

## Q & A (Archive)

### **Question: How to receive pension accumulation when departed to the Russian Federation for permanent residence?**

**Answer:** In accordance with the articles 31, 32 and 33 of the Law of the Republic of Kazakhstan *On pension provision in the Republic of Kazakhstan* (hereinafter referred to as the Law) a right to receive their pension benefits from UAPF due to departure (emigration) for permanent residence outside the territory of the Republic of Kazakhstan at the expense of:

1) compulsory pension contributions (further – CPC) and compulsory occupational pension contributions (further – COPC) have those foreigners and apolides departed from the Republic of Kazakhstan for permanent residence who have pension accumulations in UAPF and who submitted documents provided in the legislation of the Republic of Kazakhstan confirming the fact of departure;

2) voluntary pension contributions (further – VPC) have those foreigners and apolides departed and departing from the Republic of Kazakhstan for permanent residence who have pension accumulations in UAPF and who submitted documents provided in the legislation of the Republic of Kazakhstan confirming the fact of departure or their intention to do so.

Order of CPC and COPC benefits payment in accordance with subitem 2) item 9 article 34 of the Law is established by the Government of the Republic of Kazakhstan. The set order as well as the list of the required documents are determined by *the Rules of pension benefits payment from pension accumulations through compulsory pension contributions, compulsory occupational pension contributions from the unified accumulative pension fund* approved by the Resolution of the Government of the Republic of Kazakhstan as of 02.10.2013 No. 1042 (amended and augmented as of 27.12.2016, enacted as of 16.01.2017.) (hereinafter – Rules No. 1042).

Order of VPC benefits payments in accordance with item 4 article 27 of the Law is determined on parties' agreement. At this list of documents required for VPC benefits payment is determined by the Pension Rules of UAPF JSC (on voluntary pension contributions accounting) approved by the Executive Body of UAPF JSC (further – Pension Rules) (posted on UAPF website: [www.enpf.kz](http://www.enpf.kz)).

Pension benefits payment documents can be submitted to UAPF by means of:

- personal visit;

- mail;

- through the third party (designated agent). At this documents shall be submitted to UAPF by the designated agent only personally.

In accordance with item 8 of the Rules No. 1042 and item 29 of the Pension Rules foreigners and apolides being CPC, COPC and VPC beneficiaries departed from the Republic of Kazakhstan for permanent residence must submit at their personal visit:

1) pension benefits application in the form approved by UAPF internal document (hereinafter – the Application);

2) copy of foreign passport and original to compare unless other is provided in international agreements ratified by the Republic of Kazakhstan (*in case of presenting an*

*internal passport of the citizen of the Russian Federation the application is not to be executed);*

3) information on beneficiary's bank account.

At the same time in accordance with item 8 Rules No. 1042 and item 29 of the Pension Rules as these documents received UAPF requires information systems of the state authorities of the Republic of Kazakhstan on availability either of ID of citizen of the Republic of Kazakhstan of the applied foreigner or apolide or of residence permit of foreign citizen or apolide's ID issued by authorized body of the Republic of Kazakhstan, and the document's validity.

In case of confirmation either of invalidity of ID of citizen of the Republic of Kazakhstan of the applied foreigner or apolide or of residence permit of foreign citizen or apolide's ID issued by authorized body due to departure of the applied foreigner or apolide outside of the territory of the Republic of Kazakhstan for permanent residence, or withdrawal of the Republic of Kazakhstan residence permit of foreign citizen or apolides, UAPF shall pay pension benefits within ten business days from the day documents acceptance or coming into UAPF.

In case of confirmation either of availability and validity of ID of citizen of the Republic of Kazakhstan of the applied foreigner or apolide or of residence permit of foreign citizen or apolide's ID issued by authorized body, as well as absence of information on departure of the applied foreigner or apolide outside of the territory of the Republic of Kazakhstan for permanent residence, UAPF shall reject application in a day of the application and give a note on documents acceptance rejection in form approved by UAPF' internal documents, or application execution by means of sending notification within ten business days from the moment of documents receiving as provided in the Rules No. 1042 or Pension Rules stating the grounds of rejection.

*Once considering applications on pension benefits due to departure outside of the territory of the Republic of Kazakhstan for permanent residence UAPF follows information on status of identification documents previously issued by authorized bodies of the Republic of Kazakhstan including information on processing of departure outside of the territory of the Republic of Kazakhstan for permanent residence in 'Natural Persons' State Database of the Ministry of Justice of the Republic of Kazakhstan (further – NP SDB).*

*We also inform you that within cooperation of the working group with participation of UAPF and Migration Service Committee of Internal Affairs Ministry of the Republic of Kazakhstan in case of necessity UAPF inquires the latter to confirm fact of on processing of departure outside of the territory of the Republic of Kazakhstan for permanent residence and information update in NP SDB if available.*

Foreigners and apolides being VPC beneficiaries departing from the Republic of Kazakhstan for permanent residence at their personal visit to UAPF shall present:

1) application;

2) copy of foreign passport or apolide's ID and original to compare (*in case of presenting an internal passport of the citizen of the Russian Federation the application is not to be executed);*

3) information on beneficiary's bank account.

In case of application handling through third party (designated agent) in addition to the documents above third party shall present:

- 1) an original POA certified by a notary or its copy certified by a notary;
- 2) copy of third party's ID and original to compare.

At this copy of third party's ID is to be certified by a notary.

When application is sent by mail, the beneficiary's ID and beneficiary's signature are to be certified by a notary.

UAPF shall transfer pension benefits on beneficiary's bank account indicated in his/her application:

In the national currency only – when transferring on bank accounts opened in second tier banks/organizations carrying out certain types of bank operations on the territory of the Republic of Kazakhstan;

in USA dollars, Euro, UK pounds or Russian rubles – when transferring on bank accounts opened in foreign banks outside the territory of the Republic of Kazakhstan.

The list of all required documents depends on their presentation method (personal visit, by mail, third party), requirements for execution of documents as well as POA form and patterns of various applications filling-in and can be found on UAPF website: [www.enpf.kz](http://www.enpf.kz). The information is updated regularly.

If beneficiary's basic details were changed at his/her foreign passport or apolide's ID processing (surname, first name, patronymic if any, date of birth) it is necessary to present **one of the following documents** to confirm such change:

- 1) original certificate issued by an authorized body of the Republic of Kazakhstan;
- 2) original certificate issued by an authorized body of foreign country;
- 3) original certificate of change of name, date of birth or its copy certified by a notary;
- 4) original marriage / divorce certificate or its copy certified by a notary.

In addition be aware that in accordance with Minsk *Convention* as of January 22, 1993 (Convention *on Legal Assistance and Legal Relations in Civil, Family and Criminal Cases*) and Kishinev *Convention* as of October 7, 2002 (Convention *on Legal Assistance and Legal Relations in Civil, Family and Criminal Cases*) documents received from CIS countries are not required to be legalized and apostilled.

