, trigger and parts and accessories thereto)   |
| of 9305 20 000 1                                 | Trunks of hunting and sports smooth-bore rifles and carbines  |
| of 9305 20 000 1                                 | Trunks of rifled hunting and sports rifles and carbines   |
| of 9305 20 000 9                                 | Other main (component) parts of hunting and sports smooth-bore rifles (bolt, drum, frame, receiver (shoe), fore-end, shock-trigger mechanism and parts and accessories thereto)                   |
| of 9305 20 000                                   | Main (integral) parts of sports rifles, hunting carbines, rifles with a rifled barrel (barrel, drum, frame, receiver (shoe), fore-end, shock-trigger mechanism and parts and accessories thereto) |
| of 9306 21 000 0                                 | Cartridges for sports and hunting smooth-bore weapons, including cartridges for high-pressure test  |
| of 9306 30 100 0                                 | Cartridges for pistols and revolvers for sports, service, fire tuneless weapons   |
| of 9306 30 900 0                                 | Cartridges for sports and hunting weapons with a rifled barrel (except for pistols and revolvers), self-defense gas weapons, including cartridges for high-pressure test                          |

| <b>Tariff line code(s) affected, based on HS (2012)</b>  | <b>Detailed Product Description</b>   |
|--|---|
| of 9306 29 000 0   | Cylindrical capsules for smooth-bore hunting and sports weapons   |
| of 9306 30 900 0   | Cylindrical capsules for hunting and sports weapons with a rifled barrel (except for pistols and revolvers)   |
| of 9306 30 900 0   | Encapsulated cylinders to gas self-defense weapons  |
| of 9306 30 100 0   | Encapsulated cylinders to sports and service pistols and revolvers  |
| of 3603 30 000 0   | Caps for cartridges for service and civilian weapons  |
| of 9307 00 000 0<br>of 8211                              | Cold bladed hunting weapons (knives and hunting daggers)  |
| of 9307 00 000 0   | Cold bladed sport weapons   |
| of 9307 00 000 0   | Other cold bladed weapons (intended for wearing with the Cossack form, as well as with the national costumes of the peoples of the Eurasian Economic Union Member States, intended for collecting)<br>Sports bows and crossbows |
| of 9506 99 900 0   | Sports bows and crossbows   |
| of 9304 00 000 0   | Electric weapons (electric shock devices and spark arresters having output parameters corresponding to the norms established by the authorized body of the Eurasian Economic Union Member State in the field of health)         |
| of 9303  | Weapons structurally intended only for giving light, smoke and sound signals of caliber more than 6 mm  |
| of 9705 10 000 0<br>of 9706 10 000 0<br>of 9706 90 000 0 | Copies and replicas of antique weapons  |

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

4. The use of conclusions 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;
- Agreement on Movement of Service and Civil Weapons Between the Member States of the Eurasian Economic Union of 20 May 2016;
- Decision of the Collegium of the Eurasian Economic Commission (EEC) No. 30 "On Measures of Non-Tariff Regulation" of 21 April 2015 (Section 2.22);
- 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;
- Order of the Acting Minister of Digital Development, Innovation and Aerospace Industry of the Republic of Kazakhstan No. 39/NK "On Approval of the Register of Public Services" of 31 January 2020;
- Order of the Minister of Internal Affairs of the Republic of Kazakhstan No. 602 "On Approval of the Rules for the Turnover of Civil and Service Weapons and Ammunition" of 1 July 2019;
- Order of the Minister of Internal Affairs of the Republic of Kazakhstan No. 254 "On Approval of the Rules for the Provision of Public Services in the Areas of Turnover of Civil and Service weapons and Ammunition, Civil Pyrotechnic Substances and Products with Their Use" of 27 March 2020;
- 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 Licence and/or Annex to the Licence, the Form of a Licence and/or Annexes to the Licence" of 30 January 2015.

This system cannot be abolished without legislative approval.

## Procedures

6. Not applicable.

7. a) There is no minimum advance notice required for a conclusion. Goods arriving at the customs without a conclusion cannot be imported. The maximum processing time for a conclusion is 15 working days.

b) No.

c) No.

**d) Importer has to apply to 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 Licences and Permits to Export and/or Import Goods" to the EAEU Treaty establishes the grounds for refusing licences (conclusions): (i) incomplete or inaccurate information in the documents submitted by the applicant to obtain a conclusion; (ii) non-compliance 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.

