

THE CODE OF RULES

Business Relations' Establishment, Doing and Termination Rules

A p p r o v e d b y

the decision of the Board of Directors of
Central Securities Depository JSC

(Minutes of absentee voting #104 (3)
dated December 11, 2018)

E f f e c t i v e f r o m

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NOTICE

English version of this Business Relations' Establishments, Doing and Termination has been translated by employees of the Central Securities Depository for information purposes only. In case of any discrepancies between two language versions hereof, the Russian version shall prevail.

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These Rules are developed in accordance with the legislation of the Republic of Kazakhstan and determine the conditions and procedure of establishment, doing and termination of business relations between Central Securities Depository JSC (hereinafter – the Central Securities Depository) and its clients under execution of the activities by the Central Securities Depository in accordance with its Code of Rules (hereinafter – the Code of Rules).

These Rules are an integrant and inherent part of the Code of Rules.

Chapter 1. GENERAL PROVISIONS

Article 1. Definitions, terms, reference (abbreviation) characters, verbal restrictions

1. Definitions, terms, reference (abbreviation) characters, verbal restrictions, determined by the legislation of the Republic of Kazakhstan and the Central Securities Depository's internal document "Introduction to the Code of Rules of Central Securities Depository JSC", are used in these Rules.
2. Other reference (abbreviation) characters, used in these Rules, shall have the following meaning:

"Contract" – Contract, concluded (supposed for conclusion, concluded) between the Central Securities Depository and its client under execution of the activities by the Central Securities Depository in accordance with its Code of Rules;

"application form" – application form, submitted (subject to be submitted, submitted) to the Central Securities Depository for establishment of business relations (for conclusion of the Contract);

"applicant" – a person who submits (submitted) an application form;

"motivated refusal" – a written message of the Central Securities Depository, addressed to an applicant and containing a refusal from establishment of business relations (from Contract's conclusion) with an applicant with indication a ground for such refusal;

"notification about establishment of business relations" – a written message of the Central Securities Depository, addressed to an applicant and confirming establishment of business relations (Contract's conclusion) with an applicant.

Article 2. Restriction of scope of application of these Rules

1. These Rules' application doesn't cover business relations between the Central Securities Depository and other persons, occurring beyond the Central Securities Depository's activities in accordance with the Code of Rules.

2. These Rules' application doesn't cover business relations between the Central Securities Depository and the following legal entities, including business relations, occurring in connection with rendering services to these legal entities by the Central Securities Depository:
 - 1) recordkeeping organizations;
 - 2) designated banks;
 - 3) organizer of an auction;
 - 4) clearing companies;
 - 5) issuers of state emission securities.
3. Conditions and procedure of establishment, doing and termination of business relations between the Central Securities Depository and legal entities of a list of whose indicated in clause 2 of this article, are determined on an individual basis by reference to the norm of applicable legislation, as well the internal documents' norms of such legal entities and the Central Securities Depository, including the Central Securities Depository's internal document "Regulation on Tariffs and Fees", included in the Code of Rules' composition.

Article 3. General provisions on business relations and Contracts

1. Business relations are established, done and terminated by conclusion, modification and termination of the Contracts in accordance with these Rules.

Moreover, doing business relations is made by execution by the Central Securities Depository and its client of the obligations, determined and stipulated by these Rules.
2. Contract, concluded between the Central Securities Depository and its client, is an Adhesion Contract, the conditions of which are determined by the Code of Rules, including these Rules.

Person, intended to establish business relations with the Central Securities Depository, may accept the indicated conditions solely by accession to the Contract in general.
3. The Central Securities Depository doesn't conclude with its clients the Contracts of specific nature, the conditions of which are different from the conditions, determined by the Code of Rules.
4. The Central Securities Depository concludes only one Contract with its client, required to get any services of the Central Securities Depository by such client, which may be rendered to such client according to the legislation of the Republic of Kazakhstan and the Code of Rules.

Conditions and procedure of rendering certain types of services by the Central Securities Depository are determined by the Central Securities Depository's internal documents, included in the Code of Rules.

5. Subject of the Contract is services, rendered to the client of the Central Securities Depository.

Conditions and procedure of rendering services by the Central Securities Depository are determined by the legislation of the Republic of Kazakhstan and the Code of Rules.

Chapter 2. CONCLUSION, CHANGE, TERMINATION OF CONTRACT

§ 1. Contract's conclusion

Article 4. General provisions

1. Person, intended to conclude the Contract, has to submit an application form to the Central Securities Depository.

Confirmation of the Contract's conclusion is the notification about establishment of business relations received from the Central Securities Depository.

