

## KEY CHANGES IN THE LEGISLATION FOR SEPTEMBER 2020

In this publication, we would like to note the most significant changes and innovations in the legislation of the Republic of Kazakhstan, adopted in September 2020.

**Important changes have affected labor legislation.** On 18 September 2020 the Order of the Minister of Labor and Social Protection of the Population of the Republic of Kazakhstan dated 3 September 2020 No. 353 “On Approval of the Rules for Submitting and Obtaining Information about an Employment Agreement in a Unified System for Recording Labor Agreements” (hereinafter - “Rules”) came into force.<sup>1</sup>

In accordance with the Rules, a Unified System for Recording Labor Agreements (hereinafter – “USRLA”) is being introduced. Its main purpose is to automate the record of the employment contracts, labor activities and the number of employees.

The USRLA reflects information on the conclusion, termination and amendments to employment contracts. The composition of the necessary data, which reflected in the system, has been determined.

The deadlines for entering data into USRLA have been established:

- Information on concluded contracts shall be reflected in the system within 5 working days from the date of signing the employment contract.
- When making amendments and additions to the employment contract, they must be reflected in the USRLA within 15 consecutive days.
- Upon termination of the employment contract, the information shall be entered into the system within 3 working days.
- When an employee is reinstated at the workplace, information about such reinstatement must be reflected in the system within 10 consecutive days.

Also, there are transitional provisions on entering data on previously concluded employment contracts into the system. Such information must be reflected in the system within 1 year, and if the number of employees is more than 2000, then within 2 years.

<sup>1</sup> Order of the Minister of Labor and Social Protection of the Population of the Republic of Kazakhstan dated 3 September 2020 No. 353 “On approval of the Rules for submitting and receiving information about an employment contract in a unified system for recording employment contracts”

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**Changes in the field of architecture, urban planning and construction activities.** On 31 December 2020, amendments to the Law of the Republic of Kazakhstan dated 29 June 2001 “On architectural, urban planning and construction activities in the Republic of Kazakhstan” shall come into force.<sup>2</sup>

The main innovation is the creation of a state bank of construction projects. This bank will include feasibility studies, conventional designs and design estimate documentation.

The responsible party for the formation and maintenance of the state bank of construction projects, special state expertise will be appointed and its activities will be referred to the state monopoly.

Also, the list of objects that can be built without design documentation based on sketches has been disclosed and enlarged, since these objects are classified as technically simple. For example, as indicated in the Law, the construction of mobile complexes of a container, block and modular design, as well as one-story buildings for trade, catering and consumer services, created from prefabricated demountable structures are categorized as simple objects.

**The rates of fees for the issuance and renewal of a permit to attract seasonal foreign workers to the Republic of Kazakhstan have been established:<sup>3</sup>**

- up to 90 consecutive days - 12 MCI (33 336 tenge);
- up to 180 consecutive days - 24 MCI (66 672 tenge);
- up to 270 consecutive days - 36 MCI (100,008 tenge);
- up to 365 consecutive days - 48 MCI (133 344 tenge).

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<sup>2</sup> The Law of the Republic of Kazakhstan dated 29 June 2001 “On architectural, urban planning and construction activities in the Republic of Kazakhstan”.

<sup>3</sup> Resolution of the Government of the Republic of Kazakhstan dated 3 April 2018 No. 157 “On the establishment of fees for the issuance and (or) extension of a permit to attract foreign labor to the Republic of Kazakhstan.”