

CHANGES IN THE PROCEDURE FOR FOREIGN LABOR ENGAGEMENT IN KAZAKHSTAN

IMPORTANT!

On 17 April 2020, Kazakhstan changed (*approved the revised version*) the **Rules and conditions for issuing and/or extending permits to employers for foreign labor engagement and intra-corporate transfer**.

Please see below the changes, which we deem most important for activities of companies.

■ **Work permits in electronic form**

After the introduction of the new Rules, foreign labor engagement permits (including permits issued in the framework of intra-corporate transfer) will be issued, extended and re-issued to employers only in the electronic form on the website of the e-Government of Kazakhstan. In order to be able to use the website for these purposes employers need to register electronic digital signatures (unless registered earlier). Furthermore, transition to the electronic form of interaction will allow the service recipients to keep track of the overall process and the current status of the state service provision.

■ **Substitution of foreign employees by local citizens**

The new Rules provide for a requirement that employers using foreign labor under a permit must substitute foreign employees by local citizens within a period from 6 to 12 months of the moment of issuing a relevant permit. It follows from a respective provision of the Rules that this requirement relates only to foreign employees of the 4th category.

■ **New grounds for permit rejection and revocation**

According to the new Rules, foreign labor engagement permits (including permits in the framework of intra-corporate transfer) are not issued to employers that fail to fulfill the requirement on substitution of foreign employees of the 4th category by local citizens. Furthermore, in the event an authorized agency discovers the fact that an employer engages a foreign employee to work in a profession or specialty other than those specified in a permit, this will serve as a ground for the permit issuance rejection. In this case, the authorized agency will also revoke the previously issued permits that are currently in effect.

Should you have any additional questions in connection with this Legal Update, we would be happy to provide more detailed information.

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