2. Submitting to the Central Securities Depository the application form, an applicant confirms the following:

- 1) that the applicant got information about the Contract's conditions (i.e. with the Code of Rules), understands their meanings and agreed with them completely;
- 2) that the applicant unconditionally commits statutory obligations established and stipulated by these Rules to the Central Securities Depository;
- 3) that the applicant completely agreed with established and stipulated by these Rules:
obligations of the Central Securities Depository to its client;
rights of the Central Securities Depository to its client, rights of the client of the Central Securities Depository to the Central Securities Depository, as well with the restrictions of such rights;
- 4) that the applicant completely agreed with responsibility of the Central Securities Depository, as well with the restrictions and exclusions of such responsibility, established by these Rules.

3. Contract shall be deemed as concluded, business relations between the Central Securities Depository and its client shall be established from the date, indicated in the notification about establishment of business relations.
4. Exchange of the application form and notification about establishment of business relations in accordance with this paragraph is equaled to the Contract's written form.

Article 5. Application form

1. Application form is composed according to the form, approved by the decision of the Management Board of the Central Securities Depository (with taking note of the requirement, determined in clause 2 of this Article).

The Management Board of the Central Securities Depository is entitled by its decision (decisions) to approve different application forms, differentially in terms of categories of the application forms (for example, individuals, legal entities, residents of the Republic of Kazakhstan, non-resident of the Republic of Kazakhstan).

The Central Securities Depository publishes the application form (forms) on its website.

2. Application form, approved by the decision of the Management Board of the Central Securities Depository, shall, among other matters, contain confirmation text, provided in clause 2 of article 4 of these Rules.

Article 6. Documents, required to be enclosed to the Application form

1. Applicant shall enclose to the application form the documents under the list, approved by the decision of the Management Board of the Central Securities Depository. The indicated list may contain the requirements to the document specified in it as well.

The Management Board of the Central Securities Depository is entitled by its decision (decisions) to approve the different document lists subject to be enclosed to the application form, differentially in terms of categories of the application forms (for example, individuals, legal entities, residents of the Republic of Kazakhstan, non-resident of the Republic of Kazakhstan).

The Central Securities Depository published the document list (lists) subject to be enclosed to the application form on its website.

2. Documents, enclosed to the application form, shall comply with the requirements for such documents, established by the applicable legislation, the Code of Rules and list, approved by the decision of the Management Board of the Central Securities Depository.

Article 7. Application processing

1. The Central Securities Depository processes the application form during five working days from the day of its acceptance by the Central Securities Depository (with taking note of peculiarity, specified by clause 2 of this Article).

2. In the process of processing of the application form the Central Securities Depository shall be entitled to request from the applicant the additional documents, required for adoption of the decision about conclusion of the Contract with its applicant. In case of such request the period, determined by clause 1 of this Article, is suspended for the period before acceptance by the Central Securities Depository of the documents requested.

The documents requested shall comply with the requirements to them, specified by the applicable legislation.

3. Acceptance of the application form by the Central Securities Depository from the applicant doesn't impose the obligation to the Central Securities Depository to conclude the Contract with such applicant.
4. The Central Securities Depository shall be entitled to refuse to the applicant in conclusion of the Contract according to the ground (grounds) from the stipulated by article 8 of these Rules.
5. Not later than the expiry period, specified by clause 1 of this Article, the Central Securities Depository sends (provides) to the applicant the notification about establishment of business relations or motivated refusal.

Article 8. Grounds for refusal of Central Securities Depository JSC from conclusion of the contract under application form

The Central Securities Depository refuses in conclusion of the Contract according to the application form of any following grounds:

- 1) availability of a restriction, determined by the enactments of the Republic of Kazakhstan or resulting from the enactments of the Republic of Kazakhstan, for establishment by the Central Securities Depository of business relations with the applicant or persons of such category as the applicant is referred;
- 2) discrepancy of the application form to the form, approved by the decision of the Management Board of the Central Securities Depository;
- 3) discrepancy of the documents, enclosed to the application form according to article 6 of these Rules, list, approved by the decision of the Management Board of the Central Securities Depository; and/or
non-submitting to the Central Securities Depository of all or individual documents, requested by it in accordance with clause 2 of article 7 of these Rules;
- 4) discrepancy of the documents, enclosed to the application form according to article 6 of these Rules, requirements to such documents, determined by the applicable legislation, the Code of Rules and list, approved by the decision of the Management Board of the Central Securities Depository; and/or
discrepancy of the documents, submitted to the Central Securities Depository in accordance with clause 2 of article 7 of these Rules, requirements to such documents, established by the applicable legislation;

