

ORDER

dated December “20”, 2017

No. 40

Astana

On approval of the terms of, and procedures for, entry into the Republic of Kazakhstan and leaving the Republic of Kazakhstan, for foreign nationals and stateless persons coming to the Republic of Kazakhstan to conduct activities in the “Astana” International Financial Centre

In accordance with Articles 4 and 7 of the Constitutional Statute of the Republic of Kazakhstan on the “Astana” International Financial Center of 7 December 2015 the Governor of the “Astana” International Financial Centre hereby **ORDERS:**

1. To approve following terms of, and procedures for, entry into the Republic of Kazakhstan and leaving the Republic of Kazakhstan, for foreign nationals and stateless persons coming to the Republic of Kazakhstan to conduct activities in the “Astana” International Financial Centre.
2. I reserve the right to supervise the execution of this Order.
3. This Order enters into force from the date of its signing.

**Governor of the “Astana”
International Financial Centre**

K. Kelimbetov

“Agreed”

Chairman of the National
Security Committee of
the Republic of Kazakhstan
K. Masimov

“Agreed”

Minister of Internal Affairs
of the Republic of Kazakhstan
K. Kassymov

“Agreed”

Minister of Foreign Affairs
of the Republic of Kazakhstan
K. Abdrakhmanov

Approved
by the Order
of the Governor
of the “Astana” International
Financial Centre
dated December “20”, 2017 No. 40

Terms of, and procedures for, entry into the Republic of Kazakhstan and leaving the Republic of Kazakhstan, for foreign nationals and stateless persons coming to the Republic of Kazakhstan to conduct activities in the “Astana” International Financial Centre

General provisions

1. These terms of, and procedures for, entry into the Republic of Kazakhstan and leaving the Republic of Kazakhstan, for foreign nationals and stateless persons coming to the Republic of Kazakhstan to conduct activities in the “Astana” International Financial Centre (hereinafter – Terms and Procedures) are developed according to the Constitutional Statute of the Republic of Kazakhstan of 7 December 2015 *On the “Astana” International Financial Centre* (hereinafter – Constitutional Statute).

In cases which are not expressly provided by these Terms and Procedures, terms of, and procedures for, entry into the Republic of Kazakhstan and leaving the Republic of Kazakhstan, for foreign nationals and stateless persons are determined according to the laws of the Republic of Kazakhstan.

2. AIFC Bodies and AIFC Participants assure compliance with these Terms and Procedures by invited foreign citizens and stateless persons.

3. In case of non-compliance of Inviting Party and an Immigrant with these Terms and Procedures, Authorised AIFC Body refuses to accept documents stipulated by paragraphs 7, 8 and 10 of these Terms and Procedures.

4. The following definitions are used in these Terms and Procedures:

1) The “Astana” International Financial Centre (the AIFC) – means the area within the city of Astana determined by the President of the Republic of Kazakhstan as the area where the special legal regime established by the Constitutional Statute applies;

2) Authorised AIFC Body means the AIFC Authority, which keeps records of the attracted labour of the AIFC Participants and AIFC Bodies, and assists employees of the AIFC Bodies and AIFC Participants to obtain visas on the principle of *one-stop*

shop through the authorised structural unit/organisation of the AIFC Authority in accordance with these Terms and Procedures;

3) Immigrant means a foreigner or stateless person coming to the Republic of Kazakhstan to conduct activities in the AIFC;

4) Foreign Employee means an immigrant who is employed by the AIFC Participant or AIFC Body, and is responsible for implementing the primary purposes and objectives of the AIFC Participant or AIFC Body;

5) Inviting Party means AIFC Participants or AIFC Bodies which are registered/recognised under the Acting Law of the AIFC and assisting entrance/departure of a visa receiver to/from the Republic of Kazakhstan;

6) Entry and departure permission (the Visa) means an endorsement of the authorised state bodies of the Republic of Kazakhstan in the Immigrant's passport or other similar document which entitles to enter the territory of the Republic of Kazakhstan, travel through, stay and leave from the territory of the Republic of Kazakhstan for a specified period of time in the purpose and conditions established in the visa;

7) Application means a written request of Inviting party on issuance, cancellation, and recovery of Visa of the Republic of Kazakhstan, prolongation and reducing terms of Visa validity and also Visa receiver intending to visit the Republic of Kazakhstan.

Chapter I. Terms of entry into the Republic of Kazakhstan

5. Authorised AIFC Body determines the maximum permissible number of Foreign Employees attracted by Inviting Party (Employment Allocation) in accordance with international standards and best international practices, upon the type of activity and office premises in the AIFC occupied by Inviting Party.

Compliance with the conditions for the Employment Allocation determined by Authorised AIFC Body is mandatory for the Inviting Party.

Inviting Party provides to Authorised AIFC Body the following documents at least once a year or in case of change of office premises or activity type within 30 days:

- a copy of legal entity registration certificate (branch, representative office) in accordance with the Acting Law of the AIFC;

- a document confirming the legal entity location (the original or notarised copy of the lease, purchase and sale agreement, the document confirming the ownership of real estate with a mandatory indication of the parties, the address, the total area of premises and the lease period).

Chapter II. Procedures for entry into the Republic of Kazakhstan

6. Immigrants temporarily staying in the Republic of Kazakhstan are not allowed to conduct activities in the AIFC without visas of the Republic of Kazakhstan of the appropriate categories if other is not provided by the international treaties ratified by the Republic of Kazakhstan.

7. Invitation letter to obtain a Visa of the Republic of Kazakhstan shall be arranged by Inviting Party through Authorised AIFC Body.

8. Registration of immigrants, as well as the extension of the registration period, is carried out in accordance with the laws of the Republic of Kazakhstan by the authorised state body on migration matters through Authorised AIFC Body.

Chapter III. Terms of, and procedures for leaving the Republic of Kazakhstan

9. Upon expiry or termination of an employment contract or work performance agreement (provision of services) Inviting Party applies for cancellation of valid work Visa of an employee through Authorised AIFC Body.

10. Cancellation, prolongation and recovery of visas are made upon Application by Inviting Party through Authorised AIFC Body.

11. In the case when Immigrant is unable to leave the Republic of Kazakhstan at his/her own expense, the Inviting Party undertakes financial liabilities related to the leave the Republic of Kazakhstan of the immigrant in due time.