## **1. Q: How can I receive my pension accumulations at my departure to Germany for permanent residence?**

**A:** In accordance with the articles 31, 32 and 33 of the Law of the Republic of Kazakhstan *On pension provision in the Republic of Kazakhstan* (hereinafter referred to as the Law) a right to receive their pension benefits from UAPF due to departure for permanent residence outside the territory of the Republic of Kazakhstan at the expense of:

- 1) compulsory pension contributions (further – CPC) and compulsory occupational pension contributions (further – COPC) have those foreigners and apolides departed from the Republic of Kazakhstan for permanent residence who have pension accumulations in UAPF and who submitted documents provided in the legislation of the Republic of Kazakhstan confirming the fact of departure;

2) voluntary pension contributions (hereinafter – VPC) have those foreigners and apolides departed and departing from the Republic of Kazakhstan for permanent residence who have pension accumulations in UAPF and who submitted documents provided in the legislation of the Republic of Kazakhstan confirming the fact of departure or their intention to do so.

Order of CPC and COPC benefits payment in accordance with subitem 2) item 9 article 34 of the Law is established by the Government of the Republic of Kazakhstan. The set order as well as the list of the required documents are determined by *the Rules of pension benefits payment from pension accumulations through compulsory pension contributions, compulsory occupational pension contributions from the unified accumulative pension fund* approved by the Resolution of the Government of the Republic of Kazakhstan as of 02.10.2013 No. 1042 (hereinafter – Rules No. 1042).

Order of VPC benefits payment in accordance with item 4 article 27 of the Law is determined on parties' agreement. At this list of documents required for VPC benefits payment is determined by the Pension Rules of UAPF JSC (on voluntary pension contributions accounting) approved by the Executive Body of UAPF JSC (hereinafter – the Pension Rules) (posted on UAPF website: [www.enpf.kz](http://www.enpf.kz)).

Pension benefits payment documents can be submitted to UAPF by means of:

- personal visit;
- by mail;

- through the third party (designated agent). At this documents shall be submitted to UAPF by the designated agent only personally.

In accordance with item 8 of the Rules No. 1042 and item 29 of the Pension Rules foreigners and apolides being CPC, COPC and VPC beneficiaries departed from the Republic of Kazakhstan for permanent residence shall submit at their personal visit:

1) pension benefits application in the form approved by UAPF internal document (hereinafter - the application);

2) copy of foreign passport and original to compare unless other is provided in international agreements ratified by the Republic of Kazakhstan;

3) information on the beneficiary's bank account.

At the same time in accordance with item 8 Rules No. 1042 and item 29 of the Pension Rules as these documents received UAPF requires information systems of the state authorities of the Republic of Kazakhstan on availability either of ID of citizen of the Republic of Kazakhstan of the applied foreigner or apolide or of residence permit of foreign citizen or apolide's ID issued by authorized body of, and the document's validity.

In case of confirmation either of invalidity of ID of citizen of the Republic of Kazakhstan of the applied foreigner or apolide or of residence permit of foreign citizen or apolide's ID issued by authorized body due to departure of the applied foreigner or apolide outside of the territory of the Republic of Kazakhstan for permanent residence, or withdrawal of the Republic of Kazakhstan residence permit of foreign citizen or apolides, UAPF shall pay pension benefits within ten business days from the day documents acceptance or coming into UAPF.

In case of confirmation either of availability and validity of ID of citizen of the Republic of Kazakhstan of the applied foreigner or apolide or of residence permit of

foreign citizen or apolide's ID issued by authorized body, as well as absence of information on departure of the applied foreigner or apolide outside of the territory of the Republic of Kazakhstan for permanent residence, UAPF shall reject application in a day of application and give a note on documents acceptance rejection in form approved by UAPF' internal documents, or application execution by means of sending notification within ten business days from the moment of documents receiving as provided in the Rules No. 1042 or Pension Rules stating the grounds of rejection.

*Once considering applications on pension benefits due to departure outside of the territory of the Republic of Kazakhstan for permanent residence UAPF follows information on status of identification documents previously issued by authorized bodies of the Republic of Kazakhstan including information on processing of departure outside of the territory of the Republic of Kazakhstan for permanent residence in 'Natural Persons' State Database of the Ministry of Justice of the Republic of Kazakhstan (further – NP SDB).*

*We also inform you that within cooperation of the working group with participation of UAPF and Migration Service Committee of Internal Affairs Ministry of the Republic of Kazakhstan in case of necessity UAPF inquires the latter to confirm fact of on processing of departure outside of the territory of the Republic of Kazakhstan for permanent residence and information update in NP SDB if available.*

Foreigners and apolides being VPC beneficiaries departing from the Republic of Kazakhstan for permanent residence at their personal visit to UAPF shall present:

- 1) application;
- 2) copy of foreign passport or apolide's ID and original to compare;
- 3) information on beneficiary's bank account.

In case of application handling through third party (designated agent) in addition to the documents above third party shall present:

- 1) an original POA certified by a notary or its copy certified by a notary;
- 2) copy of third party's ID and original to compare.

At this copy of third party's ID is to be certified by a notary.

At this copy of beneficiary's ID is to be certified by a notary (subject to notary certification is made in the country of residence).

When application is sent by mail the beneficiary's ID and beneficiary's signature in application are to be certified by a notary (subject to notary certification is made in the country of residence).

If notarial procedures in part of certification of copy and original's accuracy, beneficiary's signature authenticity, POA certification are executed in foreign country, such procedures need to be legalized, unless other is provided in international agreements ratified by the Republic of Kazakhstan.

If beneficiary's basic details were changed at his/her foreign passport or apolide's ID processing (surname, first name, patronymic if any, date of birth) it is necessary to present **one of the following documents** to confirm such change:

- 1) original certificate issued by an authorized body of foreign country confirming fact of change of name, date of birth;
- 2) original certificate of change of name, date of birth or its copy certified by a

notary;

3) original marriage / divorce certificate or its copy certified by a notary.

In addition be aware that the Republic of Kazakhstan and Germany are the parties to Hague *Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents* so official documents issued by institutions and organizations in Germany are exempt from legalization and are required to be apostilled in a country of beneficiary's permanent residence.

Additionally, article 10 of the Law of the Republic of Kazakhstan *On languages in the Republic of Kazakhstan* dated 11.07.1997 No. 151-I states that statistical, financial and technical record keeping in the system of state bodies and organizations of the Republic of Kazakhstan, public or private is provided in the state and Russian languages. So all documents presented to UAPF and issued in foreign languages including notaries' statements of certification done to verify accuracy of copies, signatures of beneficiary and/or translator are subject to translation into the state or Russian languages. If the translation was done in the foreign country it is to be legalized unless other is provided in international agreements ratified by the Republic of Kazakhstan.

UAPF shall transfer pension benefits on beneficiary's bank account indicated in his/her application:

In the national currency only – when transferring on bank accounts opened in second tier banks/organizations carrying out certain types of bank operations on the territory of the Republic of Kazakhstan;

in USA dollars, Euro, UK pounds or Russian rubles – when transferring on bank accounts opened in foreign banks outside the territory of the Republic of Kazakhstan.

The list of all required documents depends on their presentation method (personal visit, by mail, third party), requirements for execution of documents as well as POA form and patterns of various applications filling-in and can be found on UAPF website: [www.enpf.kz](http://www.enpf.kz). The information is updating regularly.

