



Overview

Import-export transactions in the Republic of Kazakhstan fall under the jurisdiction of several Ministries and agencies including the Ministry of Finance's State Revenue Committee.

International trade with Eurasian Economic Union ("EEU") non-member countries involves the customs declaration of goods and is regulated by the Eurasian Economic Union Treaty, Customs Code of the Eurasian Economic Union, international agreements and a number of other domestic legal acts.

Eurasian Economic Union consists of Armenia, Belarus, Kazakhstan, Kyrgyzstan and Russia.

Customs duties

According to EEU and Kazakhstan customs legislation, depending on the customs procedure applied, customs declaration involves payment of any of the following:

- customs fees set by the national legislation of the RK;
- import duties set by Eurasian Economic Commission Resolutions;
- export duties on certain goods, including petroleum products which set by the national legislation;
- excise duties on certain type of goods according to Kazakhstan tax legislation;
- 12% import VAT.

Apart of that, EEU law considers special, antidumping and protective duties on certain types of goods.

Customs payments and taxes are payable to the state budget during customs declaration procedures.

Import Customs Duties

Import customs duties are charged according to EEU Common Customs Tariffs for the majority of goods imported into Kazakhstan from non-EEU member countries.

Import duties on food range from 0% to 80% of their customs value, and on other goods — from 0% to 20%.

Due to Kazakhstan accession to the World Trade Organization, Kazakhstan is provided by a List of goods on the import of them may be applied the reduced rates of import customs duties. However, such goods released for domestic consumption with the payment of reduced customs duties are provided with a number of restrictions, such goods may not be exported to other EEU countries.

Free Trade Zone

To create a favourable trading environment, Kazakhstan signed and ratified a Free Trade Zone Agreement on 18 October 2011 and a number of bilateral agreements.

The signed agreements allow the participating countries on the import of goods to apply preferences in respect of import customs duties when specified conditions are kept.

The free trade area with Kazakhstan comprises Azerbaijan, Georgia, Moldova, Serbia, Tajikistan, Uzbekistan, and Ukraine (thereafter «FTZ-countries»).

In addition, on 29 May 2015 between Eurasian Economic Union and its member-countries and Socialist Republic of Vietnam was signed the Agreement on Free Trade Zone. The Agreement provides the free trade regime for more than 90% of product items that are placed under regulations of Eurasian Economic Commission.

Imports into Kazakhstan from the above countries are exempt from customs duties if:

- the goods are produced in the country of import;
- the goods are imported directly from the country of manufacture;
- Availability of Certificate form CT-1 (for FTZ countries) or (Ct-2 for Vietnam).

October 27, 2019 entered into force the power of the "Interim agreement, leading to the formation of a free trade zone between the Eurasian economic Union and its member States and the Islamic Republic of Iran.

The interim agreement was ratified by the law of the Republic of Kazakhstan dated May 7, 2019, No. 253-VI. Import of goods to Kazakhstan provides for the application of reduced rates of customs duties in comparison with the rates of the common customs tariff of EEU according to the agreed List, subject to the following conditions:

- The item must be originating from Member States of the Agreement (or subjected to sufficient processing countries — participants of the Agreement according to the list, established in the Interim agreement);
- Tariff regime is provided their direct delivery from the territory of the exporting country Parties to the territory of the importing Party.
- Occurring goods can be conducted through the territory of third countries provided that:
 - a) Transit through the territory of third countries is due to geographical or transport reasons;
 - b) The goods were not traded or consumed;
 - c) The goods were not subjected to any operations, except for operations of unloading, reloading, storage and other necessary operations aimed at ensuring them.
- Availability of Certificate form CT-3.

Export Customs Duties

The Kazakhstan Government lays duties on exports. Kazakhstan charges export duties on crude oil, and particular types of oil products.

Besides this, the iron-and-steel waste or scrap; copper waste and scrap; unwrought aluminium; aluminium waste and scrap and other certain goods is subject to export customs duty.

Excise Duties

Kazakhstan tax law stipulates charges excise duties on spirit, alcohol and tobacco products, gasoline, diesel and specific vehicles, crude oil and gas condensate, and medical products containing alcohol.

Excise duties are payable before or during customs declaration procedures, except excise taxes on goods subject to marking.

Value Added Tax

Import VAT is charged at 12%. The taxable base for import VAT includes the customs value of imported goods, excise duties, customs duties and customs fees.

According to Kazakhstan tax law, import VAT is paid according to the offset method, i.e. without actual payment taking place, on the import of goods included in the List and approved by the Order of the Minister of National Economy of the RK.

Such as goods production of which is missing in the territory of the RK. List of approved products consists of more than 250 positions.

Protective Measures of Domestic Producers

To help protect the interests of EEU producers, Customs Union Commission and Eurasian Economic Commission Resolutions have established special, antidumping and protective duties on certain items, such as stainless steel; pipes; combine harvesters, light commercial vehicles, and others.