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

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

9. Only legal entities.

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

10. Application forms are available at: <http://adilet.zan.kz/rus/docs/V1500011074#z7>. An importer is required to submit the following documents to the authorized body via the web portal of electronic licensing of the Republic of Kazakhstan "E-license" (<http://elicense.kz/?lang=en>) or via the web portal of "Electronic government" of the Republic of Kazakhstan "e-gov" (<https://egov.kz/cms/en>):

- electronic application;
- information on the documents confirming the payment of the state fee for the issuance of a permit document;
- other documents specified in the Governmental Service Standard "Issuance of Conclusion to Legal entities on the Importation into the Territory of the Republic of Kazakhstan, Exportation from the Territory of the Republic of Kazakhstan and Transit Through the Territory of the Republic of Kazakhstan of Civil and Service Weapons and Cartridges for Them" (Order of the Ministry of Internal Affairs of the Republic of Kazakhstan of 27 March 2020 No. 254).

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

12. Conclusion application fee is ten Monthly Calculated Indices.

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

### **Conditions of licensing**

14. Conclusions are valid for the conclusion period and cannot be extended.

15. There is no penalty for the non-utilization of a conclusion or a portion of a conclusion.

16. Conclusion are not transferable between importers.

17. There are no conditions attached to the issuance of conclusion.



### Other procedural requirements

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

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

## 11 CERTAIN TYPES OF AGRICULTURAL PRODUCTS

### Outline of System

1. The system of the import licensing applies to certain types of agricultural products in accordance with **Decision of the Collegium of the Eurasian Economic Union No. 119 "On Setting of Tariff Rate Quotas in 2023 for Certain Types of Agricultural Goods Imported into the Customs Territory of the Eurasian Economic Union, as well as the Volumes of Tariff Quotas for Importation of These Goods into the Territories of the Member States of the Eurasian Economic Union" of 23 August 2022.** (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 cattle, 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 cattle, 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 29 550 2; 0203 29 590 1; 0203 29 900 1; 0203 29 900 2  | Pork, fresh, chilled or frozen  |
|   | Meat and edible offal of poultry specified in heading 0105, fresh, chilled or frozen:   |
| 0207 14 200 1<br>0207 14 600 1  | Frozen unburned halves or quarters of carcasses of domestic chickens and frozen unburned legs of domestic chickens and pieces of them |
| 0207 13 100 1   | Boneless meat of domestic chickens, fresh or chilled  |
| 0207 14 100 1   | Boneless frozen chicken meat  |
| 0207 26 100 1   | Boneless turkey meat, fresh or chilled  |
| 0207 27 100 1   | Frozen boneless turkey meat   |
| 0207 27 300 1; 0207 27 400 1; 0207 27 600 1; 0207 27 700 1  | Frozen unburned parts of turkey carcasses   |
| 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; 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 26 200 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; | Meat and edible offal of poultry specified in heading 0105, fresh, chilled or frozen, not named above                                 |

| Tariff line code(s) affected, based on HS (2012)   | Detailed Product Description  |
|--|---|
| 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; 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   | Certain types of whey and modified whey, in powder, granules or other solid forms, without added sugar or other sweetening substances |

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. 119 "On Setting of Tariff Rate Quotas in 2023 for Certain Types of Agricultural Goods Imported into the Customs Territory of the Eurasian Economic Union, as well as the Volumes of Tariff Quotas for Importation of These Goods into the Territories of the Member States of the Eurasian Economic Union" of 23 August 2022;**
- 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 the List of Goods, the Export and/or Import of which is Carried out on the Basis of Permits in accordance with International Treaties and Permits Issued by State Bodies" of 24 April 2015;
- Order of the Acting Minister of Digital Development, Innovation and Aerospace Industry of the Republic of Kazakhstan No. 39/NK "On Approval of the Register of Public Services" of 31 January 2020;
- Order of the Minister of Trade and Integration of the Republic of Kazakhstan No. 51-ҒҚ "On Approval of the Rules for Government Services in the Field of Trade Activities" of 16 March 2020.

This system cannot be abolished without legislative approval.

## Procedures

- 6.I. Relevant information on allocation of quotas and formalities of filing applications for licences is available at: <http://www.eurasiancommission.org/ru/act/trade/catr/ttr/Pages/quotas.aspx>, <http://adilet.zan.kz/rus/docs/V1500010181>.
- II. The size of the quota determined on a yearly basis. Licences are issued for imports on a yearly basis. Import quota set by the Decision of the Collegium of the Eurasian Economic Union

No. 102 "On Setting of Tariff Rate Quotas in 2022 for Certain Types of Agricultural Goods Imported into the Customs Territory of the Eurasian Economic Union, as well as the Volumes of Tariff Quotas for Importation of These Goods into the Territories of the Member States of the Eurasian Economic Union" of 17 August 2021.

