



SAYAT ZHOLSHY
& PARTNERS
Lawyers and attorneys at law



OVER
20 YEARS
OF SUCCESSFUL
PRACTICE

FOREIGN EMPLOYMENT PERMITS

The top provider of services related to obtainment of foreign employment permits and migration services.

We have been on the market since 1998 and have obtained over 10,000 permits.



- *THE BEST ATTORNEYS' OFFICE by the Kazakhstan Union of Attorneys*

FOREIGN EMPLOYMENT PERMITS

The procurement of foreign employment permits is a top priority issue for foreign and local companies operating in Kazakhstan.

The issuance of a foreign employment permit is a multi-stage, complex and perplexing procedure involving an array of subtle aspects. Understandably, not all businesses cope with legislative requirements finding themselves trapped in a deadlock when competent authorities refuse to issue permits for their foreign employees.

Practice shows that not all businesses give due consideration to the issuance of work permits. Such neglect leads to expulsion of expatriates from Kazakhstan, criminal prosecution of management, nonperformance of contractual obligations and, eventually, winding up of business in Kazakhstan.

Since the inception date of Sayat Zholshy & Partners, the Firm's foreign employment and migration practice has always ranked among the most successful practices in this area which brings the highest number of clients and covers nearly all regions of Kazakhstan.

In terms of expertise, we are an unbeatable leader in this market segment. We have been developing this service line since 2008. Our service is not confined only to high-quality advice - over many years we have been able to build up a professional dialogue with government authorities and to promote our proposals for improvement of Kazakhstan legislation concerning foreign employment.

Sayat Zholshy & Partners is best known for its ability to respond and to attend to clients' problems around the clock. We rush our lawyers to the rescue of clients wherever they are.

On 1 January 2017, Kazakhstan introduced new Regulations on Work Permit Issuance providing for new legal approaches to the issuance of employment permits for foreign nationals.

Subject to the new Regulations, work permits are subdivided into two categories:

- 1) Fee-based work permits for the issuance and renewal of which an employer has to pay a fee ranging between US\$950 and US\$1,729 depending on the employer's business and the expatriate's category.

Fee-based work permits require neither the mandatory search in the local labour market nor the performance of obligations to train Kazakhstan nationals or to create new jobs for them.

2) Work Permits for intragroup secondees (IGS) transferred from the World Trade Organisation member-states.

Work permits for intragroup secondees require both the mandatory search in the local labour market and the performance of obligations to train Kazakhstan nationals or to create new jobs for them.

Realising the importance of duly issued permits for employer's business, our Firm offers high-quality legal support to our Clients in connection with the issuance of work permits and a number of optional services aimed to legalize expatriates' stay in Kazakhstan.

OUR SERVICES

- Visa support (invitation letter) for working visa issuance
- Working visa renewal
- Working visa revocation
- Monthly reporting execution and filing
- Arrangement for certificates and other documents issuance required from foreign nationals in Kazakhstan
- Advice and assistance with deposit opening and withdrawal
- Annual application for foreign employment quota filing
- Expatriate registration with Kazakhstan authorities
- Arrangement for individual identification number (IIN) assignment to an expatriate
- Legal support in case of expatriate detainment (removal from flight) by inspection authorities; representation of foreign nationals in migration police, prosecution authorities and courts
- Legal support through the citizenship surrender procedure when a Kazakhstan citizen seeks naturalization as a citizen of a foreign state
- Providing training and workshops for Client's personnel with regard to implementation of a corporate system ensuring legal and continuous stay of expatriates in Kazakhstan (visas, work permits, registration, employment contract specifics, business travel documentation, etc.)

- Preparation of Client's internal documentation ensuring the legality of expatriate's stay in Kazakhstan (action plans for visa support, work permit issuance planning, expatriates registration and emergency handling)
- Issuance/renewal of Kazakhstan residence permits
- Preparation of instructions and guidelines for employer's compliance with Kazakhstan foreign employment regulations
- Issuance of duplicate work permits
- Cancellation of work permits
- Re-issuance of work permits
- Renewal of work permits
- Issuance of work permits

EXPERIENCE

- Arranged for the issuance and annual maintenance, extension and renewal of work permits for 90 expatriates of a European oil and gas service company
- Developed and implemented an alternative scheme for employment of over 10 foreign nationals without work permits by an international oil and gas company
- Arranged for simultaneous issuance of over 50 work permits for expatriates of a UK insulation company
- Arranged for the issuance and annual renewal of over 40 work permits for expatriates simultaneously employed in Almaty, Nur-Sultan, Almaty Oblast, West-Kazakhstan Oblast, Mangistau Oblast and Atyrau Oblast by an international oil and gas service company based in UK (well completion and testing services)
- Arranged for foreign employment approvals for a US leading engineering company in four regions of Kazakhstan (Atyrau Oblast, Aktobe Oblast, Almaty City and Nur-Sultan City)
- Prepared and filed monthly and quarterly reports concurrently in Nur-Sultan City, Almaty City, West-Kazakhstan Oblast, Mangistau Oblast, Aktobe Oblast and Kyzylorda Oblast
- Provided legal assistance to a major Serbian construction company with the recovery of unused foreign employment deposits for over 40,000 US dollars

- Represented a major European oil service company in the Aktobe Oblast Court with regard to migration law compliance of expatriates employed in Kazakhstan without work permits (protection from deportation)
- Represented and defended a major international construction and manufacturing company in connection with labour, migration and prosecutor's audits
- Arranged for the re-issuance of 10 work permits for expatriates employed by a major West European company specializing in construction of oil and gas facilities
- Arranged for the issuance of 7 duplicate work permits for expatriates of a major Chinese service company due to the re-issuance of the expatriates' passports
- Arranged for the issuance of residence permits for three expatriates engaged in a major Almaty investment project
- Renewed a residence permit for a Canadian national employed in Kazakhstan
- Prepared a set of documents required for the issuance of residence permits for 8 expatriates of a major construction service company

TEAM



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