

PRACTICAL TIPS ON ENFORCEMENT OF ARBITRAL AWARDS IN KAZAKHSTAN

COMMONLY ENFORCED ARBITRAL AWARD INSTITUTIONS IN KAZAKHSTAN

LCIA London Court of
International Arbitration

GAFTA The Grain and Feed
Trade Association

SCC The Arbitration Institute of the
Stockholm Chamber of Commerce

ICC The International Court of
Arbitration of the International
Chamber of Commerce

2 STEPS ON ENFORCEMENT PROCEDURE

1. Recognition by Local Court
2. Enforcement by Court Officer
(Commonly by Private
Enforcement Officers)

4 GROUNDS ON COMPULSORY ENFORCEMENT APPLICATION

- Debtor's place of residence
- Dispute settlement location
- Legal entity place of registration
- Debtor's property location

GROUND FOR REFUSAL

Cancellation or suspension of
the award

Matters beyond the scope of
arbitration agreement

Failure of notification of the
respondent

LOCAL LEGISLATION

Civil Procedural Code of Kazakhstan
(dated October 31, 2015)

Law on Arbitration (dated April 8,
2016)

Law on Enforcement Proceedings and
Status of Court Enforcement Officers
(dated April 2, 2010)

RECOMMENDATIONS BY UNICASE

I "KNOW YOUR COUNTERPARTY" PROCEDURE

Request a certificate on state registration
to check the powers of signatory

II EXCHANGE OF ORIGINALS

Applicable to all documents during
business relations

III SPECIFYING A FIXED AMOUNT OF DAMAGES

Not to request additional clarification
on exact amount of damages

IV NOTIFICATION OF ARBITRATION PROCEEDING

Obtain, keep the delivery and read
receipts when sending emails

Send letters via courier services with
advice of delivery

V OBTAINING ADDITIONAL CERTIFICATE FROM ARBITRATOR

As confirmation that the arbitral award is
final and binding