- III. The list of importers to whom licences have been allocated is published on the official website of the Ministry of Trade and Integration of the Republic of Kazakhstan (<https://www.gov.kz/memleket/entities/mti?lang=en>).
- 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 one working day.
- VI. Not applicable.
- VII. Licence applications are considered by one administrative body - the Ministry of Trade and Integration 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 Licences and Permits to Export and/or Import Goods" to the EAEU Treaty establishes the grounds for refusing licences: (i) incomplete or inaccurate information in the documents submitted by the applicant to obtain a licence; (ii) non-compliance 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 at: <https://adilet.zan.kz/rus/docs/V2000020135#z17>.

An importer is required to submit the following documents to the authorized body via the web portal of electronic licensing of the Republic of Kazakhstan "E-license" (<http://elicense.kz/?lang=en>) or via the web portal of "Electronic government" of the Republic of Kazakhstan "e-gov" (<https://egov.kz/cms/en>):

- electronic application;
- a copy of a foreign trade contract;
- a copy of the license to carry out a licensed type of activity or information on the availability of a license to carry out a licensed type of activity;
- information about the payment of the license fee.

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

12. Licence application fee is ten 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-utilization 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 MEDICAL PRODUCTS

### Outline of System

1. The permission is issued in order to control the import of certain medicinal products (The unified list of goods to which the Non-Tariff Regulation measures under the EAEU regime are applied in trade with third countries (Decision of the Board of the EEC No. 30 of 21 April 2015, as amended on 13 December 2017, Annex 2.14).

### Purposes and coverage of licensing

2. The permission system allows to control the turnover of certain medical products in order to protect the life and health of people, animals and plants.

| Detailed Product Description                                 | Tariff line code(s) affected,<br>based on HS (2012)  |
|--|--|
| Organic chemical compounds used as pharmaceutical substances | of 2904<br>of 2905<br>of 2906<br>of 2907<br>of 2908<br>of 2909<br>of 2912<br>of 2913 00 000 0<br>of 2914<br>of 2915<br>of 2916<br>of 2917<br>of 2918<br>of 2919<br>of 2920<br>of 2921<br>of 2922<br>of 2923<br>of 2924<br>of 2925<br>of 2926<br>of 2927 00 000 0<br>of 2928 00 |

| Detailed Product Description  | Tariff line code(s) affected,<br>based on HS (2012)  |
|---|--|
|   | of 2929<br>of 2930<br>of 2931<br>of 2932<br>of 2933<br>of 2934<br>of 2935<br>of 2936<br>of 2937<br>of 2938<br>of 2939<br>of 2940 00 000 0<br>of 2941<br>of 2942 00 000 0 |
| Glands and other organs intended for organotherapy, dried, crushed or not powdered; extracts of glands or other organs or their secretions intended for organotherapy; heparin and its salts; other substances of human or animal origin prepared for use for therapeutic or prophylactic purposes, not elsewhere named or included                       | 3001   |
| Human blood; animal blood prepared for therapeutic, prophylactic or diagnostic purposes; immune serums and blood fractions, other and modified immunological products, including those obtained by biotechnology methods; vaccines, toxins, cultures of microorganisms (except yeast) and similar products, for the use of the above for medical purposes | of 3002  |
| Medicinal products (other than goods of heading 3002, 3005 or 3006) consisting of a mixture of two or more components for therapeutic or prophylactic use, but not packaged in the form of metered dosage forms or in forms or packages for retail sale (other than those used for veterinary medicine)   | of 3003  |
| Medicinal products (other than goods of heading 3002, 3005 or 3006) consisting of mixed or unmixed products for therapeutic or prophylactic use, packaged in the form of metered dosage forms (including medicinal products in the form of transdermal systems) or in forms or packages for retail sale (other than those used for veterinary medicine)   | of 3004  |
| Contrast preparations for X-ray examinations; diagnostic reagents intended for administration to patients for the use of the above for medical purposes   | of 3006 30 000 0   |
| Chemical contraceptive products based on hormones, other compounds of heading 2937 or spermicides   | of 3006 60 000   |
| Preparations containing vitamins and (or) minerals for medical use  | of 2106 90 930 0<br>of 2106 90 980 3<br>of 2106 90 980 8   |
| Provitamins and vitamins, natural or synthesized (including natural concentrates), their derivatives, used mainly as vitamins, and mixtures of these compounds, including in any solvent, for medical use   | of 2936  |
| Natural polymers (e.g. alginic acid) and modified natural polymers (e.g. cured proteins, chemical derivatives of natural rubber), in primary forms, for medical use   | of 3913  |
| Placebo and sets of depersonalized clinical drugs for conducting approved clinical trials by a simple blind (or double-blind) method, packaged in the form of dosage forms  | 3006 93 000 0  |

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

4. The implementation of permission system allows the Government to track the number of controlled imported goods. The permission system is not intended to limit the quantity or cost of import.