- 5) impossibility of clear understanding of the content of the application form and documents, enclosed to the application form according to article 6 of these Rules or provided to the Central Securities Depository in accordance with clause 2 of article 7 of these Rules, including, but not limiting by the listed, availability of the unfilled fields, obligatory for filling, or erasures, records difficult for understanding, crossing;
- 6) discrepancy of signature (signatures) and/or impress of seal in the application form and/or in the documents, enclosed to the application form according to article 6 of these Rules or submitted to the Central Securities Depository in accordance with clause 2 of article 7 of these Rules, sample (samples) in sample signatures and seal card of the applicant provided to the Central Securities Depository (in that cases where such compliance is required);
- 7) discrepancy of information about the applicant, indicated in the application form and/or in the documents, enclosed to the application according to article 6 of these Rules or submitted to the Central Securities Depository in accordance with clause 2 of article 7 of these Rules, information about applicant, included in the recordkeeping system of the Central Securities Depository or in a government database or other database to which the Central Securities Depository has an access;
- 8) on other motivated basis whereby the Central Securities Depository is unable to conclude the Contract according to the application form.

Article 9. Document exchange methods

1. Application form is submitted to the Central Securities Depository as original copy in hard copy and submitted by natural person who is covered by clause 3 of article 12 of the Central Securities Depository's internal document "Rules on Acceptance and Issue of Operational Documents", included in the Code of Rules.

Other methods of submitting the application form to the Central Securities Depository are determined by the decision (decisions) of the Management Board of the Central Securities Depository on the ground of focus on customers and information security.

2. Documents, subject to be enclosed to the application form according to article 6 of these Rules, are submitted to the Central Securities Depository together with the application form, in the same way, as the application form was submitted.

Document, subject to be submitted to the Central Securities Depository in accordance with clause 2 of article 7 of these Rules, are submitted to it in the same way, as indicated by an employee of the Central Securities Depository, responsible for processing of the application form.

3. Notification about establishment of business relations is sent (is presented) to the applicant in the same way, as the application form was submitted. The Central Securities Depository, additionally, sends a file of this notification to the applicant by e-mail to the address, indicated in the application form or in the documents, enclosed to the application form according to article 6 of these Rules.
4. Motivated refusal is sent (is provided) to the applicant in the same way as the application form was submitted. The Central Securities Depository, additionally, sends a file of motivated refusal to the applicant by e-mail to the address, indicated in the application form or in the documents, enclosed to the application form according to article 6 of these Rules.

Moreover, the Central Securities Depository may additionally notify the applicant about refusal to conclude the Contract according to the application form by any method available to the Central Securities Depository.

§ 2. Contract's modification

Article 10. General provisions

1. Modification of the Contract is made by change of its conditions, which, in turn, are modified by change of a composition and/or content of the Code of Rules.
2. Composition of the Code of Rules is changed by reason of inclusion in it or exclusion from it the Central Securities Depository's internal document, including recognition of the Central Securities Depository's internal document as invalid.

Content of the Code of Rules is changed by reason of changes and/or additions to the Central Securities Depository's internal document, included in the composition of the Code of Rules, or by reason of approval of the Central Securities Depository's internal document, included in the composition of the Code of Rules as amended.

3. Modification of the Contract's conditions is made according to the procedure, established by the legislation of the Republic of Kazakhstan, regulatory and the Central Securities Depository's internal document for approval of the Central Securities Depository's internal document, for making changes and/or additions to the Central Securities Depository's internal document, for recognition of the Central Securities Depository's internal document as invalid.

Article 11. Notification on change of Contract's conditions

1. The Central Securities Depository informs its clients about change in the Contract's conditions by publishing of the relevant news on the Central Securities Depository's website (with taking note of the requirements, determined by clause 2 of this article).

The Central Securities Depository may additionally inform all its clients of any category about change in the Contract's conditions by sending them the relevant individual written letters. In addition, such category clients is determined upon criterion of a directness of influence of such change to the clients' interests referred to the same category, and it is prohibited to send the individual written letters separately about such change to the clients of the same category.

2. The Central Securities Depository is obliged to inform its clients about change in the Contract's conditions not later than 15 calendar days until the earlier of the following date:
 - 1) dates, with which the composition of the Code of Rules will be changed (for example, date of becoming effective of new internal document of the Central Securities Depository, included in the composition of the Code of Rules, or dates with which the early approved internal document of the Central Securities Depository will be excluded from the composition of the Code of Rules or recognized as invalid);
 - 2) dates with which the content of the Code of Rules will be changed (for example, date of becoming effective of changes and/or additions to the internal documents of the Central Securities Depository, included in the composition of the Code of Rules, date of becoming effective of new internal document of the Central Securities Depository, included in the composition of the Code of Rules as amended).

