



REPUBLIC OF
KAZAKHSTAN

**ON THE IMPLEMENTATION BY THE REPUBLIC OF
KAZAKHSTAN OF THE WTO AGREEMENT ON TRADE
FACILITATION**



Article 1 - Publication and Availability of Information



1.2 INFORMATION AVAILABLE THROUGH INTERNET

SINGLE WINDOW OF THE REPUBLIC OF KAZAKHSTAN FOR EXPORT - IMPORT OPERATIONS

EN SELF-REGISTER LOGIN

E-Licenses, Permits, Certificates, Authorisations E-Customs Customs decisions Integrated Tariff Management System

Astana-1 Legislation and regulations Registries and directories E-Services

Phytosanitary Certificate for Export of Products

A **phytosanitary certificate** is an international document issued by the quarantine and / or plant protection authorities of exporting countries certifying the phytosanitary condition of the goods, which must be attached to the transport documents accompanying the goods. Export of goods from the Republic of Kazakhstan is accompanied by phytosanitary certificates in the form prescribed by the FAO International Convention, certified by the original stamp of a triangular stamp and the signature of the state plant quarantine inspector. Phytosanitary certificates are issued by the State Plant Quarantine Inspectorate based on a phytosanitary examination of timber in the area of harvesting and shipment of timber or as a result of quarantine inspection of timber before shipment.

Fresh-frozen fruits, vegetables, berries, as well as pickles, various canned foods of plant origin and vegetable oil of all types are not subject to quarantine control of the State Government. The importation of the above listed goods is permitted with mandatory primary (at border crossing points) and secondary (at destination) quarantine phytosanitary control in the presence of phytosanitary control and import quarantine permission.

Issue of a phytosanitary certificate for the export of quarantine products outside the Republic of Kazakhstan

State body - Territorial inspections of the State Inspection Committee in the agro-industrial complex of the Ministry of Agriculture of the Republic of Kazakhstan (hereinafter - the Ministry of Agriculture of the Republic of Kazakhstan).

Recipients of services - Physical and legal persons.

The term of the service - from the date of delivery of the package of documents - within 5 (five) working days. The service provider within two working days from the moment of receiving the documents of the service recipient checks the completeness of the submitted documents. If the fact of incompleteness of the submitted documents is established, the service provider will give a reasoned refusal in further consideration of the application within the specified time.

The cost of the service is free.

The list of documents - the application, the document proving the identity, and the document certifying the authority to represent the service recipient (required for personal identification).

The result of the provision of the state service is a phytosanitary certificate for the export of quarantine products from the territory of the Republic of Kazakhstan or a motivated refusal on the grounds specified in clause 10 of the standard.

State Service Standard - <http://adilet.zan.kz/rus/docs/V1500012033#z28>

- Procedural descriptions, contact information, forms and documents, and further trade-related information is available through the internet in the language of Member (Kazakh, Russian) and in one official language of the WTO (English)
- Information regarding procedures on importation, exportation and transit
- Taxes, duties and other charges in relation with to foreign trade, including tariff simulator available in a non-discriminatory and easily accessible manner.

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Article 3 - Advance rulings



CUSTOMS DECISIONS

Decision on Classification of Goods

I want to apply now

The classification of goods refers to the phased allocation of the goods in question to specific commodity positions, subheadings and subheadings of the Commodity Nomenclature of Foreign Economic Activity (hereinafter - TN FEA).

The classification of goods is based on the main criteria:

- 1) the function that the product performs;
- 2) the material from which the goods are made.

At the same time, the principle of unambiguous attribution of goods in accordance with the degree of their processing to commodity subheadings is observed based on the application of the Basic Rules for the Interpretation of Foreign Trade Activities and notes to sections, groups (including notes to commodity positions, subheadings), as well as additional notes that explain specific classification questions.

The declarant and other persons shall classify goods in accordance with the FEA for customs declarations and in other cases when, in accordance with the customs legislation of the Eurasian Economic Union and (or) the Republic of Kazakhstan, a customs code is declared to the customs authority in accordance with the FEA.

For the purposes of the uniform application of the HS FEA, customs authorities, declarants or other persons may use:

- 1) explanations to the HS;
- 2) a compendium of classification opinions of the Committee on the Harmonized System of the World Customs Organization;
- 3) an electronic database of preliminary decisions on the classification of goods of the authorized body;
- 4) clarifications on the classification of certain types of goods of the Eurasian Economic Commission and the authorized body.

Upon the application of persons, the customs authorities can classify goods prior to their customs declaration by making preliminary decisions on the classification of goods in accordance with the HS (hereinafter referred to as preliminary decisions on the classification of goods) and decisions on the classification of goods transported across the customs border of the Eurasian Economic Union in unassembled or disassembled, including incomplete or incomplete.