Mutual trade among Eurasian Economic Union countries

The Eurasian Economic Union between Kazakhstan, Russia, Armenia, Kyrgyzstan and Belarus has been set up to abolish customs borders and enable the free movement of goods between these countries. The Eurasian Economic Union Treaty and Kazakhstan Tax Code regulate such movement of goods.

Therefore, any import to Kazakhstan from Kyrgyzstan, Russia, Armenia and Belarus is free of customs duties.

However, VAT and excise duties on imported goods are charged according to the country of destination principle. Import VAT should be paid by the 20th day of the month following the date of turnover in accordance with Tax Law.

Special projects

Investment preferences

Kazakh legislation provides application of preferences at the conduct of investment activities, including exemption from import duties and import VAT, subject to the requirements established by the legislation.

To be eligible for investment preferences, Kazakhstan companies need to meet certain legal requirements, and have in place the required documents in order to apply for preferences provision to the authorized body.

Tariff preferences

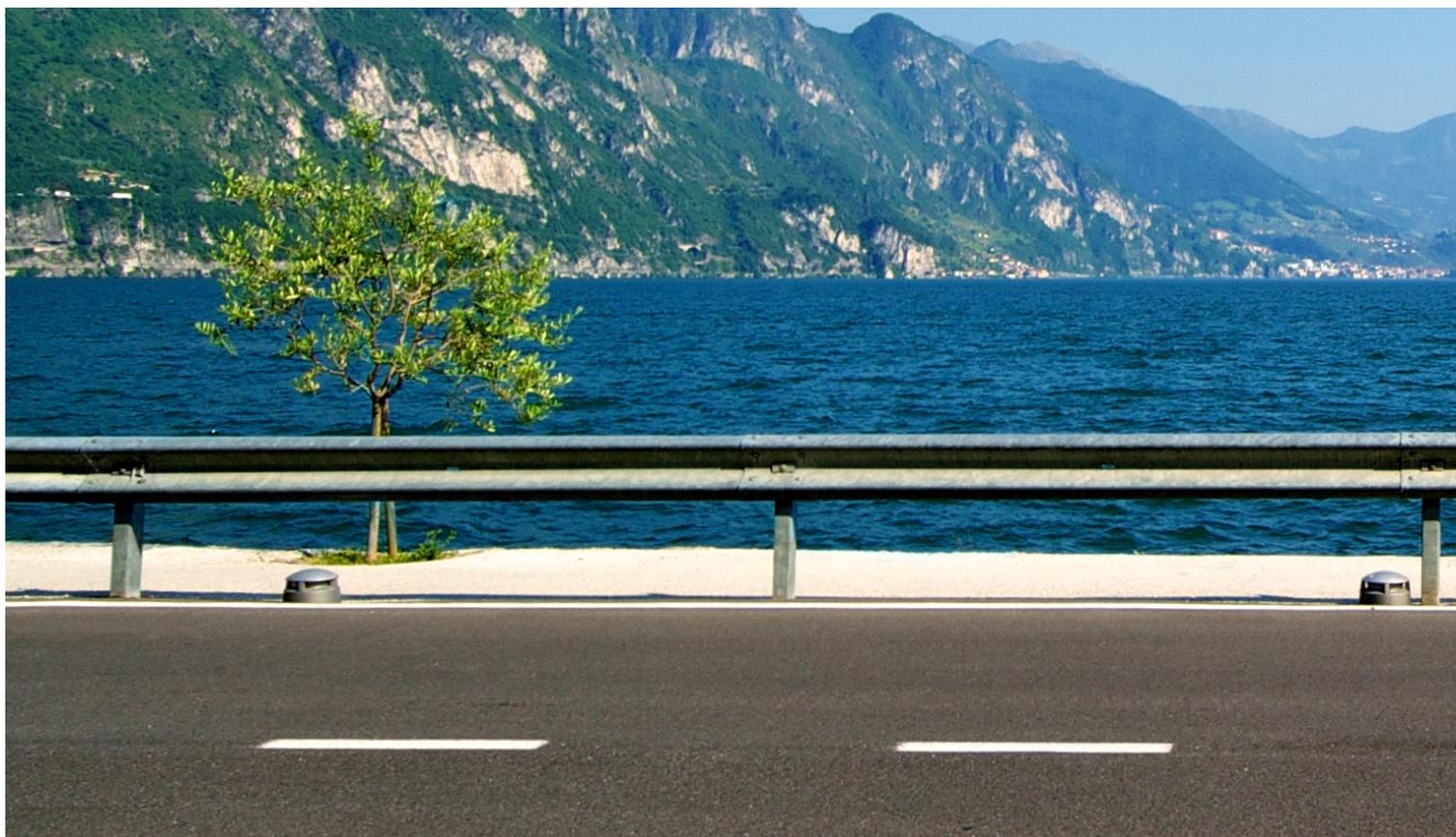
The Kazakh legislation stipulates a provision of tariff preferences in the form of exemption from import customs duty with respect to certain types of goods to be imported as a founder's chartered capital. Such goods include vehicles used in agriculture and food industry, electric industrial purpose vehicles, aircrafts as well as goods imported from third countries by sugar-producing enterprises.

