

2020, June 18

No. 124

### **On the establishment of the National Contact Point**

In accordance with paragraph 1 of the Decree of the Government of the Republic of Kazakhstan dated November 16, 2012 No. 1453 “On the determination of the body responsible for the implementation of the functions of the National Contact Point in accordance with the practice of the countries of the Organization for Economic Cooperation and Development” **I ORDER:**

1. To create a National Contact Point, composed in accordance with the annex to this Order.

2. To approve the attached Regulation on the National Contact Point.

3. The Department of Investment Policy in the manner prescribed by law:

1) to bring this order to the attention of interested parties;

2) to ensure its placement on the website of the Ministry of National Economy of the Republic of Kazakhstan.

4. The control over the execution of this order shall be assigned to the supervising Vice Minister of National Economy of the Republic of Kazakhstan.

5. This order comes into force from the date of its signing.

**Minister**

**R. Dalenov**

Annex  
to the order of the Minister of  
National Economy of the Republic  
of Kazakhstan  
dated 18 June 2020 №.124

**Members of the National Contact Point**

Minister of National Economy of the Republic of Kazakhstan, Chairman;  
Vice Minister of National Economy of the Republic of Kazakhstan, Deputy  
Chairman;  
Vice Minister of Justice of the Republic of Kazakhstan (upon agreement);  
Vice Minister of Labor and Social Protection of Population of the Republic of  
Kazakhstan (upon agreement);  
Deputy Minister of Foreign Affairs of the Republic of Kazakhstan (upon  
agreement);  
Deputy Chairman of the Atameken National Chamber of Entrepreneurs (upon  
agreement);  
representative of the Republican union of trade unions "Federation of Trade  
Unions of the Republic of Kazakhstan" (upon agreement);  
representative of the Republican union of trade unions "Kazakhstan  
Confederation of Labor" (upon agreement);  
representative of the Public Foundation "Legal Policy Research Center" (upon  
agreement);  
representative of the public association "Formation of tax culture" (upon  
agreement).

Approved by order of the Minister  
of National Economy of the  
Republic of Kazakhstan  
dated 18 June 2020 №. 124

## **Regulation on National Contact Point**

### **Chapter 1. General Provisions**

1. This Regulation on the National Contact Point (hereinafter referred to as the NCP) has been developed in accordance with the Declaration on International Investments and Multinational Enterprises of the Organization for Economic Cooperation and Development (hereinafter the OECD Declaration) and regulates the organization of NCP activities.

2. NCP is a collegial deliberative body that makes decisions on pending appeals about violation of the guidelines of the Organization for Economic Co-operation and Development for Multinational Enterprises (hereinafter referred to as the OECD Guidelines), including information disclosure, human rights, labor and industrial relations, anti-bribery, bribery and extortion, environmental protection, consumer interests, science and technology, competition and taxation.

3. The purpose of the NCP is to implement the OECD Guidelines by raising awareness of the OECD Guidelines, consider appeals from individuals and (or) legal entities about the violation of the OECD Guidelines and make decisions on them.

4. NCP in its activities is guided by the Constitution, laws of the Republic of Kazakhstan, regulatory legal acts of the Republic of Kazakhstan, OECD Guidelines, OECD Declaration, as well as this Regulation.

5. NCP decisions are advisory in nature.

6. In order to effectively ensure the organization of work of NCP, a Secretariat is being created.

7. The functions of the Secretariat are carried out by the joint-stock company «Economic Research Institute».

### **Chapter 2. Tasks and functions of the NCP**

8. The main tasks of NCP are:

1) raising public and business community awareness of the OECD Guidelines (through the media, seminars, round tables);

2) consideration of requests and appeals of applicants arising from alleged non-compliance by enterprises with OECD Guidelines

3) cooperation and interaction with the national contact points of the member countries of the Organization for Economic Co-operation and Development when considering appeals about violations of the OECD Guidelines (if necessary).

9. In order to implement the assigned tasks, NCP:
  - 1) carries out an objective, comprehensive and timely consideration of appeals of violation of the provisions of the OECD Guidelines;
  - 2) interacts with all interested parties (the business community, trade unions and other representatives of civil society, authorized state bodies) when considering appeals about violation of the provisions of the OECD Guidelines and making an objective decision on them;
  - 3) make decisions based on the consideration of appeals about violation of the provisions of the OECD Guidelines;
  - 4) ensures the availability of relevant materials on the activities of the NCP on the Internet resource of the NCP;
  - 5) prepares annual reports on the activities of the NCP.

### **Chapter 3. Organization and order of procedures of the NCP**

10. The NCP is chaired by the Chairman of the NCP.
11. The Chairman of the NCP exercises general control over the NCP work process.
12. The NCP meetings are held upon necessity.
13. The NCP meetings are held in the form of a meeting (joint presence of NCP members to discuss agenda items and make appropriate decisions).
14. The meeting of the NCP is competent if it is attended by at least half of the total number of its members.
15. NCP meetings are chaired by the Chairman of the NCP, and in case of his absence - by the NCP Deputy Chairman.
16. Decisions are made by the NCP members at the meeting by reaching consensus on the total number of its members present at the meeting.
17. Each NCP member may speak in discussions on each of the issues on the agenda.
18. Decisions of the NCP are drawn up in a protocol signed by the Chairman of the NCP.
19. The protocol is maintained by the NCP Secretariat and drawn up no later than 3 (three) business days from the date of the NCP meeting.
20. In order to effectively ensure the organization of work of NCP, the Secretariat:
  - 1) accepts appeals about violations of the OECD Guidelines in accordance with the procedure approved by the NCP for considering appeals about violations of the OECD Guidelines for multinational enterprises;
  - 2) carries out the processing of materials in accordance with the NCP decision approved by the Procedure for the consideration of appeals of violations of the OECD Guidelines for Multinational Enterprises and submits them for consideration at NCP meetings;
  - 3) prepares draft decisions of the NCP;

- 4) provides organizational and technical support for NCP meetings;
- 5) draws up a request to convene a meeting of the NCP in written form with the definition of issues to be considered at a meeting of the NCP and the annex of materials and draft documents necessary for consideration of issues;
- 6) requests and receives from interested parties (business communities, trade unions and other representatives of civil society, authorized state bodies), in a timely manner, information and materials necessary for the preparation of NCP meetings;
- 7) holds seminars, forums to ensure awareness of the OECD Guidelines, as well as to promote the activities of the NCP;
- 8) ensures the timely filling of the NCP website and the availability of up-to-date information about OECD publications related to responsible business conduct, received and pending appeals about violation of the provisions of the OECD Guidelines, and NCP annual reports.