A preliminary decision on the classification of goods is made by the authorized body or the customs body (customs authorities) determined by the authorized body (Order of the Ministry of Finance of the Republic of Kazakhstan dated February 16, 2018 No. 203).

A preliminary decision on the classification of goods is made for each item of goods, which includes a certain brand, model, article and modification.

The form of the preliminary decision on the classification of goods, the procedure for filling it out and making changes (additions) to such a preliminary decision on the classification of goods is determined by the Eurasian Economic Commission (Decision of the Board of the Eurasian Economic Commission of April 17, 2018 No. 58).

A preliminary decision on the classification of goods is made by the customs authority on the basis of a person's statement on a preliminary decision on the classification of goods submitted in the form approved by the authorized body in the form of an electronic document or a paper document (Order of the Ministry of Finance of the Republic of Kazakhstan dated February 16, 2018 No. 200).

- Kazakhstan issues advance rulings in a reasonable, time-bound manner to the applicant that has submitted an electronic request containing all necessary information

Requirements for an application, the time period for issuing a decision and the length of time the ruling is valid are being published

Advance rulings:

- Preliminary Decision on the Definition of the Country of Origin
 - Preliminary Decision on Customs Valuation
 - Decision on Classification of Goods
 - Decision on Classification of Goods in Unassembled State
- An electronic notification is sent to the applicant if the authority declines to issue an advance ruling, setting out the relevant facts and the basis for its decision



Article 5: Other measures to enhance impartiality, non-discriminations, and transparency



5.1 NOTIFICATIONS FOR ENHANCED CONTROLS OR INSPECTIONS

- State Revenue Committee of Ministry of Finance of the Republic of Kazakhstan is maintaining via ASTANA-1 a system of rapid and effective communication for enhancing controls and inspections, providing guidance to concerned authorities according to risk in a uniformed way
- Capability to use inspection plans for automatic selection of the minimum sample size and type of inspection in respect of foods, beverages or feedstuffs covered under the notification or guidance for protecting human, animal, or plant life or health
- The ASTANA-1 system is recording and communicating in real-time the initiation, termination or suspension of risk-based controls or inspections, including the information about release of consignments
- Communication channels
- Automatic alerts and notifications
- Assisting traders to easily comply with relevant legal requirements before the arrival of consignments



Article 7: Release and clearance of goods



7.1 PRE-ARRIVAL PROCESSING

- ASTANA-1 system provides for advance submission of import documentation in electronic format and procedures for processing of declarations prior to arrival of goods with a view to expediting the release of goods upon arrival

7.2 ELECTRONIC PAYMENT

- An e-government payment gateway has been put into operation, to which 27 banks are connected, as to facilitate the electronic payment for duties, taxes fees and charges collected by Customs incurred upon importation and exportation

7.4 RISK MANAGEMENT

- SRC applies multi-agency risk management at different phases such as pre-arrival, upon arrival/during clearance process and post clearance

7.5 POST CLEARANCE AUDIT

- ASTANA-1 Post Clearance Audit is used to select persons and/or consignments for post-clearance audit in a risk-based manner

7.8 EXPEDITED SHIPMENTS

- Kazakhstan has adopted procedures and implemented an eCommerce module to expedite shipments imported by express couriers



Article 8: Border agency cooperation



- e-Borders ICT solution to enhance digital collaboration between and among border agencies
- Interoperability and Coordinated Border Management
 - Integrations with specialized equipment to receive and process data regarding results of technical controls
 - Improved coordination with other border agencies in respect of controls and information exchange
 - Integrations with OGAs to facilitate interventions by other Border Agencies
 - Increased effectiveness of Customs controls by application of risk management techniques at different stages
 - Reduced number of controls
 - Automatic Exchange of Information