### **3. Question: How can I receive my pension accumulations? I departed to Canada for permanent residence.**

**Answer:** In accordance with the articles 31, 32 and 33 of the Law of the Republic of Kazakhstan “On pension provision in the Republic of Kazakhstan” (hereinafter referred to as the Law) a right to receive their pension benefits from UAPF due to departure for permanent residence outside the territory of the Republic of Kazakhstan through:

**1) compulsory pension contributions (further – CPC) and compulsory occupational pension contributions (further – COPC) have those foreigners and apolides departed from the Republic of Kazakhstan for permanent residence** who have pension accumulations in UAPF and who submitted documents provided in the legislation of the Republic of Kazakhstan confirming the fact of departure;

**2) voluntary pension contributions (further – VPC) have those foreigners and apolides departed and departing from the Republic of Kazakhstan for permanent residence** who have pension accumulations in UAPF and who submitted documents provided in the legislation of the Republic of Kazakhstan confirming the fact of departure or their intention to do so.



Order of CPC and COPC benefits payment in accordance with subitem 2) item 9 article 34 of the Law is established by the Government of the Republic of Kazakhstan. The set order as well as the list of the required documents are determined by *the Rules of pension benefits payment from pension accumulations through compulsory pension contributions, compulsory occupational pension contributions from the unified accumulative pension fund* approved by the Resolution of the Government of the Republic of Kazakhstan as of 02.10.2013 No. 1042 (amended and augmented as of 27.12.2016, enacted as of 16.01.2017.) (further – Rules No. 1042).

Order of VPC benefits payments in accordance with item 4 article 27 of the Law is determined on parties' agreement. At this list of documents required for VPC benefits payment is determined by the Pension Rules of UAPF JSC (on voluntary pension contributions accounting) approved by the Executive Body of UAPF JSC (further – Pension Rules) (posted on UAPF website: [www.enpf.kz](http://www.enpf.kz)).

Pension benefits payment documents can be submitted to UAPF by means of:

- personal visit;
- by mail;
- through the third party (designated agent). At this documents shall be submitted to UAPF by the designated agent only personally.

In accordance with item 8 of the Rules No. 1042 and item 29 of the Pension Rules foreigners and apolides being CPC, COPC and VPC beneficiaries departed from the Republic of Kazakhstan for permanent residence must submit at their personal visit:

- 1) pension benefits application in the form approved by UAPF internal document (further - application);
- 2) copy of foreign passport and original to compare unless other is provided in international agreements ratified by the Republic of Kazakhstan;
- 3) information on beneficiary's bank account.

At the same time in accordance with item 8 Rules No. 1042 and item 29 of the Pension Rules as these documents received UAPF requires information systems of the state authorities of the Republic of Kazakhstan on availability either of ID of citizen of the Republic of Kazakhstan of the applied foreigner or apolide or of residence permit of foreign citizen or apolide's ID issued by authorized body of, and the document's validity.

In case of confirmation either of invalidity of ID of citizen of the Republic of Kazakhstan of the applied foreigner or apolide or of residence permit of foreign citizen or apolide's ID issued by authorized body due to departure of the applied foreigner or apolide outside of the territory of the Republic of Kazakhstan for permanent residence, or withdrawal of the Republic of Kazakhstan residence permit of foreign citizen or apolides, UAPF shall pay pension benefits within ten business days from the day documents acceptance or coming into UAPF.

In case of confirmation either of availability and validity of ID of citizen of the Republic of Kazakhstan of the applied foreigner or apolide or of residence permit of foreign citizen or apolide's ID issued by authorized body, as well as absence of information on departure of the applied foreigner or apolide outside of the territory of the Republic of Kazakhstan for permanent residence, UAPF shall reject application in a day of application and give a note on documents acceptance rejection in form approved by

UAPF' internal documents, or application execution by means of sending notification within ten business days from the moment of documents receiving as provided in the Rules No. 1042 or Pension Rules stating the grounds of rejection.

*Once considering applications on pension benefits due to departure outside of the territory of the Republic of Kazakhstan for permanent residence UAPF follows information on status of identification documents previously issued by authorized bodies of the Republic of Kazakhstan including information on processing of departure outside of the territory of the Republic of Kazakhstan for permanent residence in 'Natural Persons' State Database of the Ministry of Justice of the Republic of Kazakhstan (further – NP SDB).*

*We also inform you that within cooperation of the working group with participation of UAPF and Migration Service Committee of Internal Affairs Ministry of the Republic of Kazakhstan in case of necessity UAPF inquires the latter to confirm fact of on processing of departure outside of the territory of the Republic of Kazakhstan for permanent residence and information update in NP SDB if available.*

Foreigners and apolides being VPC beneficiaries departing from the Republic of Kazakhstan for permanent residence at their personal visit to UAPF shall present:

- 1) application;
- 2) copy of foreign passport or apolide's ID and original to compare;
- 3) information on beneficiary's bank account.

In case of application handling through third party (designated agent) in addition to the documents above third party shall present:

- 1) an original POA certified by a notary or its copy certified by a notary;
- 2) copy of third party's ID and original to compare.

At this copy of third party's ID is to be certified by a notary.

At this copy of beneficiary's ID is to be certified by a notary (subject to notary certification is made in the country of residence).

When application is sent by mail the beneficiary's ID and beneficiary's signature in application are to be certified by a notary (subject to notary certification is made in the country of residence).

If notarial procedures in part of certification of copy and original's accuracy, beneficiary's signature authenticity, POA certification are executed in foreign country, such procedures need to be legalized, unless other is provided in international agreements ratified by the Republic of Kazakhstan.

Additionally, article 10 of the Law of the Republic of Kazakhstan "On languages in the Republic of Kazakhstan" dated 11.07.1997 No. 151-I states that statistical, financial and technical record keeping in the system of state bodies and organizations of the Republic of Kazakhstan, public or private is provided in the state and Russian languages. So all documents presented to UAPF and issued in foreign languages including notaries' statements of certification done to verify accuracy of copies, signatures of beneficiary and/or translator are subject to translation into the state or Russian languages. If the translation was done in the foreign country it is to be legalized unless other is provided in international agreements ratified by the Republic of Kazakhstan.



UAPF shall transfer pension benefits on beneficiary's bank account indicated in his/her application:

In the national currency only – when transferring on bank accounts opened in second tier banks/organizations carrying out certain types of bank operations on the territory of the Republic of Kazakhstan;

in USA dollars, Euro, UK pounds or Russian rubles – when transferring on bank accounts opened in foreign banks outside the territory of the Republic of Kazakhstan.

The list of all required documents depends on their presentation method (personal visit, by mail, third party), requirements for execution of documents as well as POA form and patterns of various applications filling-in and can be found on UAPF website: [www.enpf.kz](http://www.enpf.kz). The information is updated regularly.

If beneficiary's basic details were changed at his/her foreign passport or apolide's ID processing (surname, first name, patronymic if any, date of birth) it is necessary to present **one of the following documents** to confirm such change:

- 1) original certificate issued by an authorized body of foreign country confirming fact of change of name, date of birth;
- 2) original certificate of change of name, date of birth or its copy certified by a notary;
- 3) original marriage / divorce certificate or its copy certified by a notary.