Special Economic Zones

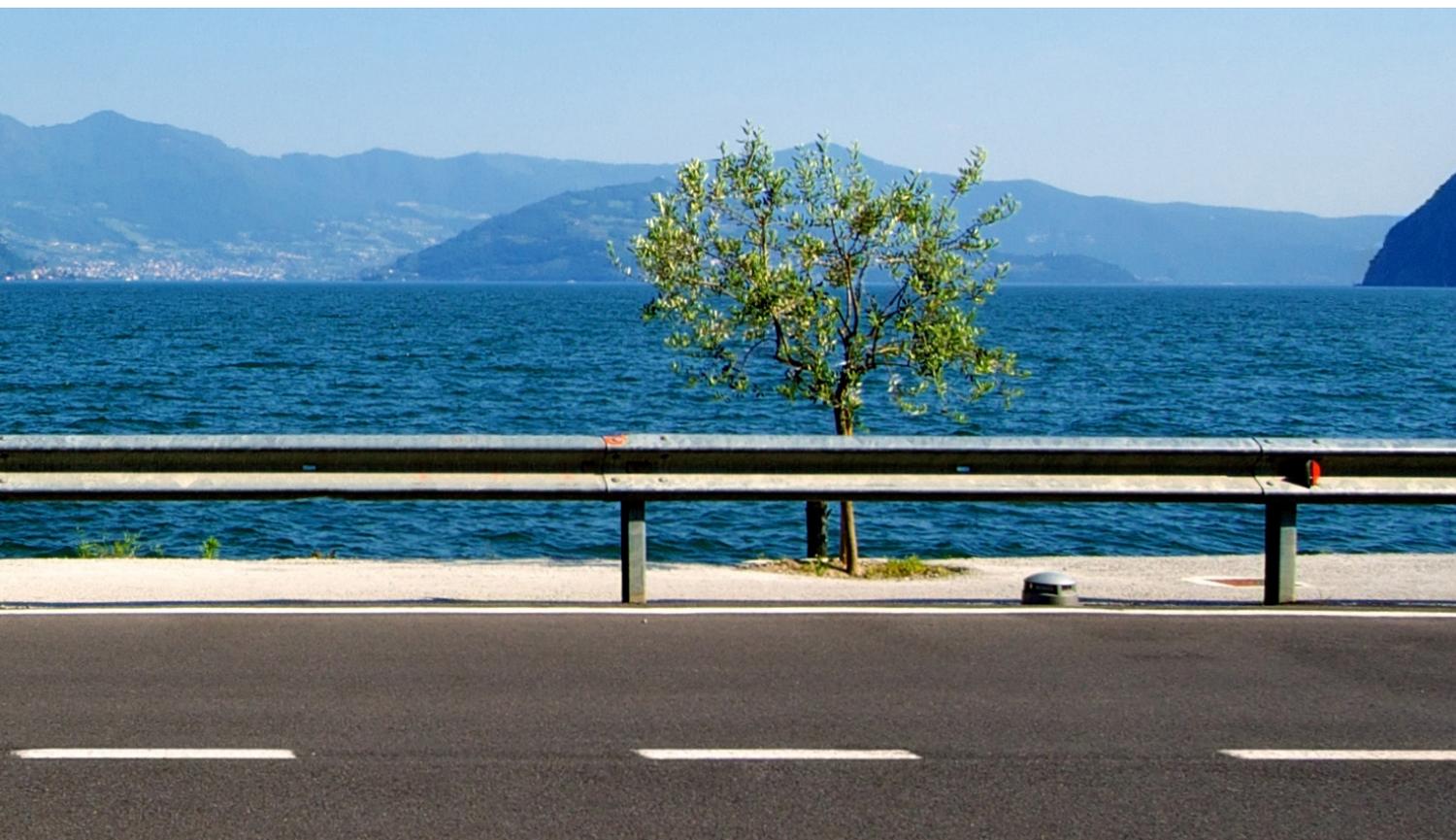
To encourage the creation of efficient export-oriented manufacturing, attract investment, implement new technology and introduce modern management techniques, Kazakhstan has set up several special economic zones (SEZs) applying so-called free customs zone procedures.

Customs procedure of free customs zone is applied when goods are imported to the territory of SEZ.