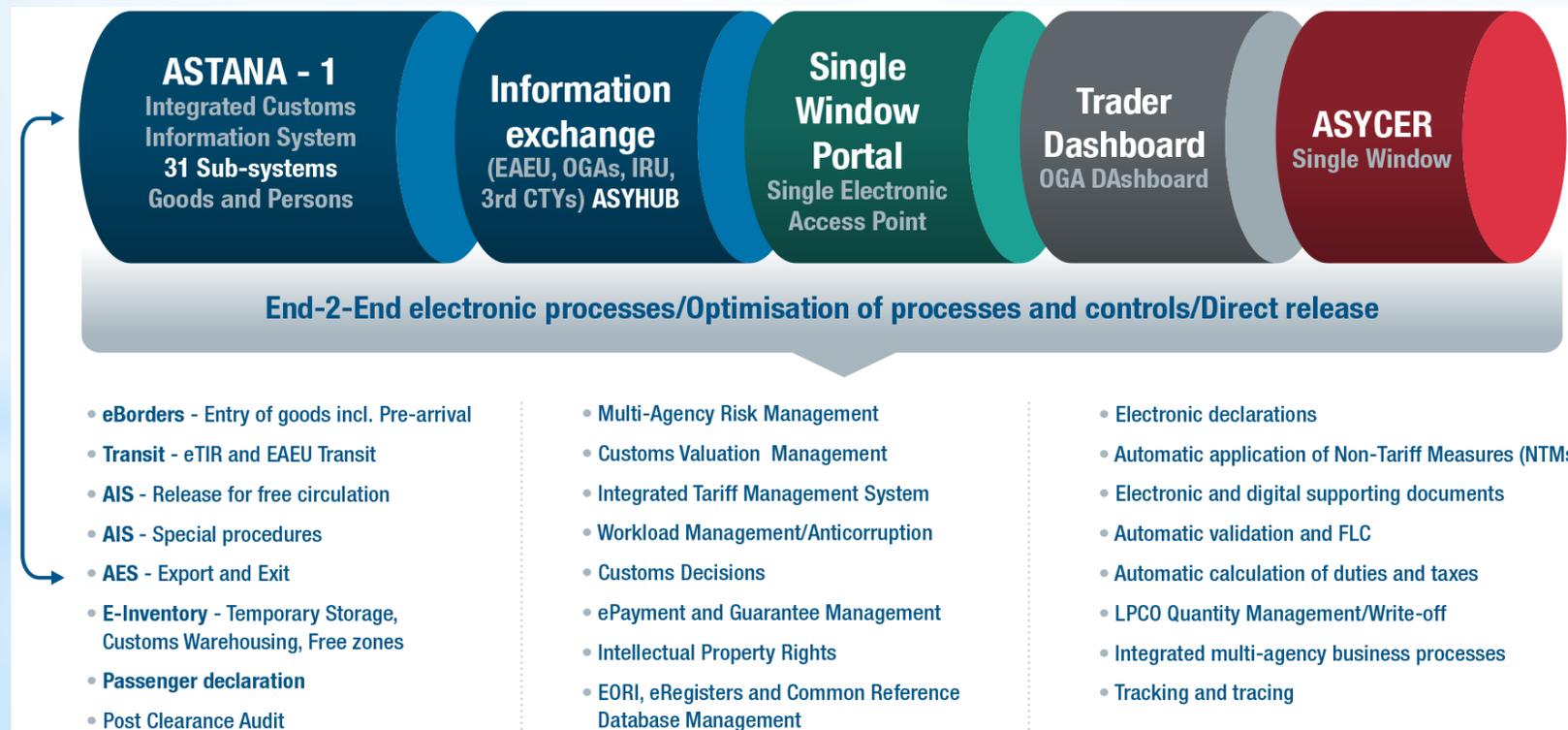


Article 10: Formalities connected with Importation and Exportation and Transit



10.1 FORMALITIES AND DOCUMENTATION REQUIREMENTS

- Regular review of formalities and documentation
- New IT systems for Customs with flexible and modular applications that can adapt easier to the changes/business needs and can benefit from the reuse of existing functionalities and business process orchestration





Article 10: Formalities connected with Importation and Exportation and Transit



10.2 ACCEPTANCE OF COPIES

- Enabling dematerialisation of supporting documents
 - Accept submission and processing of electronic copies of supporting documents required for import, export or transit formalities
 - Where a government agency already issued a LPCO via Single Window for Import and Export, Customs accept the electronic copy received from SW in lieu of the original document
 - Where the procedure requires for the presentation and verification of a previous Customs declaration access to such an electronic Customs declaration is provided, removing the need to present a copy

10.3 USE OF INTERNATIONAL STANDARDS

- ASTANA-1 system has been developed and implemented with the support of UNCTAD/ASYCUDA Programme
- State Revenue Committee in partnership with UNCTAD is monitoring and reviewing the relevant international standards as set by appropriate international organizations to enable their timely implementation



Article 10: Formalities connected with Importation and Exportation and Transit



10.4 SINGLE WINDOW



- Participants of foreign economic activity can provide in a standardized form through a single point of entry the information necessary for export-import operations
- After the examination by the participating authorities or agencies of the documentation and/or data, the results are notified to the applicants through the Single Window in a timely manner



- In order to eliminate the need for repeated submission of supporting documents and information, 14 integrations with third-party systems have been implemented currently

- Automation through the "Single Window" of the processes of issuing permits allows to ensure transparency of customs operations, to exclude physical contact of service providers and service recipients



- Kazakhstan has notified the WTO TF Committee of the details of operation of the Single Window for Import and Export



Article 10: Formalities connected with Importation and Exportation and Transit



10.4 SINGLE WINDOW (CONT.)

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BASIC PRINCIPLES:

- Information should be moved, not people
- No special training is required to receive public services
- A State should never request information and documents that it has created itself.