**4. Question: Hello, I acquired citizenship of the Russian Federation. Now being a citizen of RF I would like to receive my pension accumulations. Will there be any problems with benefits payment documents if I don't have my patronymic in my passport? How long does it take to consider an application and to pay pension benefits? Thank you in advance!**

*Answer:* In accordance with item 8 of the *Rules of pension benefits payment from pension accumulations through compulsory pension contributions, compulsory occupational pension contributions from the unified accumulative pension fund* approved by the Resolution of the Government of the Republic of Kazakhstan as of 02.10.2013 No. 1042 (amended and augmented as of 27.12.2016, enacted as of 16.01.2017.) (further – Rules No. 1042), foreigners and apolides being beneficiaries of their pension benefits through compulsory pension contributions and compulsory occupational pension contributions departed for permanent residence outside the territory of the Republic of Kazakhstan at their personal visit shall present to UAPF a copy of their foreign passport and original to compare unless other is provided in international agreements ratified by the Republic of Kazakhstan.

At this the “patronymic” detail could be absent in foreign passport due to specifics of foreign ID and in accordance with international standards.

If a foreigner presents an ID with no patronymic but his/her other basic details (surname, first name, date of birth) are the same as they are in UAPF automated information system no additional documents confirming absence of patronymic are required.

Once considering applications on pension benefits due to departure outside of the territory of the Republic of Kazakhstan for permanent residence UAPF follows information on status of identification documents previously issued by authorized bodies of the Republic of Kazakhstan including information on processing of departure outside of the territory of the Republic of Kazakhstan for permanent residence in 'Natural Persons' State Database of the Ministry of Justice of the Republic of Kazakhstan (further – NP SDB).

Pursuant to item 19 of the Rules No. 1042 pension benefits shall be paid to beneficiary **within ten business days from the day of acceptance or delivery into UAPF of documents provided in the legislation.**

List of required documents subject to method of their presentation into UAPF (personal visit, by mail or through third party), application forms as well as patterns of filling-in based on payment currency you can find on UAPF website: [www.enpf.kz](http://www.enpf.kz). The information is updated regularly.

#### **5. Question: Hello! What documents are required to receive pension accumulations of deceased parent?**

**Answer:** Pursuant to item 2 articles 31-33 of the Law of the Republic of Kazakhstan *On pension provision in the Republic of Kazakhstan* (hereinafter – the Law) in case of death of a person who had pension accumulations in UAPF through compulsory pension contributions, compulsory occupational pension contributions and voluntary pension contributions, such accumulations are inherited in order provided in the legislation of the Republic of Kazakhstan.

Additionally item 5 article 50 of the Law provides that in case of beneficiary's death as well as death of a person who has pension accumulations in UAPF being under the age of retirement in accordance with items 1 - 3 article 11 of the Law, UAPF shall pay to his/her family or a person incurred burial expenses a one-time burial payment within 52.4-fold monthly index factor set for current financial year by the law on state budget (in 2017:  $KZT\ 2,269 * 52,4 = KZT\ 118,895.60$ ) but not exceeding amount of available pension accumulations on individual pension account. Such payment is exempt of taxation if a payee is a resident of the Republic of Kazakhstan.

If amount of pension accumulations remaining on individual pension account after such one-time burial payment does not exceed minimal pension amount set for current financial year by the law on state budget, such remaining amount shall be paid as a burial payment.

1. To receive a one-time burial payment, a member of family of deceased person having pension accumulations or a person incurred burial expenses shall present to UAPF following documents **at personal visit**:

1) pension benefits application in the form approved by UAPF internal document (further - application);

2) copy of ID of a member of family of deceased person having pension accumulations or a person incurred burial expenses and original to compare;

3) copy of certificate of death of person having pension accumulations, and original to compare;

4) information on bank account of a member of family of deceased person having pension accumulations or a person incurred burial expenses.

*Please be aware that one-time burial payment is paid only at personal visit to UAPF of a member of family of deceased person having pension accumulations or a person incurred burial expenses, i.e. application shall not be accepted for execution if such persons send their applications by mail or through third parties;*

2. To receive pension accumulations of deceased person having pension accumulations in UAPF his/her beneficiaries (heirs) present following documents at their personal visit:

- 1) application;
- 2) copy of ID of beneficiary and original to compare;
- 3) copy of death certificate of deceased person having pension accumulations certified by a notary;
- 4) original or copy of certificate of inheritance certified by notary or copy of family arrangement agreement certified by notary or court decision in force;
- 5) beneficiary's bank account information.

Heir also can file pension benefits processing documents through the third party (designated agent) or by mail.

List of required documents subject to method of their presentation into UAPF (personal visit, by mail or through third party), application forms as well as patterns of filling-in based on payment currency you can find on UAPF website: [www.enpf.kz](http://www.enpf.kz). The information is updated regularly.

**6. Question: Hello, could pension accumulations through compulsory pension contributions be inherited? In what document should be indicated the heir?**

**Answer:** Pursuant to item 2 article 31 of the Law of the Republic of Kazakhstan “On pension provision in the Republic of Kazakhstan” (further – the Law) in case of death of a person who had pension accumulations in UAPF through compulsory pension contributions, such accumulations are inherited in order provided in the legislation of the Republic of Kazakhstan.

So in accordance with the Civil Code of The Republic of Kazakhstan legal heirs are called up to succession in order of priority. First come in equal shares children of deceased including those born alive after his death as well as a spouse and parents of heir.

If there are no first-come heirs heirship goes in equal shares to blood brothers/sisters and half-brothers/sisters as well as grandparents from both sides.

If there are no first- and second-come heirs heirship in equal shares goes to blood uncles and aunts.

If there are no first-, second- and third-come heirs heirship goes to relatives of fourth and fifth line of blood who are not heirs of previous blood-lines.

Besides in accordance with subitem 4) item 1 article 39 of the Law contributors of compulsory pension contributions, natural persons for whom compulsory occupational pension contributions are paid, beneficiaries of unified accumulative pension fund have right to bequeath their pension accumulations in accordance with the legislation of the Republic of Kazakhstan.

In accordance with item 13 *the Rules of pension benefits payment from pension accumulations through compulsory pension contributions, compulsory occupational pension contributions from the unified accumulative pension fund* approved by the Resolution of the Government of the Republic of Kazakhstan as of 02.10.2013 No. 1042, heirs of deceased person with pension accumulations in UAPF shall present documents including original or copy of **certificate of inheritance** certified by notary or copy of **family arrangement agreement** certified by notary or **court decision in force**.

List of required documents subject to method of their presentation into UAPF (personal visit, by mail or through third party), application forms as well as patterns of filling-in based on payment currency you can find on UAPF website: [www.enpf.kz](http://www.enpf.kz). The information is updated regularly.

**7. Question: Hello, I've turned 58 on May 01, 2018, and I would like to receive my pension accumulations in UAPF. Can you please explain me what to do and what documents are required?**

**Answer:** In accordance with item 1, Article 31 and sub-item 2), item 1, Article 32 of the Law of the Republic of Kazakhstan *On Pension Provision in the Republic of Kazakhstan* (hereinafter referred to as the Law), persons who have pension accumulations in the UAPF, including women who have reached retirement age in accordance with item 1, Article 11 of the Law, namely, **from January 1, 2018 - 58.5 years** (since January 1, 2019 - 59 years; from January 1, 2020 - 59.5 years; from January 1, 2021 - 60 years; from January 1 2022 - 60.5 years; since January 1, 2023 - 61 years; since January 1, 2024 - 61.5 years; since January 1, 2025 - 62 years; since January 1, 2026 - 62.5 years; with 1 January 2027 a - 63 years), are entitled to pension benefits at the expense of compulsory pension contributions (hereinafter referred to as CPC) and compulsory occupational pension contributions (hereinafter referred to as COPC).