§ 3. Contract's conditions

Article 12. General provisions

1. Contract may be terminated only in case if its termination is permitted by the legislation of the Republic of Kazakhstan.
2. Contract may be terminated so as at the moment of its termination the Central Securities Depository and its client have no unfulfilled obligations to each other, occurred in accordance with the legislation of the Republic of Kazakhstan and the Code of Rules (excluding case of the Contract's termination upon an initiative of the Central Securities Depository on an unilateral basis).

Article 13. Grounds for Contract's termination

In a context where the Contract's termination is permitted by the legislation of the Republic of Kazakhstan, the Contract may be terminated according to one of the following grounds:

- 1) by mutual agreement of the Central Securities Depository and its client, including in connection with disagreement of the Central Securities Depository's client with the Contract's change subject to absence of recriminatory claims at the time of termination of the Contract;
- 2) on the initiative of the Central Securities Depository, unilaterally, in connection with occurrence (revealing) of the prohibition, determined by the enactments of the Republic of Kazakhstan or resulting from the enactments of the Republic of Kazakhstan, for establishment of business relations by the Central Securities Depository with its client or persons of such category to which the Central Securities Depository's client is referred;
- 3) on the initiative of the Central Securities Depository, unilaterally, in connection with expiry of 12 month from the date of end of the determined payment period submitted by the Central Securities Depository, but unpaid by its client of the invoice for service payment (the services) of the Central Securities Depository.

Article 14. Procedure of Contract's termination

1. Termination of the Contract by mutual agreement of the Central Securities Depository and its client is made by relevant written messages prepared in no particular forms.
2. Termination of the Contract unilaterally on the initiative of the Central Securities Depository is made by sending (presenting) to the Central Securities Depositor's client a notification about future termination of the Contract not later, than 30 days prior to the date of such termination.

The Central Securities Depository's notification about future termination of the Contract is sent (presented) to the Central Securities Depositor's client with the use of one method or the following methods, which are used by such client for communication with the Central Securities Depository in accordance with the Central Securities Depository's internal document "Rules of Acceptance and Issue of Operational Documents", included in the composition of the Code of Rules. The Central Securities Depository sends, additionally, a file of such notification to such client by e-mail to the address, indicated in the client's profile.

Moreover, the Central Securities Depository may inform, in addition, its client about future termination of the Contract with the use of any method, available for the Central Securities Depository.

Chapter 3. OBLIGAIONS, RIGHTS, RESPONCIBILITY OF CENTRAL SECURITIES DEPOSITORY JSC AND ITS CLIENT

§ 1. Obligations of Central Securities Depository JSC and its client

Article 15. Obligations of Central Securities Depository JSC

1. The Central Securities Depository shall bear obligations to its client:
 - 1) to render services properly to its client in accordance with the legislation of the Republic of Kazakhstan and the Code of Rules;
 - 2) to provide to its client the report documents in accordance with the legislation of the Republic of Kazakhstan and the Code of Rules;
 - 3) to comply with the conditions and requirements, determined by legislation of the Republic of Kazakhstan and the Code of Rules, including by these Rules;
 - 4) to fulfill the obligations properly, determined for the Central Securities Depository by the legislation of the Republic of Kazakhstan and the Code of Rules, including by these Rules.
2. Other obligations of the Central Securities Depository to its client are determined by legislation of the Republic of Kazakhstan or in accordance with the legislation.

Article 16. Obligations of Central Securities Depository JSC's client

1. The Central Securities Depository's client bears the following obligations to the Central Securities Depository:
 - 1) to pay for the Central Securities Depository's services in accordance with the Code of Rules;
 - 2) to study the Contract's conditions, about changes of which the Central Securities Depository's client was informed in accordance with article 11 of these Rules;
 - 3) to comply with the conditions and requirements, determined by the legislation of the Republic of Kazakhstan and the Code of Rules, including by these Rules;
 - 4) to fulfill the obligations properly, determined for the Central Securities Depository's client by the legislation of the Republic of Kazakhstan and the Code of Rules, including by these Rules.
2. Other obligations of the Central Securities Depository's client to the Central Securities Depository are determined by the legislation of the Republic of Kazakhstan or in accordance with the legislation.