"Single Window" ALLOWS:

- Hide from participants of foreign economic activity the complexity of intra- and interdepartmental processes for obtaining permits
- Exclude personal contact with representatives of different departments
- Reduce the cost and labor costs for the conduct of foreign trade
- Increase the transparency of the state system and reduce the opportunities for corruption
- Avoid duplication of functions



Registered 3778 users



Article 10: Formalities connected with Importation and Exportation and Transit



10.6 USE OF CUSTOMS BROKERS

- Kazakhstan applies rules that are transparent and objective, publishes its measures on the use of Customs brokers, and has notified the WTO TF Committee on the use of Customs brokers
- There is no requirement for mandatory use of Customs brokers
- The system maintains Customs Brokers profiles

10.7 COMMON BORDER PROCEDURES AND UNIFORM DOCUMENTATION REQUIREMENT

- Kazakhstan applies common Customs procedures and uniform documentation requirements for release and clearance of goods throughout its territory
- The ASTANA-1 system ensures that Customs procedures and documentation requirements are applied uniformly to all goods

10.9 TEMPORARY ADMISSION OF GOODS AND INWARD AND OUTWARD PROCEDURE

- Kazakhstan adopted legislation and policies for the temporary admission of goods which allow goods to be brought into a Customs territory with conditional relief from payment of import duties and taxes
- The ASTANA-1 system fully supports the temporary admission



Article 11: Freedom of transit



- Kazakhstan implemented within the ASTANA-1 ecosystem an efficient and effective Transit Management module which facilitates the timely flow of information from/to all relevant Customs offices
 - Pre-arrival information is submitted electronically and can be re-used as Transit declaration data, when submitted electronically, can also be re-used as advance cargo and pre-arrival reporting, reducing the administrative burden on traders, speeding-up border processes and reducing potential fraud
 - The module for management of transit guarantees ensures an effective management of transit guarantees including the immediate automated release of guarantees upon the completion of the transit process
 - The module for automatic exchange of information enables the exchange of transit and transit related data at national, EAEU and international levels. The modules enables:
 - Information Exchange messages with IRU
 - Information Exchange messages with Customs Union countries (EAEU)
 - Information Exchange messages between Customs offices in Kazakhstan



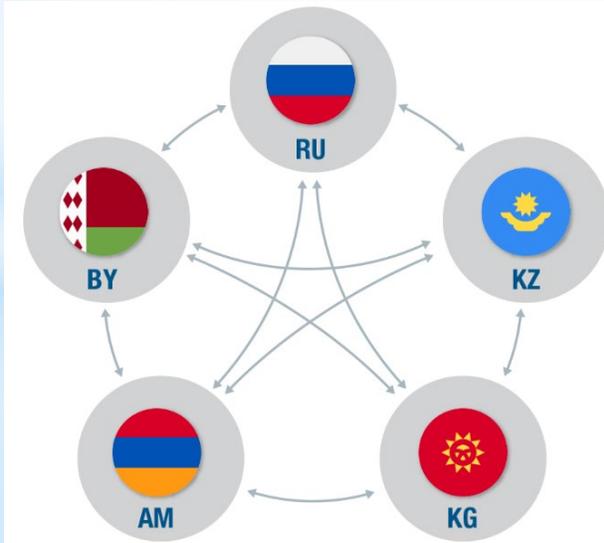
Article 12: Customs collaboration



- Bilateral and regional agreements for exchanging customs information and data with:
 - China
 - Uzbekistan
 - EAEU

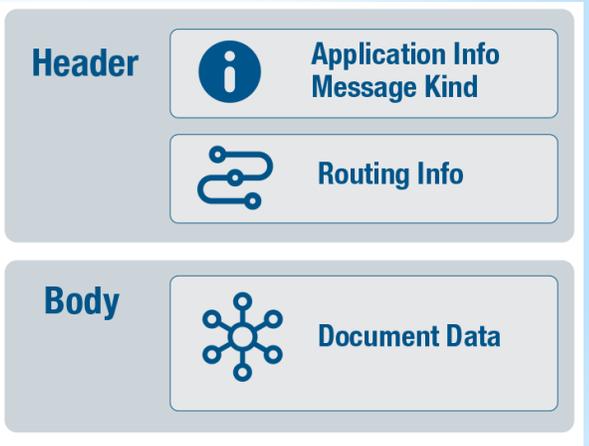


Data Exchange with Eurasian Economic Union



Types of messages:

1. Customs Automatic Messages (Open/close Transit, etc.)
2. Inquiry Messages based on User requests
3. Technical Messages (e.g. Results)



Message Envelope:

1. Information on Application generating the message
2. Message Type
3. Routing Information (sender and receivers)
4. The Body contains the payload (document data)



REPUBLIC OF KAZAKHSTAN

Thank you for your
attention !