Thus, you can apply for pension benefits from UAPF upon reaching 58.5 years, i.e. November 01 of this year.

For assignment of retirement benefits (for work experience until 01/01/1998), public basic pension benefit and pension benefits from UAPF at the expense of CPC, COPC, the beneficiaries in accordance with *the Rules of pension benefits payment from pension accumulations through compulsory pension contributions, compulsory occupational pension contributions from the unified accumulative pension fund*, approved by the Government of the Republic of Kazakhstan of 02.10.2013 No. 1042 (hereinafter referred to as the Rules), shall apply with a single application and the package of documents to the State Corporation Divisions (PSCs).

Benefits at the expense of budget funds and pension savings will be paid in one day and on one bank account specified in the application. Also, on the basis of this application, the recipient will be provided with a proactive service (by default) for the payment of the state guarantee (if the amount of actually paid CPC, COPC taking into account the inflation rate at the date the beneficiary reaches age of retirement, is less than the amount of pension accumulations on IPSA).

At the same time, the first pension benefit from UAPF is paid within ten business days from the date of registration of the application with the State Corporation or within

ten business days from the date of procurement of the right to receive pension benefits from UAPF (i.e. after reaching the age of retirement). Subsequent monthly pension benefits from UAPF will be made in accordance with the schedule of pension benefits established by the State Corporation.

According to the provisions of sub-item 2), item 3 of the Rules, pension benefits from UAPF are paid monthly according to the established schedule, and the monthly pension benefit is defined as one-twelfth annual pension benefit calculated in accordance with the Methodology for calculating the amount of pension payments approved by the Government of the Republic of Kazakhstan of 02.10.2013, № 1042 (hereinafter - the Methodology).

According to the Methodology, the annual amount of pension benefits is calculated as the product of the amount of pension accumulations by the coefficient of the current value of pension accumulations at the respective age of the beneficiary according to the Methodology table. That is, the amount of pension accumulations is multiplied by the coefficient provided in the table for the respective age of the beneficiary. The amount received is divided by 12 and is payable on a monthly basis according to the schedule.

At the same time, the estimated monthly pension benefit is paid in the amount of not less than 54 percent of the subsistence minimum established for the relevant fiscal year by the law on the republican budget (in 2018 this amount is  $54\% * \text{KZT}28,284 = \text{KZT}15,273.36$ ).

Lump sum payment of the entire amount of pension accumulations is possible if the amount of pension accumulations at the date of application does not exceed twelve times the minimum pension established by the law on the republican budget for the relevant financial year (in 2018 -  $\text{KZT}33,745 * 12 = \text{KZT}404,940$ ).

Please note that in accordance with the provisions of Article 326 of the Code of the Republic of Kazakhstan *On Taxes and Other Compulsory Payments to the Budget* (hereinafter referred to as the Tax Code), pension benefits from UAPF refer to income taxed at the source of payment by individual income tax (hereinafter - IIT).

According to item 1 of Article 320 of the Tax Code, the recipient's income in the form of pension benefits from UAPF is subject to income tax at a rate of 10 (ten) percent.

At this, in accordance with the provisions of Article 345 of the Tax Code, beneficiaries from pension accumulations of CPC and COPC, in accordance with the legislation of the Republic of Kazakhstan, are entitled to a tax deduction from income in the form of pension benefits from UAPF in the amount of one minimum wage established by the law on the republican budget, and acting at the date of accrual of income in the form of pension benefits, for each month for which the pension benefit is paid.

**8. Question: Hello, can I withdraw my pension accumulations to call in bank credit?**

**Answer:** According to article 50 of the Law of the Republic of Kazakhstan *On pension provision in the Republic of Kazakhstan* (hereinafter – the Law) natural persons' right on pension assets relates to property right category provided in the Law and can be used for purposes determined in the Law exclusively including pension benefits payment in accordance with the legislation of the Republic of Kazakhstan.

At the same time, the list of persons entitled to pension benefits from UAPF at the expense of compulsory pension contributions is established by the provisions of Article 31 of the Law and is exhaustive.

So, the persons who have pension accumulations in UAPF are entitled to pension benefits from UAPF at the expense of compulsory pension contributions are:

1) those who have reached retirement age in accordance with item 1 of Article 11 of the Law, namely: men upon reaching 63 years of age; women on reaching 58 years of age (since January 1, 2018 — 58.5 years; since January 1, 2019 — 59 years; since January 1, 2020 — 59.5 years; since January 1, 2021 — 60 years; since January 1, 2022 years - 60.5 years, from January 1, 2023 - 61 years, from January 1, 2024 - 61.5 years, from January 1, 2025 - 62 years, from January 1, 2026 - 62.5 years, from January 1, 2027 - 63 years old);

2) when pension benefits are sufficient to ensure benefit is not lower than the minimum pension in accordance with item 1 of Article 59 of the Law: men upon reaching 55 years of age; women on reaching 50 years (from January 1, 2018 — 50.5 years, from January 1, 2019 — 51 years, from January 1, 2020 — 51.5 years, from January 1, 2021 — 52 years, from January 1 2022 - 52.5 years, from January 1, 2023 - 53 years, from January 1, 2024 - 53.5 years, from January 1, 2025 - 54 years, from January 1, 2026 - 54.5 years, from 1 January 2027 - 55 years) by concluding a pension annuity contract with an insurance organization;

3) persons with disabilities of the first and second groups, if the disability is established indefinitely;

4) foreigners and apolides who left for permanent residence outside the Republic of Kazakhstan, who submitted documents determined by the legislation of the Republic of Kazakhstan, confirming the fact of departure.

So UAPF is entitled to pension benefits payment in cases above only as determined in the legislation of the Republic of Kazakhstan.

### **9. Question: When can I transfer my pension accumulations into insurance organization?**

**Answer:** In accordance with the Law of the Republic of Kazakhstan *On pension provision in the Republic of Kazakhstan* (hereinafter – the Law) natural persons entitled to transfer pension accumulations into insurance organization from UAPF on basis of annuity agreement if there is sufficient amount of pension accumulations at the expense of:

#### **compulsory pension contributions (further – CPC) are:**

1) persons who came to retirement age: men at 63; women at 58 (from January 1, 2018 – at 58.5, from January 1, 2019 – at 59, from January 1, 2020 – at 59.5, from January 1, 2021– at 60, from January 1, 2022 – at 60.5, from January 1, 2023 – at 61, from January 1, 2024 – at 61.5, from January 1, 2025 – at 62, from January 1, 2026 – at 62.5, from January 1, 2027 – at 63) (subitem 1) item 1 article 31 of the Law);

2) men at 55; women at 50 (from January 1, 2018 – 50.5, from January 1, 2019 – 51, from January 1, 2020 – 51.5, from January 1, 2021 – 52, from January 1, 2022 – 52.5, from January 1, 2023 – 53, from January 1, 2024 – 53.5, from January 1, 2025 – 54, from



January 1, 2026 – 54.5, from January 1, 2027 – 55) (subitem 2) item 1 article 31 of the Law);

3) persons with permanent disabilities of I and II groups (subitem 3) item 1 article 31 of the Law).