§ 2. Rights of Central Securities Depository JSC and its client

Article 17. General rights of Central Securities Depository JSC

The Central Securities Depository has the following general rights with regard to its client:

- 1) to collect payment from its client for the rendered services in accordance with the Code of Rules;
- 2) to refuse to render services to its client or to suspend to render services to its client in the cases determined by the Code of Rules and according to the procedure determined by the Code of Rules;
- 3) other rights, determined by the legislation of the Republic of Kazakhstan and the Code of Rules.

Article 18. Special rights of Central Securities Depository JSC

1. The Central Securities Depository has the following special rights to its client:

- 1) to refuse to its client to render the requested and ordered services, if rendering such service is likely connected with a possible breach of the legislation of the Republic of Kazakhstan, first of all the legislation of the Republic of Kazakhstan on anti-money laundering, combating the financing of terrorism;
- 2) to use information, without exceptions and restrictions, about its client and the client's activities, including information received from the client in accordance with the legislation of the Republic of Kazakhstan and the Code of Rules, for performance of its activities on the financial market, as well for performance of the functions, performance of the tasks and obligations, assigned on the Central Securities Depository by the legislation of the Republic of Kazakhstan;
- 3) to disclose (make public, publish, transfer) information about its client and the client's activities, including information received from the client in accordance with the legislation of the Republic of Kazakhstan and the Code of Rules for performance of the requirements of the legislation of the Republic of Kazakhstan, with certain conditions, determined by the legislation of the Republic of Kazakhstan and in a procedure, established by the legislation of the Republic of Kazakhstan;
- 4) to provide to an audit company, conducting an audit of the financial statements of the Central Securities Depository, information about its client and the client's activities, required for the purposes of conducting such audit;

- 5) to disclose any information about its client and the client's activities, if such information was received by the Central Securities Depository from the published sources (for example, from mass media or social media).
2. Special rights of the Central Securities Depository, determined by clause 1 of this Article, cover the following information which the Central Securities Depository has or available for the Central Securities Depository:
 - 1) information about the Central Securities Depository's client and the client's activities, which is a commercial secret on the securities market;
 - 2) information about the Central Securities Depository's client and the client's activities, which is declared as confidential by such client to the Central Securities Depository;
 - 3) information about the Central Securities Depository's client and the client's activities, which is declared by such client to the Central Securities Depository as information, constituting business or commercial secret of such client;
 - 4) information, constituting personal data of the natural persons – clients of clients of the Central Securities Depository and the representative of the Central Securities Depository's clients (with taking note of the conditions, requirements and peculiarities, determined by the legislation of the Republic of Kazakhstan about personal data and its protection).

Article 19. Limitation of rights of Central Securities Depository JSC

1. Unless otherwise required by article 18 of these Rules, the Central Securities Depository has no right:
 - 1) to delegate fulfillment of the obligations to other persons, determined by the legislation of the Republic of Kazakhstan and the Code of Rules for the Central Securities Depository (except as required by the legislation of the Republic of Kazakhstan and the Code of Rules);
 - 2) to render to its client the required or requested service, if the rendering of such service is connected with a breach of the legislation of the Republic of Kazakhstan, first of all, the legislation of the Republic of Kazakhstan on anti-money laundering, combating the financing of terrorism;
 - 3) to use the property of its client, to which the Central Securities Depository has access, to its own advantages or to the third parties advantages (excluding cases when the Central Securities Depository's client permits such usage);

- 4) to perform actions in breach of the norms of the legislation of the Republic of Kazakhstan and internal documents of its client, validity of which covers the Central Securities Depository as for an insider of such client, as well in breach of the obligations, undertaken by the Central Securities Depository as an insider of such client;
- 5) to spread (announce, publish, transfer) information about the client and the client's activities possessed by the Central Securities Depository or available for the Central Securities Depository:
 - which constituting commercial secrete on the securities market;
 - which is declared by such client to the Central Securities Depository as confidential;
 - which is declared by such client of the Central Securities Depository as information, constituting business or commercial secrete of such client;
2. Other restrictions of the rights of the Central Securities Depository regarding to its client are determined by the legislation of the Republic of Kazakhstan and the Code of Rules.

Article 20. Rights of Central Securities Depository JSC's client

The Central Securities Depository's client has the following rights regarding the Central Securities Depository:

- 1) to request (require) from the Central Securities Depository and to accept from the Central Securities Depository the services and the reporting documents in accordance with the legislation of the Republic of Kazakhstan and the Code of Rules;
- 2) to resort to judicial and government authorities for protection of own rights and legal interests, in case of improper fulfillment of the obligations by the Central Securities Depository, determined and stipulated by these Rules;
- 3) other rights, determined by the legislation of the Republic of Kazakhstan and the Code of Rules.

