



SAYAT ZHOLSHY  
& PARTNERS  
Lawyers and attorneys at law



OVER  
20 YEARS  
OF SUCCESSFUL  
PRACTICE

## TECHNICAL REGULATION AND CERTIFICATION

---

We have supported about a dozen of projects where mid- and large-size manufacturers sought validation of their products' conformity to national and international standards



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

## TECHNICAL REGULATION AND CERTIFICATION

The technical regulatory framework aimed to ensure products/services/processes safety in the Republic of Kazakhstan is set out in Kazakhstan Law *On Technical Regulations* No. 603-II of 9 November 2004 that regulates public matters dealing with the determination, implementation, application and enforcement of mandatory and non-mandatory requirements to products, services and product life-cycle processes, as well as conformity assessment, accreditation and government control over technical regulations enforcement.

In present-day conditions it is impossible to launch production and distribution of a product without technical barriers - created by both Kazakhstan national regulations and international standards - to overcome.

Any and all products, services and processes are subject to technical regulation. Technical regulation is targeted at government agencies, corporations and individuals who carry out activities in the Republic of Kazakhstan and enjoy the right to use subjects of technical regulation in compliance with Kazakhstan civil law.

The Kazakhstan technical regulatory framework is aimed at creating a two-tier system of legislative and regulatory documents where the upper tier is technical guidelines and the lower tier is non-mandatory requirements harmonized with international standards and regulations helping manufacturers better understand and meet applicable technical regulations.

The access of general public to information about standards improves competitiveness of domestic companies and assists in advancing Kazakhstan products/services into global markets. The application of production and manufacturing standards ensures the conformance of goods and services to the current technical requirements and safety regulations.

Our extensive and advanced experience of advising manufacturing and production companies operating in various sectors of economy (e.g. oil & gas, power, food, communications and data transmission, agriculture, etc.) with regard to the conformance of their products to national technical regulations and international standards proves that there is a long overdue need to create a separate area of practice which would gather together the relevant experience of our Firm for the last few years for the sake of our Clients' production improvement and quality enhancement.

Practice shows that it is important to raise business awareness of new laws and

---

regulations adopted by the Republic of Kazakhstan as well as technical regulations adopted by the Customs Union in their effort to regulate the movement of certain goods/services within the EEU market.

We have a clear vision and understanding of the current regulations and procedures which allow us to advise across a whole range of issues related to the conformance of products manufactured in Kazakhstan and/or released for circulation in the EEU markets to the Kazakhstan national requirements, Customs Union technical regulations and international standards.

## OUR SERVICES

- Issuing legal opinions and advising Clients on the checklist of documents required to launch production and distribution of a product in the EEU market (certificates/declarations of conformity, corporate standards, etc.)
- Advising clients on compliance of their products with the technical regulations of Kazakhstan and Customs Union
- Issuing legal opinions on Kazakhstan technical requirements to final products
- Assisting clients with the obtainment/execution of documents required by applicable technical regulations (certificates/declarations of conformity, corporate standards, etc.)
- Providing legal support in obtaining the documents required to launch production and distribution of a product in the EEU market, and explaining the procedures for such documents issuance and approval
- Advising on the issues related to mandatory and non-mandatory validation of certain products compliance with technical regulations
- Providing legal support in connection with mandatory and non-mandatory certification of products/services/processes in accordance with applicable technical regulations
- Providing assistance in describing the full cycle of launching a new product in Kazakhstan in compliance with applicable technical regulations
- Advising on various issues arising from sanctions for noncompliance of distributed products with applicable technical regulations

- Advising on specific requirements to the compulsory contents of goods labelling and marking procedures
- Appealing, either in court or out of court, against prescriptive notices and other documents issued by technical regulatory authorities
- Familiarising Client's personnel and other interested parties with new laws and regulations adopted by the Republic of Kazakhstan, as well as technical regulations adopted by the Customs Union in their effort to regulate the movement of certain goods/services within the EEU market

## EXPERIENCE

Our team has extensive experience gleaned from advising and supporting numerous Clients on abundant issues arising from technical regulations in production/service/process sectors. Please see below our representative projects in this area of practice:

- Conducted comprehensive legal due diligence of a major international joint operating company developing Kashagan oil field in Kazakhstan with regard to requirements applied by Kazakhstan technical regulations to final products; compiled a checklist of documents to be executed/obtained in compliance with applicable technical regulations (documents certifying conformance of products to national technical regulations, corporate standards, product technical specifications, etc.); and explained the Client how to obtain, execute and approve such documents
- Advised a leading German skin care manufacturer on the issues related to validation of perfume and beauty products conformance to applicable technical regulations
- Conducted comprehensive pre-investment due diligence of a major Kazakhstan company engaged in crude oil refining, production and marketing of hydrocarbon derivatives; compiled a checklist of documents to be executed/obtained in compliance with applicable technical regulations (documents certifying conformance of products to national technical regulations, corporate standards, chemical products registration, etc.); and explained the terms and procedures for such documents issuance
- Conducted legal due diligence of a leading Kazakhstan brewing company with a focus on identification of risks inherent in the production, storage and wholesale of beer from the perspective of technical regulations

- Conducted comprehensive pre-investment due diligence of a major Kazakhstan construction material trading company; analysed the requirements applied by the Kazakhstan Regulator to final products; compiled a checklist of documents to be executed/obtained in compliance with applicable technical regulations (documents certifying conformance of products to national technical regulations, corporate standards, etc.); and explained the Client how to obtain, execute and approve such documents
- Issued numerous legal opinions and advised an international manufacturer and trader of tobacco and non-tobacco products
- Advised a leading dairy producer on the issues potentially arising from recall and withdrawal of the Client's products non-conforming to applicable technical requirements

## TEAM



**Dmitriy Chumakov**

- Partner
- Attorney-at-Law

Tel: +7 (727) 2222 711  
E-mail: [chumakov@szp.kz](mailto:chumakov@szp.kz)



**Gulmira Abenova**

- Counsel  
Attorney-at-Law

Tel: +7 (727) 2222 711  
E-mail: [gulmira@szp.kz](mailto:gulmira@szp.kz)