**compulsory occupational pension contributions (further – COPC) are:**

1) persons who came to age of 50 for whom there were COPC paid within no less than sixty months in aggregate (subitem 1) item 1 article 32 of the Law) (this category is entitled to pension accumulations transfer into insurance organization not earlier than 2019);

2) persons who came to retirement age - men at 63; women at 58 (from January 1, 2018 – at 58.5, from January 1, 2019 – at 59, from January 1, 2020 – at 59.5, from January 1, 2021– at 60, from January 1, 2022 – at 60.5, from January 1, 2023 – at 61, from January 1, 2024 – at 61.5, from January 1, 2025 – at 62, from January 1, 2026 – at 62.5, from January 1, 2027 – at 63) (subitem 2) item 1 article 32 of the Law);

3) persons with permanent disabilities of I and II groups (subitem 3) item 1 article 32 of the Law).

If amount of CPC and (or) COPC pension accumulations is not sufficient for annuity agreement, in this purpose voluntary pension contributions (further – VPC) accumulations could be used if there are any in UAPF.

If amount of COPC pension accumulations of persons who came to age of 50 for whom there were COPC paid within no less than sixty months in aggregate is not sufficient for annuity agreement, they could use CPC accumulations for this purpose.

If persons entitled to transfer into insurance organization have CPC and COPC pension accumulations in amount exceeding annuity agreement's amount, they could be paid remaining funds as monthly pension benefits in order provided in the Law or could be used to sign another annuity agreement.

Pension annuity agreement is signed between insured (beneficiary) and insurance organization on term determined in the Law.

Person signing annuity agreement is free in choice of insurance organization.

Annuity agreement shall be concluded on base of a beneficiary's written application.

Annuity agreement shall be valid and compulsory for parties from the moment of UAPF transferred insurance premium into insurance organization.

Annuity agreement could be terminated only on insured's initiative subject to annuity agreement signed with other insurance organization but not earlier than two years after its conclusion.

At annuity agreement's termination:

1) its cash-value shall not be less than amount of insurance premium paid less amount of pension benefits paid and insurance organization's administrative expenses;

2) amount of monthly insurance benefit from insurance organization under newly concluded pension annuity agreement shall not be less than minimal pension on a date of the pension annuity agreement.

**10. Question: Hello, can you tell me please where and how I can receive money for burial if my father – pensioner died?**

**Answer:** In case of death of a person of retirement age being beneficiary of pension benefits from authorized body but **not having pension accumulations in UAPF** to receive burial allowance you can file application to non-profit *Government for citizens* State Corporation JSC (further – State Corporation). For detailed information you can apply for the State Corporation nearby as well as call them (free on the territory of Kazakhstan).

If the deceased person had pension accumulations in UAPF then in accordance with item article 50 of the Law of the Republic of Kazakhstan *On pension provision in the Republic of Kazakhstan* UAPF shall pay to his/her family or a person incurred burial expenses a one-time burial payment within 52.4-fold monthly index factor set for current financial year by the law on state budget (in 2017: KZT 2,269\*52.4 = KZT 118, 895.60) but not exceeding amount of available pension accumulations on individual pension account.

If the balance of the pension accumulations on the beneficiary's individual pension account after the lump sum payment for the funeral amounts to no more than the minimum pension established for the relevant financial year by the law on the republican budget, this balance is paid as a funeral payment.

To receive pension accumulations of deceased person having pension accumulations in UAPF his/her beneficiaries (heirs) present following documents at their personal visit:

- 1) pension benefits application in a form approved by UAPF internal documents;
- 2) copy of ID of deceased' family member or a person incurred burial expenses and original to compare;
- 3) copy of death certificate of deceased person having pension accumulations and original to compare;
- 4) information on bank account of deceased' family member or a person incurred burial expenses.

*At the same time, we note that the lump-sum payment for the funeral is carried out only when the family member of the deceased person with pension accumulations or the person who carried out the burial, i.e. when these persons apply to UAPF through postal services or through a third party (attorney), the application will not be accepted for execution.*

You can find detailed information on UAPF website: [www.enpf.kz](http://www.enpf.kz).

**11. Hello, I would like to know is it possible to register online to receive online statement without visiting your office? I need it to use your app. Thank you in advance!**

**Answer:** You can use the “My Account” service using two authorization methods: by means of an EDS (electronic digital signature) or IIN and password.

To use IIN as a username and password, the user must first choose the method of informing "via the Internet" by entering into an additional agreement on changing (determining) the way of informing (hereinafter referred to as AA) at any UAPF service office. If you have EDS, it is possible to choose the method of informing “via the Internet” on UAPF website using the *Changes and (or) additions to the details* electronic service.

Users who have entered into the AA can register themselves on the site and assign themselves an IIN (login) and password for further authorization on the site.

You can familiarize yourself with the user's profile of the "My Account" on our corporate web site at [www.enpf.kz](http://www.enpf.kz)

Please note that if you have an EDS, you can also use the service of receiving an extract from the individual pension saving account on the e-government website [www.e-gov.kz](http://www.e-gov.kz).

**12. Question: Can I change my e-mail address and my mobile number in your database without visiting your office to receive Internet statement on your website?**

**Answer:** There is "Amend and/or add your details" e-service introduced on UAPF website, E-Services section. This service allows you to update your details (ID, your address, e-mail, phone numbers) registered in the Fund's information system, and to amend and/or add them.

Also this service helps you to choose the most convenient method of informing on your pension accumulations state by means of Internet so you can check your statement anytime (except for interruptions on the website). You need valid EDS key to use the service.

How?: in order to amend and/or add your details including informing method option you need to take following actions on [www.enpf.kz](http://www.enpf.kz), E-Services section:

- choose *Amend and/or add your details* e-service in the E-Services section or in My Account;

- login in basing on the registration certificate of the National certification center of the Republic of Kazakhstan;

- fill in e-form of application on contributor's (beneficiary's) details change and sign it with EDS.

Result: receipt on amendment and/additions made into contributor's (beneficiary's) details confirmed with EDS of authorized UAPF employee.

Please note that if you have an EDS, you can also use the service of receiving an extract from the individual pension saving account on the e-government website [www.e-gov.kz](http://www.e-gov.kz).

**13. Question: Hello, I am registered on Internet-statement but I can't login though I entered my IIN and password. If there any possibility to check an accuracy of the password through the site or telephone?**

**Answer:** In order to receive information on your individual pension account on website [www.enpf.kz](http://www.enpf.kz) in My Account section you need to enter your IIN and password.

If you forgot your password or your password is not safe you can re-register. You need to use the link as follows: [www.enpf.kz](http://www.enpf.kz), My Account, Registration/Forgot your password?, fill in all fields, enter **your e-mail or mobile number, register in the Fund's database** and click on Send.

Remember that details you enter should be exactly the same that were indicated in the IPA opening application or in addendum on informing method change (determination).

After you receive a single use password on **your e-mail or mobile**, use it in *Enter Single-Use Password*. You can use your single-use password to get your statement or register your new password (if you want).