Article 21. Limitations of rights of Central Securities Depository JSC's client

1. The Central Securities Depository's client has the right:
 - 1) to delegate fulfillment of the obligations to other persons, determined for the Central Securities Depository's client by the legislation of the Republic of Kazakhstan and the Code of Rules (except as provided by the legislation of the Republic of Kazakhstan and the Code of Rules);

- 2) to spread (announce, publish, transfer) information about the Central Securities Depository and its activities which became known to the Central Securities Depository's client, and which was declared by the Central Securities Depository to the client as confidential and/or information, constituting business or commercial secret of the Central Securities Depository.
2. Other restrictions of the rights of the Central Securities Depository's client are determined by the legislation of the Republic of Kazakhstan and the Code of Rules.

§ 3. Responsibility of Central Securities Depository JSC and its client

Article 22. Responsibility of Central Securities Depository JSC

The Central Securities Depository shall be liable in accordance with the legislation of the Republic of Kazakhstan and the Code of Rules for non-fulfillment or improper fulfillment of its obligations, determined by the legislation of the Republic of Kazakhstan and the Code of Rules (with taking note of the restrictions and exclusions, determined by article 23 of these Rules).

Article 23. Limitations and exclusions of responsibility of Central Securities Depository JSC

1. The Central Securities Depository shall not be liable for non-fulfillment or improper fulfillment of its obligations, determined by the legislation of the Republic of Kazakhstan and the Code of Rules, if such non-fulfillment (improper fulfillment) is a result from:
 - 1) insufficiency, and/or inaccuracy, and/or uncertainty, and/or unreliability of information, received by the Central Security Depository from its client, and equally misrepresentation by the Central Securities Depository's client and hiding of information subject to provision to the Central Securities Depository;
 - 2) non-fulfillment or improper fulfillment by the Central Securities Depository's client of its obligations determined and stipulated by these Rules;
 - 3) lack of access of the Central Securities Depository to information of its client and/or third party, required for proper fulfillment of obligations by the Central Securities Depository, determined by the legislation of the Republic of Kazakhstan and the Code of Rules;
 - 4) temporary suspension or absolute inactivation of the recordkeeping organization of the Central Securities Depository or its designated bank;

- 5) error in work of any external (exterior) payment systems, information transfer systems (messages), communication systems, used by the Central Securities Depository under execution of the activities in accordance with the Code of Rules;
 - 6) illegal actions of the Central Securities Depository 's client and/or employee of the Central Securities Depository 's client;
 - 7) illegal actions of the third party out of impact area of the Central Securities Depository.
2. The Central Securities Depository shall not be liable for non-fulfillment or improper fulfillment of its obligations, determined by the legislation of the Republic of Kazakhstan and the Code of Rules, if such non-fulfillment (improper fulfillment) is the result of occurrence of one or several circumstances of force-majeure, which shall mean:
 - 1) natural destructive actions and cataclysms, fires, epydemies;
 - 2) man-made disasters, which were resulted from influence of the factors, being outside of impact of the Central Securities Depository and organization, rendering to the Central Securities Depository the services on ensuring its activities continuity;
 - 3) wars, acts of military nature of any kind, military coup, acts of terrorism, social unrest, public unrest, actions and decisions of the public control and administration authorities and their officials, resulting to temporary suspension or absolute inactivation of the Central Securities Depository;
 - 4) other emergency circumstances, which are not depend on the actions and wish of the Central Securities Depository, which the Central Securities Depository may not to foreseen and stop and which are negatively influence on fulfillment by the Central Securities Depository of its obligations, determined by the legislation of the Republic of Kazakhstan and the Code of Rules.
3. In case if non-fulfillment or improper fulfillment by the Central Securities Depository of its obligations, determined by the legislation of the Republic of Kazakhstan and the Code of Rules, is a result of error in work of the information systems of the Central Securities Depository, so the Central Securities Depository will not return to its client the lost profit and is responsible only for actual damage, suffered by such client as a result of this error, and only within the sum, which is due to be paid for the Central Securities Depository for rendering services, actually not rendered due to such error.