5. The control of import of the specified goods in this category is a mandatory requirement under the following legislation:

- The Treaty on the Eurasian Economic Union (EAEU) of 19 May 2014;
- Decision of the Collegium of the Eurasian Economic Commission (EEC) No. 30 "On Measures of Non-Tariff Regulation" of 21 April 2015 (Section 2.14);
- Code of the Republic of Kazakhstan No. 360-VI "On Public Health and Healthcare System" of 7 July 2020;
- The Law of the Republic of Kazakhstan № 202-V "On Permissions and Notifications" of 16 May 2014;
- Order of the Acting Minister of Digital Development, Innovation and Aerospace Industry of the Republic of Kazakhstan No. 39/NK "On Approval of the Register of Public Services" of 31 January 2020;
- The Order of the Minister of Health and Social Development of the Republic of Kazakhstan No. 668 "On approval of the Rules for the importation into the territory of the Republic of Kazakhstan of medical products and medical devices and the exportation from the territory of the Republic of Kazakhstan of medical products and medical devices and on the government service "On approval and/or conclusion (permit) for import (export) of registered and unregistered in the Republic of Kazakhstan medical products and medical devices", of 17 August 2015;
- Order of the Acting Minister of Health of the Republic of Kazakhstan No. KR DSM-65/2020 "On Certain Issues of Providing Public Services in the Field of Pharmaceutical Activity" of 15 June 2020;
- Order of the Ministry of Healthcare of the Republic of Kazakhstan of 8 December 2020 No. KR DSM-237/2020 "On Approval of the Rules for the Importation into the Territory of the Republic of Kazakhstan and Exportation from the Territory of the Republic of Kazakhstan of Medicines and Medical devices and the Provision of Governmental Service" Issuance of Approval and/or Conclusion (Permission) for the Importation (Exportation) of Medicines and Medical Devices Registered and Not Registered in the Republic of Kazakhstan".

The system cannot be cancelled without legislative approval.

### **Procedures**

6. Not applicable.

7. a) The maximum period for issuing an authorization (authorization document) is three working days.

b) No.

c) No.

d) The importer must apply to single administrative body - the Ministry of Healthcare of the Republic of Kazakhstan.

8. The issue of permission for the import may be declined if the necessary documents are not provided in full.

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

9. Natural and legal persons have the right to apply for the licence (permission)

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

10. The application form and required documents are available on the website <https://adilet.zan.kz/rus/docs/V2000021749#z16>. The importer is required to provide the documents specified in the Governmental Service Standard "Issuance of Approval and/or Conclusion

(permit) for the Importation (Exportation) of Medicines and Medical Devices Registered and Not Registered in the Republic of Kazakhstan" through the "Electronic Government" web-portal [www.egov.kz](http://www.egov.kz) or through the web-portal of electronic licensing of the Republic of Kazakhstan "E-license" [www.elicense.kz](http://www.elicense.kz).

11. Upon importation, an importer must present standard customs documentation along with a valid permission (authorization).

12. The issuance of the permission (authorization) is carried out for free.

13. There is no requirement for a deposit or for an advance payment related to the issuance of a permission (authorization).

### **Conditions of licensing**

14. The permission (authorization) is valid for the period of its issuance.

15. There is no penalty for not using the permission (authorization).

16. The permission (authorization) cannot be transferred between importers.

17. There are no other requirements related to issuing of permission (authorization)

### **Other procedural requirements**

18. There are no other administrative procedures other than obtaining a permission (authorization) prior to importation.

19. Currency exchange is automatic and is carried out by banking authorities for imported goods.

## **13 WILD LIVE ANIMALS AND PLANTS**

### **Outline of System**

1. List of Goods that are subject of import/export prohibitions or restrictions in trade with third countries (Decision of the Board of the EEC No. 30 "On measures of Non-Tariff Regulation" of 21 April 2015, as last amended on 13 December 2017, Annex 2.7) regulates international trade of species, live wildlife, and species listed under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

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

2. The permission system allows to control the import of species, live wildlife, and species listed under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) of 3 March 1973. The full list of species of wild fauna and flora is available on: [http://www.eurasiancommission.org/ru/act/trade/catr/nontariff/Pages/ediny\\_perechen\\_30.aspx](http://www.eurasiancommission.org/ru/act/trade/catr/nontariff/Pages/ediny_perechen_30.aspx).