**14. Question: Hello, I would like to know is it possible to change my address so the statement would be delivered on another address.**

**Answer:** Amendments and/or additions into contributor's (beneficiary's) details except for online apply using EDS are to be made basing on a freeform application (by mail or e-mail) or application on amendments and/or additions into contributor's (beneficiary's) additional details/ Agreement on change (determination) of informing method/application on pension benefits payment / application on pension accumulations transfer filed as follows:

- 1) at contributor's (beneficiary's) personal visit to the Fund's service center presenting original contributor's (beneficiary's) ID;
- 2) at designated agent's visit presenting ID, original POA certified by a notary or its copy certified by a notary, contributor's (beneficiary's) ID copy;
- 3) by contributor's (beneficiary's) e-mail with contributor's (beneficiary's) ID copy attached;
- 4) by contributor's (beneficiary's) mail with contributor's (beneficiary's) ID copy attached

If contributor (beneficiary) has valid EDS key he/she can use new e-service introduced in E-Services section. It's called "Amendments and/or additions into contributor's (beneficiary's) details through UAPF website". It allows to contributor (beneficiary) to check accuracy of their details (ID, address, e-mail, telephone numbers, registered in UAPF automated information system and *amend or add them on his/her own*).

Also this new service allows you to choose convenient informing method to check IPA statement in the Internet anytime (except for interruptions on the website)/ IPA statement is certified by EDS of UAPF staff authorized to do so.

**15. Question: How can I change address of an under-age person in the Fund's database?**

**Answer:** When an under-age person applies he/she should present originals of:

- birth certificate (under 18);
- ID of under-age person (from 16 to 18) and his/her legal representative;
- document confirming guardianship appointment when there are no parents (certificate of guardianship appointment / foster care agreement).

A legal representative acting on behalf of an under-age person (under 14) shall file an application on amendments and/or additions into contributor's (beneficiary's) additional details and sign it personally.

An under-age person (from 14 to 18) shall file an application on amendments and/or additions into contributor's (beneficiary's) additional details him/herself and sign it personally with written approval of his/her legal representative.

If there is no IIN in the birth certificate (date of birth before August 2007) it is necessary to present original of IIN registration certificate or passport of a citizen of the

Republic of Kazakhstan in addition to the birth certificate.

9. **Вопрос: Добрый день! Я гражданка Российской Федерации, но постоянно проживаю в Республике Казахстан, не имею ПМЖ, могу я заключить договор с ЕНПФ и вносить обязательные пенсионные взносы? (ДОВИ)**

**Ответ:** Согласно пункту 2 статьи 2 Закона «О пенсионном обеспечении в Республике Казахстан», иностранцы и лица без гражданства, постоянно проживающие на территории Республики Казахстан, пользуются правом на пенсионное обеспечение наравне с гражданами Республики Казахстан, если иное не предусмотрено законами и международными договорами.

Факт постоянного проживания иностранца либо лица без гражданства в Республике Казахстан подтверждается видом на жительство иностранца в Республике Казахстан, либо удостоверением лица без гражданства.

Иностранцы и лица без гражданства, находящиеся в Республике Казахстан на ином законном основании, считаются временно пребывающими в Республике Казахстан и не несут обязанность по уплате обязательных пенсионных взносов.

**16. Question: Hello! I m citizen of the Russian Federation but I live in the Republic of Kazakhstan permanently with no permanent residence permission. Can I conclude agreement with UAPF and pay my compulsory pension contributions?**

**Answer:** According to the Pension Rules of the Unified Accumulative Pension Fund, approved by the Government of the Republic of Kazakhstan on September 18, 2013 No. 984, pension agreements through compulsory pension contributions, compulsory occupational pension contributions are adhesion agreements, the terms of which are approved by UAPF and posted on the Internet resource UAPF JSC (hereinafter - UAPF). The agreements on pension provision at the expense of compulsory pension contributions, compulsory occupational pension contributions establish the rights, duties and responsibilities stipulated by the Law of the Republic of Kazakhstan *On Pension Provision in the Republic of Kazakhstan*, as well as other features of the legal relations between UAPF, the contributor to compulsory pension contributions, an individual, for which compulsory occupational pension contributions are transferred (by the recipient of pension payments due to compulsory pension contributions, compulsory occupational pension contributions), agent.

The conclusion of pension provision agreements at the expense of compulsory pension contributions, compulsory occupational pension contributions (adhesion agreements) is carried out by signing:

contributor - applications for opening an individual pension saving account for accounting for compulsory pension contributions;

an individual for whom compulsory occupational pension contributions are listed, and an agent are applications for opening an individual retirement account to record compulsory occupational pension contributions,

according to the forms approved by the internal document of the UAPF, which are posted on the Internet resource of the UAPF.

If you wish to receive a copy (duplicate) of an application for opening an individual retirement account, then you need to contact any branch of UAPF with the original identity document. It is also possible to obtain a copy (duplicate) of an application for opening an individual retirement account through a trustee. To do this, the trustee of an individual when applying to the Fund's office shall submit:

- the original document certifying the identity of the trustee;
- the original of a notarized power of attorney or its notarized copy;
- a notarized copy of a document certifying the identity of an individual.

You can get acquainted with the information about the location of our personal service centers by visiting our web site on the Internet: [www.enpf.kz](http://www.enpf.kz), section "Contacts".

In addition, it is possible to get a copy (duplicate) of an application for opening an individual retirement account on the website of UAPF JSC in the Electronic Services section using the new service "Get a certificate of availability of an IPSA / application for opening an IPSA / pension agreement in a new edition", if you have your registration in My Account. You can use the "My Account" service using two authorization methods: by means of an EDS (electronic digital signature) or IIN and password.

#### **17. Question: Are there any guaranties of pension accumulations safety?**

**Answer:** In accordance with article 5 of the Law of the Republic of Kazakhstan *On pension provision in the Republic of Kazakhstan* as of June 21, 2013 No.105-V (hereinafter – the Law), **the state guaranties** safety of compulsory pension contributions, compulsory occupational pension contributions in UAPF in amount of actually paid compulsory pension contributions, compulsory occupational pension contributions taking into account inflation level on a moment of their coming to retirement age.

Pension accumulations **safety guaranty** is **also provided** by means of:

- 1) CPC and COPC accumulation in UAPF;
- 2) UAPF pension assets fiduciary investment management by the National Bank of RK;
- 3) regulation of UAPF activities by setting certain requirements in relation of pension contributions collecting and pension benefits payment;
- 4) regulation of voluntary accumulative pension funds (VAPF) activities by setting certain standards and limits as well as requirements provided in the legislation of the Republic of Kazakhstan;
- 5) setting requirements to founders, shareholders and top-managers of VAPFs as well as to amount and structure of their equities;
- 6) setting requirements to UAPF top-managers;
- 7) setting requirement to keep UAPF pension assets in the National Bank of RK;
- 8) setting requirement to VAPFs to keep their financial assets and cash forming part of pension assets in custodian banks not affiliated to VAPF exclusively;



9) separate accounting of VAPFs or UAPF's own assets and their pension assets and control over their allocation;

10) setting requirements to diversification and risks reducing at pension assets allocation;

11) setting amount of commission for UAPF and VAPFs;

12) compulsory annual audit of UAPF and VAPFs;

13) UAPF and VAPFs regular reporting to relative authorities in order stipulated in the legislation of the Republic of Kazakhstan;

14) provision information to contributors (beneficiaries) on their pension accumulations;

15) enabling contributors (beneficiaries) to transfer their voluntary pension accumulations from UAPF to VAPF or from one VAPF to another VAPF;

16) voluntary insurance of pension accumulations in full or partially on contributors (beneficiaries) choice;

17) accounting and evaluation of pension assets in order established by an authorized body.

