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To all our clients and friends

INFORMATION LETTER concerning certain changes in legislation on foreign employees

Please see below a brief overview of certain changes in the Kazakhstan legislation in the sphere of foreign labor engagement taking place at the end of 2017– early 2018, which, in our opinion, should be considered by employers engaging foreign employees.

1. Starting 27 March 2018, foreign labor engagement permits in respect of the first category of foreign employees (executives and their deputies) are issued for the term of 1, 2 or 3 years and may be further extended for 1, 2 or 3 years (the permits were previously issued for the 12-month period with a possibility to extend for another 12-month period).
2. The amendments to the Rules of Foreigners' Stay in the Kazakhstan Territory related to the registration of foreigners' passports¹, including the below amendments, will be put into effect starting 1 July 2018:
 - in addition to other previously determined categories of immigrants, crew members of aircrafts, sea and river vessels will be exempted from the necessity to register passports;
 - the amendments resulted in approval of the form of certificate of the immigrant's temporary registration issued when temporarily registering foreigners;
 - the migration cards will not be issued to foreigners who obtained the Kazakhstan visa of any category.
3. Starting 19 December 2017 and until 23:59 of 31 December 2018, the 72-hour visa-free regime to enter, stay and exit from Kazakhstan² is established for the citizens of the People's Republic of China flying through the international airports of Astana and Almaty.
4. Starting 1 January 2018, the Kazakhstan Administrative Code contains new sets of elements of violations (and, accordingly, liability for committing such violations):
 - failure to submit primary statistical data by employers obtaining foreign labor engagement permits or by those employers who have employees holding job placement permits entails a warning, and a repeated violation (within one-year

¹ Order No. 83 of the Minister of Internal Affairs of the Republic of Kazakhstan dated 27 January 2016.

² A respective provision was added to the Decree No. 814 of the Government of the Republic of Kazakhstan dated **6 December 2017, which regulates the procedure for foreigners' stay in the Kazakhstan territory.**

period of the moment of bringing to liability for a similar violation) entails a fine in the amount of 10 MCI³;

- untimely notification of the internal affairs authority by a host person concerning the immigrants staying with such host person⁴ entails a fine in the amount of 10 MCI for the small-scale business entities and non-profit organizations, 15 MCI for the medium-scale business entities and 20 MCI for the large-scale business entities, and a repeated violation (within one-year period of the moment of bringing to liability for a similar violation) entails a fine in the amount of 40, 70 and 100 MCI accordingly.

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

Best regards,
AEQUITAS

³ MCI – monthly calculation index. In 2018, 1 MCI is KZT 2,405 (approximately USD 7.5).

⁴ Notices are to be sent within 3 business days: 1) concerning the immigrant's arrival; 2) concerning the change of the immigrant's temporary place of residence; and 3) concerning the immigrant's departure to another region of Kazakhstan for more than 5 calendar days.