Article 24. Responsibility of Central Securities Depository JSC's client

1. The Central Securities Depository's client shall be obliged in accordance with the legislation of the Republic of Kazakhstan and the Code of Rules for non-fulfillment and improper fulfillment of its obligations, determined by the legislation of the Republic of Kazakhstan and the Code of Rules (with taking note of peculiarities, determined by clauses 2 and 3 of this article).
2. The Central Securities Depository's client shall be obliged fully for:
 - 1) breach of the obligations by such client, determined and stipulated by these Rules;
 - 2) insufficiency, and/or inaccuracy, and/or uncertainty, and/or unreliability of information, received by the Central Security Depository from such client, and equally misrepresentation by such client and hiding of information subject to provision to the Central Securities Depository;
 - 3) illegal actions of such client and/or employee of such client;
 - 4) illegal actions of the third party in the impact area of such client.
3. In case of late payment by the Central Securities Depository's client of invoice of payment for service (services), provided by the Central Securities Depository, such client shall be obliged to the Central Securities Depository in terms of penalty (fine) subject to be paid for the Central Securities Depository, and is accrued for every day of delay for payment of this invoice as carrying out of unpaid sum of this invoice and 1,5-times of amount of an official rate of refunding, determined by the National Bank of the Republic of Kazakhstan on the day of actual payment for such invoice.

Payment for penalty (fine) in accordance with a paragraph of this clause doesn't release the Central Securities Depository's client from the obligation to pay for service (services) of the Central Securities Depository, in connection with failure to pay of which such penalty was estimated.

Chapter 4. OTHER PROVISIONS

Article 25. Updating of information about Central Securities Depository JSC, used under doing business relations

1. The Central Securities Depository shall be obliged to inform its clients about change in the following information about it, used for doing business relations (hereinafter in this article – important information):
 - 1) information about form of business entity and the name of the Central Securities Depository;

- 2) information about official registration (reregistration) of the Central Securities Depository;
 - 3) business-identification number of the Central Securities Depository;
 - 4) information about composition of the Management Board of the Central Securities Depository;
 - 5) information about location (legal address) of the Central Securities Depository, about actual address of the Central Securities Depository (if such address differs from the legal address of the Central Securities Depository), about postal address of the Central Securities Depository (if such address differs from the legal address or actual address of the Central Securities Depository), about address of front-office of the Central Securities Depository (if such address differs from actual address of the Central Securities Depository);
 - 6) contact information of the Central Securities Depository, intended for use by its clients (contact numbers of the stationary business phones, contact numbers of business faxes, contact addresses of e-mail of the Central Securities Depository, other possible contact information of the Central Securities Depository);
 - 7) domain name of the Central Securities Depository's website;
 - 8) information about bank details of the Central Securities Depository, intended for use by its clients.
2. The Central Securities Depository informs its clients about change in important information by publishing the relevant news on the Central Securities Depository's website (with taking note of the requirement, determined by clause 3 of this article).

The Central Securities Depository may additionally inform all its clients of any category about change in information by sending them the relevant individual written messages about such change. At that, such category of the clients is determined with respect to direct impact of such change on the clients' interests, referred to the same category, but selecting sending of individual written messages about such change to the clients of the same category is prohibited.

3. News about change of important information, indicated in sub-clauses 1)–4) of clause 1 of this article have to be posted on the Central Securities Depository's website during five working days from the date of such change.

News about change of important information indicated in sub-clauses 5)–8) of clause 1 of article have to be posted on the Central Securities Depository's website not later than five working days prior to the date of such change.

Article 26. Updating of information about Central Securities Depository JSC's client, used under doing business relations

1. The Central Securities Depository's client shall be obliged to provide to the Central Securities Depository the notification about change of the following information about it, used under doing business relations (hereinafter in this article – important information), with enclosure, if necessary, new documents instead of document early provided or in addition to the document early provided:
 - 1) information, included in an application form;
 - 2) information, included in the documents, enclosed to an application form according to article 6 of these Rules;
 - 3) information, included in the documents, provided to the Central Securities Depository in accordance with clause 2 of article 7 of these Rules.
2. Notification of the Central Securities Depository's client about change of important information (hereinafter in this article – the notification) is prepared in any form (excepts as required by the second paragraph of this clause).

In case, if in accordance with clause 3 of this article, the Management Board of the Central Securities Depository has approved the notification form, it shall be prepared in the form, approved by the decision of the Management Board of the Central Securities Depository.
3. The Management Board of the Central Securities Depository has a right to make a decision on approval of the notification form. In addition, the Management Board of the Central Securities Depository has a right on the basis of its decision (decisions) to approve the different notification forms, differentially in terms of categories of the Central Securities Depository's clients (for example, natural persons, legal entities, residents of the Republic of Kazakhstan, non-residents of the Republic of Kazakhstan) and/or upon other criterions.