**18. Question: How are your regional branches' administrative costs financed and what kind of services do they deliver to your contributors? Thank you.**

**Answer:** UAPF runs their activities within terms of the Constitution of the Republic of Kazakhstan, the Law of the Republic of Kazakhstan *On pension provision in the Republic of Kazakhstan* as of June 21, 2013 No.105-V (hereinafter – the Law) and other legislative acts.

According to subitem 9) article 5 of the Law one of the instruments of pension accumulations safety is separate accounting of the Fund's own and pension assets as well as government control over their allocation.

Pension assets include cash, securities, and other financial instruments appropriate for *pension benefits provision, transfers and payment* as well as other purposes stipulated in the Law.

Business activities costs including rent of required premises as well as payment of wages to the Fund's staff are paid through UAPF's own assets.

Note that according to item 4 article 50 of the Law pension assets formed through compulsory pension contributions, compulsory occupational pension contributions and voluntary pension contributions are used exclusively in following purposes:

1) allocation into financial instruments determined by an authorized body and investment declaration;

2) pension benefits payment in accordance with the legislation of the Republic of Kazakhstan;

3) transfer of pension accumulations into insurance organization under annuity agreements in order stipulated in the Law and standard legislative act of an authorized body;

4) transfer of pension accumulations formed through voluntary pension contributions from unified accumulative pension fund into voluntary accumulative pension fund as well as from one voluntary accumulative pension fund to another one;

5) repayment of incorrect charged pension contributions and other incorrectly enrolled cash;

6) payment of commission to the unified accumulative pension fund, voluntary accumulative pension fund in cases and amount stipulated in the Law.

In accordance with subitem 2) item 10 article 34 of the Law UAPF is not allowed to use pension assets in purposes not stipulated in the legislation of the Republic of Kazakhstan.

Since UAPF's basic purposes in accordance with item 1, article 34 of the Law are attraction of compulsory pension contributions, compulsory occupational pension contributions and voluntary pension contributions and pension benefits payment provision, the services delivered by the Fund are following:

- opening of individual pension account (pension provision agreement conclusion), amendments and additions putting into basic details (in case of their change), change of informing methods;

- benefits payment basing on grounds stipulated in the legislation;

- informing on individual pension accounts state (statements delivery);

- transfer of pension accumulations into insurance organization (annuity);

- consulting in issues relating to pension system and investment portfolio management.

**19. Do I have to transfer the mandatory pension contributions from my scholarship if I am studying:**

**- under the Bolashak program,**

**- Master's program,**

**- Bachelor's program?**

*Answer:* In accordance with clause 6 of the *Rules and terms of compulsory pension contributions, compulsory occupational pension contributions calculation, deduction and transfer into the unified accumulative pension fund and penalties on them*, approved by the Government of the Republic of Kazakhstan on October 18, 2013. No. 1116, mandatory pension contributions to UAPF are not withheld from payments and incomes:

1) referred to in item 2 of Article 319 of the Tax Code;

2) specified in item 1 of Article 341 of the Tax Code, except for those established by sub-items 12), 26), 27), 48) of item 1 of article 341 of the Tax Code, and also sub-items 42), 43) of item 1 of article 341 of the Tax Code (in lost earnings (income)).

At the same time, compulsory pension contributions to UAPF are not withheld from the revenues provided for in paragraph six of subitem 17) of item 1 of Article 341 of the Tax Code.

3) received in kind or in the form of material benefits by persons with disabilities and other persons specified in subitem 2) of item 1 of Article 346 of the Tax Code.

**Thus, the scholarships in the Bolashak program, in the Bachelor's, in the Master's programs (paid from the budget) compulsory pension contributions are not deducted (not accrued) and are not transferred in accordance with subitem 17) of item 1 of Article 341 of the Tax Code.**

**20. I m a resident of RK but at present I work in RF in St Petersburg in French and Russian company that guarantees my social, pension and medical security in accordance with the legislation of RF. I need a credit card. In accordance with the legislation of RF I can't issue a credit card because one of requirements is RF residence. I m in RF only under my contract and temporary migration registration upto March 2018. I need to confirm my income in order to receive a credit card in RK which is also impossible because my pension accumulations are generated in the Russian pension fund. My request is as follows: Is it possible to UAPF to confirm my solvency to STB (ex. Qazkom for I need American Express) in Kazakhstan basing on RPF statement, certificate from my work place and my contract?**

*Answer:* Article 34 of the Law of the Republic of Kazakhstan *On pension provision in the Republic of Kazakhstan* (hereinafter – the Law) determines liabilities of UAPF. UAPF mandate does not include confirmation of members' solvency of citizens of the Republic of Kazakhstan basing on their account statement of foreign pension funds, work references and other documents.

Also in accordance with s-it.4) it. 9 art. 34 of the Law UAPF shall inform a natural person with individual pension account (IPA) **on his/her pension accumulations state by demand** on any requested date as well as provide electronic and other accesses to the information taking into account terms stipulated in art. 57 of the Law.

Considering your request due to your present work outside of the Republic of Kazakhstan no compulsory pension contributions (CPC) come on your IPSA. Your work outside of the Republic of Kazakhstan does not limit your participation in CPC payment legal relations.

In accordance with s-it. 3) it.2 art. 39 of the Law citizens of the Republic of Kazakhstan working outside of the Republic of Kazakhstan have right to participate in CPC payment legal relations. The said citizens of the Republic of Kazakhstan can act as agents being natural persons on the assumption of CPC payment obligation and can pay CPC into UAPF.

In accordance with it. 5 art. 25 of the Law citizens indicated in it.2 art.39 of the Law shall pay CPC into UAPF in amount of 10% of earned income but no less than 10% of minimal wage set in the law on the current financial year's state budget.

In accordance with item 3 of the *Rules and terms of compulsory pension contributions, compulsory occupational pension contributions calculation, deduction and transfer into the unified accumulative pension fund and penalties on them* approved by the Resolution of the Government of the Republic of Kazakhstan as of October 18, 2013 No. 1116, CPC for citizens indicated in it. 2 art. 39 of the Law are payable in amount of 10% of earned income but no less than 10% of minimal wage set in the law on the current financial year's state budget by means of cash payment into banks and / or organizations carrying out certain bank operations for their further transfer on IPA in UAPF.

So, in accordance with it. 2 art.39 of the Law you are entitled to pay CPC in amount and manner stipulated in the Rules.

In addition you can see the requirements to a natural person to receive American Express card on <http://www.americanexpress.kz>. One of their requirements is an officially confirmed income.

Basing on the above in Kazkommertsbank JSC requires information on your pension accumulations as a document officially confirming your income, UAPF would issue IPSA statement on your demand in accordance with art. 57 of the Law. Methods of IPSA statement receiving are published on UAPF site [www.enpf.kz](http://www.enpf.kz) in the Services section.