3. The legislation applies to the importation of goods from all countries.

4. The implementation of permission system allows the Government to track the number of controlled imported goods. The permission system is not intended to limit the quantity or cost of import.

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

- The Treaty on the Eurasian Economic Union (EAEU) of 19 May 2014;
- Decision of the Collegium of the Eurasian Economic Commission (EEC) No. 30 "On Measures of Non-Tariff Regulation" of 21 April 2015 (Section 2.7);
- The Law of the Republic of Kazakhstan No. 593 "On Protection, Reproduction and Use of Wildlife" of 9 July 2004;

- The Law of the Republic of Kazakhstan No. 202-V "On Permissions and Notifications" of 16 May 2014;
- The Order of a.i. the Minister of Agriculture of the Republic of Kazakhstan No. 18-03/143 "On Approval of the Rules for Issuance by the Administrative Authority of Permits for Import into the Territory of the Republic of Kazakhstan and Export from the Territory of the Republic of Kazakhstan of Species, Live Wildlife, and Species Listed under the Convention on International Trade in Endangered Species of Wild Fauna and Flora" of 27 February 2015;
- Order of the Minister of Ecology, Geology and Natural Resources of the Republic of Kazakhstan No. 138 "On Approval of the Rules for the Issuance by the Administrative Body of Permits for the Import into the Territory of the Republic of Kazakhstan, Export and/or Re-export From the Territory of the Republic of Kazakhstan of Plant Life Objects, Their Parts and Derivatives Subject to the Convention on International Trade in Endangered Species of Wild Fauna and Flora" of 10 June 2020;
- Order of the Acting Minister of Digital Development, Innovation and Aerospace Industry of the Republic of Kazakhstan No. 39/NK "On Approval of the Register of Public Services" of 31 January 2020;

### Procedure

6. Not applicable.

7. a) The maximum period for issuing an authorization (authorization document) is 3 working days.

b) No.

c) No.

**d) The importer must apply to single administrative body - the Ministry of Ecology and Natural Resources of the Republic of Kazakhstan.**

8. The consideration of application may be declined for the next reasons:

- false data in documents presented;
- non conformity of applicant and/or materials, objects and data with requirements of the Regulation;
- applicant is no longer allowed to be engaged in relevant activities or certain kind of activities, requiring getting a permission, due to the court injunctions, which had already come into effect;
- applicant is deprived of a special right to be engaged in relevant activities or certain kind of activities, requiring getting a permission, due to the court order, which had already come into effect;

### Eligibility of importers to apply for licence

9. Natural and legal persons have the right to apply for the licence (permission)

### Documentation and other requirements for application for licence

10. Application forms are available at: <http://adilet.zan.kz/rus/docs/V1500011935>; <https://adilet.zan.kz/rus/docs/V2000020856#z16>. An importer is required to submit the following documents to the authorized body via the web portal of electronic licensing of the Republic of Kazakhstan "E-license" (<http://elicense.kz/?lang=en>) or via the web portal of "Electronic government" of the Republic of Kazakhstan "e-gov" (<https://egov.kz/cms/en>):

- electronic application;
- electronic copy of contract between an exporter and an importer;
- electronic copy of the export permit or re-export certificate if the sample is included in Annexes 1, 2, 3 of the Convention (when importing samples into the territory of the Republic of Kazakhstan);
- electronic copy of the conclusion of the scientific organization;
- information confirming the payment of state duty to the budget.



- permission to hunt, in case of withdrawal of animal species, their parts and derivatives, from the natural habitat on the territory of the Republic of Kazakhstan (in the form of an electronic document);
- copy of the forest ticket, in case of withdrawal of flora objects, their parts and derivatives, from the natural habitat on the territory of the state forest fund of the Republic of Kazakhstan (for plants).

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

12. Permission application fee is two Monthly Calculated Indices.

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

#### **Conditions of licensing**

14. The permission is valid for the period of its issuance.

15. There is no penalty for not using the permission.

16. The permission (authorization) cannot be transferred between importers.

17. There are no other requirements related to issuing of permission.

#### **Other procedural requirements**

18. There are no other administrative procedures other than obtaining a permission prior to importation.

19. Currency exchange is automatic and is carried out by banking authorities for imported goods.

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