The Central Securities Depository posts the notification form (forms) on its website.
4. If only earlier period of notification is not required according to a nature of change of important information and implications of undue sending of the notification, the Central Securities Depository's client shall be obliged to provide the notification to the Central Securities Depository during five working days from the date of such change (with taking peculiarities, resulting from clause 3 of article 31 of these Rules).

5. If any other methods of provision of the notification aren't determined by the Management Board of the Central Securities Depository, the Central Securities Depository's client will submit (provide) the notification to the Central Securities Depository with the use of one of the following methods, which may be used by such client for communication with the Central Securities Depository in accordance with the Central Securities Depository's internal document "Rules on Acceptance and Issue of Operational Documents", included in the composition of the Code of Rules. The Central Securities Depository's client may, additionally, send a file of notification to the Central Securities Depository by e-mail to the address intended for notification.

Article 27. Contract's validity period

Contract will become effective from the moment of its conclusion according to clause 3 of article 4 of these Rules and is valid either permanently, or – in the event that the legislation of the Republic of Kazakhstan permits termination of the Contract – before its termination in accordance with a paragraph 3 of chapter 2 of these Rules.

Article 28. Suspension and renewal of rendering services under Contract

1. Rendering the services under the Contract is suspended either may be suspended fully or partially as per cases, determined by the Code of Rules or as per procedure, determined by the Code of Rules.

Rendering the services under the Contract, suspended in accordance with paragraph 1 of this clause, is renewed on the conditions, and determined by the Code of Rules.

2. Rendering the services under the Contract may be suspended fully or partially by mutual agreement of the Central Securities Depository and its client in the absence of mutual complaints at the moment of suspension of rendering the services under the Contract.

Suspension of rendering the services under the Contract by mutual agreement of the Central Securities Depository and its client is made by exchange of the relevant written messages, prepared in any form.

Rendering the services under the Contract, suspended in accordance with paragraph 1 of this clause, is renewed on the conditions, determined by the same or other mutual agreement of the Central Securities Depository and its client, and in the procedure, determined by such agreement.

3. Rendering the services under the Contract doesn't release the Central Securities Depository and its client from fulfillment of the obligations, occurring in accordance with the legislation of the Republic of Kazakhstan and the Code of Rules before suspension of rendering the services under the Contract.

Article 29. Procedure of settlement of disputes

1. Disputes and disagreements under the Contract, occurring between the Central Securities Depository and its client, first of all, shall be regulated without legal action, with taking note of the interests of both Parties of the Contract.
2. In case if in the process of resolution of dispute or disagreement under the Contract, occurring between the Central Securities Depository and its client, the decision will not be find without legal action, acceptable for both Parties of the Contract, such dispute (such disagreement) is permitted in accordance with the legislation of the Republic of Kazakhstan in a court where the Central Securities Depository is located.

Article 30. Final provisions

1. Issues, a resolution procedure of which isn't determined by these Rules, shall be resolved in accordance with the legislation of the Republic of Kazakhstan.
2. If after making effective these Rules by the legislation of the Republic of Kazakhstan, the provisions will be determined, which differ from the standards of these Rules, the Central Securities Depository will be regulated by such provisions.

Article 31. Transitional provisions

1. Making effective of these Rules will not result to termination of the Contract, early concluded between the Central Securities Depository and its clients in accordance with the Central Securities Depository's internal documents, included (was included) in the Code of Rules. Validity of such Contracts is considered as continued on conditions, determined by the Code of Rules, including these Rules (with taking note of peculiarity, determined by clause 3 of this article, and except as provided for in in clause 4 of this article).
2. With making effective these Rules the business relations for early concluded contract between the Integrated Securities Register JSC and its clients are continued with the Central Securities Depository on conditions, determined by the Code of Rules, including these Rules (with taking note of peculiarity, determined by clause 3 of this article, and except as provided for in clause 4 of this article).
3. For updating information about itself, used for doing business relations, the Central Securities Depository's client (including the client who earlier was the client of Integrated Securities Depository JSC) in the first, after making effective these Rules, application to the Central Securities Depository for acceptance of the service, shall submit to the Central Securities Depository the notification about such information.

The indicated notification is submitted as per procedure, determined by article 26 of these Rules.

4. In case if the legislation of the Republic of Kazakhstan permits termination of the Contract, a person, who in connection with making effective these Rules, doesn't intend to continue the business relations with the Central Securities Depository, shall submit to the Central Securities Depository the application form about its termination, prepared in any form.

President

B.Kh. Kapyshev