One of the benefits of free customs zone procedures is that goods imported into SEZ are exempt from customs duties, taxes as well as regulations of non-tariff measures.



SEZ	Type of activities	Validity period
Astana – new city (Nur-Sultan)	Production of chemicals, rubber articles and plastic; production of other non-metallic mineral products; production of household electrical appliances, machinery and equipment; the metallurgy industry; production of furniture and others	until 2027
National Industrial Petrochemical Park (Atyrau region)	Production of chemicals and petrochemicals; construction and commissioning of chemical and petrochemical production infrastructure	until 31 December 2032
Sea Port Aktau (Aktau)	Production of household electrical appliances; production of leather goods; production of chemicals, rubber articles and plastic; the metallurgy industry; production of machinery and equipment; production of basic pharmaceutical products and pharmaceutical preparations and others	until 1 January 2028
Innovation Technology Park (Almaty)	Design, development, introduction, test production and production of software, databases and hardware; electronic data storage and processing using server equipment; development of new information technologies based on artificial immune and neurone systems, and others	until 1 January 2028
Ontustik (on the territory of the Sayramsky district of the South Kazakhstan region)	Production of ready textile products, except for clothing; production of other knitted and knitwear products; production of clothes except for clothes made from leather and fur; spinning, weaving and finishing of textiles; production of wood pulp and cellulose; production of carpets and tapestry, and others	until 1 July 2030
Saryarka (Karaganda region, Bukhara-Zhyrausky district, village Doskey)	The metallurgy industry; manufacture of finished metal products, except for machinery and equipment; manufacture of engines and turbines, except for aircraft, vehicle and motorcycle engines; manufacture of motor vehicles, trailers and semi-trailers and others	until 1 December 2036
Khorgos-Eastern Gate (Almaty region)	Warehousing and transportation support activities; food production; manufacture of leather and related products; manufacture of textiles; production of other non-metallic mineral products; production of chemical products and others	until 2035
Pavlodar (Pavlodar)	Manufacture of chemical and petrochemical products	until 1 December 2036



Chemical Park Taraz (Zhambul region, Shu)	Manufacture of chemical, rubber and plastic products; manufacture of other non-metallic mineral products; production of machines and equipment for the chemical industry and others	until 1 January 2037
International Center for Border Cooperation "Khorgos" (Almaty region)	Wholesale, except motor vehicles and motorcycles; retail trade, except for motor vehicles and motorcycles; warehousing and storage of goods and supporting transport activities; financial services, with the exception of insurance and pension funds; the activities of tour operators, travel agents and other organizations providing services in the field of tourism; organization of conferences and trade shows; accommodation and food services; food production; production of mineral waters and other soft drinks; manufacture of finished textiles; manufacture of wearing apparel; manufacture of leather and related products and others	until 1 January, 2041
Turkistan (Turkistan)	Construction and commissioning of production and processing facilities in accordance with the design and estimate documentation; production of building materials; the production of other non-metallic mineral products; manufacture of finished metal products	until January 1, 2043
Qyzyljar (Petropavlovsk)	Activities on the territory of SEZ " Qyzyljar» 1) production and processing of food products; 2) production of building materials and furniture; 3) production of electronics and electrical equipment; 4) production of mechanical engineering products; 5) construction of a multidisciplinary hospital; 6) operation of General hospitals and specialized hospitals.	Until 2044
Astana-Technopolis (Nur-Sultan)	SEZ is created in order to: 1) Innovative development of the city of Nursultan by attracting investments and using existing and attracted advanced technologies, know-how, creation of modern infrastructure; 2) Creation of highly efficient, including high-tech and competitive industries in the field of manufacturing; 3) Accelerated development of new technologies, further improvement of organizational, economic and social conditions of research, development of new technologies, assistance in their commercialization.	Until 2042



How Deloitte can help

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Our Customs Group provides services that are specifically designed to help companies performing foreign economic activities to understand and successfully apply statutory rules and regulations regarding the import and export of goods.

We have a team of specialists working on these engagements, who all have the necessary theoretical and practical knowledge of customs procedures and laws to provide you with a quality and professional service.

How to contact us

If you have any questions about the information contained in this document, please contact any member of our team below:



Agaisha Ibrasheva
Partner
Tel: +7 (727) 258 13 40
Fax: +7 (727) 258 13 41
aibrasheva@deloitte.kz



Andrey Zakharchuk
Partner
Tel: +7 (727) 258 13 40
Fax: +7 (727) 258 13 41
azakharchuk@deloitte.kz



Nazira Nurbayeva
Partner
Tel: +7 (727) 258 13 40
Fax: +7 (727) 258 13 41
nnurbayeva@deloitte.kz



Sholpan Dossymkhanova
Manager
Tel: +7 (717) 258 04 80
Fax: +7 (717) 258 03 90
sdossymkhanova@deloitte.kz

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