Concerning energy saving and energy efficiency improvement

This Law governs public relationship and defines legal, economic and organizational basics of activities of natural and legal entities in the field of energy saving and energy efficiency improvement.

Chapter 1. GENERAL PROVISIONS

Article 1. General definitions applied in this Law

The basic concepts are applied in this Law as follow:
1) certificate of accreditation – an official document issued by the authorized body in the field of energy saving and energy efficiency improvement verifying competence of the legal entities to perform energy audit and (or) examine energy saving and improvement of energy efficiency;
2) entities of the quasi-public sector – the state-run enterprises, limited liability partnerships, joint stock companies, including national management holdings, national holdings, national companies to which the government is a participant or a shareholder, and also daughter, associated and other legal entities affiliated to those in accordance with the legislative acts of the Republic of Kazakhstan;
3) Public Energy Register – a systematized and compiled information about entities of the Public energy register;
4) operator of the Public energy register – an organization which forms and maintains the Public energy register in manner specified by the Kazakh Government;
5) entities of the Public energy register – sole entrepreneurs and legal entities consuming energy resources in the volume of one thousand five hundred or more tons of coal equivalent per year, and also government bodies and entities of the quasi-public sector;
6) thermomodernization – an activity to improve thermal performance of a building, structure and facility resulting in reduction of heat energy losses;
7) energy performance class of a building, structure, facility – a level of cost efficiency of energy consumption of a building, structure, facility which characterizes its energy efficiency in the operational stage;
8) coal equivalent – an accepted for technical and economic calculations and
regulated standard unit used for comparing heat values of different organic fuels;

9) energy performance class of an electric energy-consuming device – a level of cost efficiency of energy consumption of an electric energy-consuming device which characterizes its energy efficiency in the operational stage;

10) energy resources – the aggregate natural and manufactured carriers of energy, which stored energy is used at the present time or can be used in the future in economic and other types of activities, and also types of energy (atomic, electric, chemical, electromagnetic, heat and other types of energy);

11) effective use of energy resources – achieving technically possible and economically viable level of use of energy resources;

12) energy audit – collection, processing and analysis of data on the use of energy resources to assess capability and potential of energy saving and prepare a final report;

13) management in the energy saving and energy efficiency improvement field (energy management) – a set of administrative actions to ensure the rational consumption of energy resources and improve energy efficiency of the controlled object, upon that to elaborate and implement energy efficiency policy, action plans, monitoring procedures and techniques, assessment of energy consumption and other actions focused on improving energy efficiency;

14) energy efficiency – characteristics reflecting the ratio of useful effect of use of energy resources to the expenses of energy resources produced to achieve such an effect;

15) energy saving – implementation of organizational, technical, technological, economic and other measures oriented to reduce the volume of energy resources used;

16) energy-saving equipment – equipment enabling efficient and effective use of energy resources;

17) accreditation in the energy saving and energy efficiency improvement field – a procedure of official recognition, by the authorized body in the field of energy saving and improvement of energy efficiency, of competence of the legal entities to perform energy audit and (or) examine energy saving and energy efficiency improvement;

18) authorized body in the energy saving and energy efficiency improvement field (hereinafter as the authorized body) – a central executive body administering energy saving and energy efficiency related activities;

19) examination of energy saving and energy efficiency improvement – an inspection carried out to assess energy efficiency of architectural and construction concepts and technical solutions related to the use of energy resources and optimization of consumers’ power supply costs when erecting, reconstructing or fully repairing buildings, structures, facilities;

20) energy-saving material – a material allowing to improve energy efficiency of use of energy resources.

Article 2. Legislation of the Republic of Kazakhstan concerning energy saving and energy efficiency improvement

1. Legislation of the Republic of Kazakhstan concerning energy saving and energy efficiency improvement is based on the Constitution of the Republic of Kazakhstan and consists of this Law and other regulatory acts of the Republic of Kazakhstan.
2. If an international treaty ratified by the Republic of Kazakhstan specifies requirements other than those in this Law, the international treaty shall prevail.

Chapter 2. STATE REGULATION IN THE ENERGY SAVING AND ENERGY EFFICIENCY IMPROVEMENT FIELD

Article 3. Scope of the state regulation in the energy saving and energy efficiency improvement field

The scope of the state regulation in the energy saving and energy efficiency improvement field is as follow:
1) carry out technical regulation in the energy saving and energy efficiency improvement field;
2) pursue well-balanced tariff and pricing policies in the field of production and consumption of energy resources;
3) encourage energy saving and energy efficiency improvement, including by the use of energy-saving equipment and materials;
4) exercise state control over the effective and efficient use of energy resources;
5) promote economic, environmental and social advantages of the effective and efficient use of energy resources, increase social education in this field;
6) enforce the Kazakh legislation concerning energy saving and energy efficiency improvement.

Article 4. Competence of the Kazakh Government

The Government of the Republic of Kazakhstan shall:
1) develop the scope of the state policy in the energy saving and energy efficiency improvement field;
2) coordinate activities on energy saving and energy efficiency improvement;
3) effect international cooperation in the energy saving and energy efficiency improvement field;
4) approve rules of accreditation in the energy saving and energy efficiency improvement field;
5) approve energy consumption standards, standard values of capacity rates for electric networks of the sole entrepreneurs and legal entities;
6) approve procedure of formation and maintenance of the Public energy register;
7) identify operator of the Public energy register;
8) approve performance evaluation mechanism for the local executive bodies regarding energy saving and energy efficiency improvement;
9) specify energy performance requirements for buildings, structures, facilities and elements thereof as part of the building envelopes;
10) specify energy performance requirements for vehicles;
11) specify energy performance requirements for electric motors;
12) approve rules of determination and revision of energy performance classes for buildings, structures, facilities;
13) approve energy audit procedure and energy performance examination procedure;
14) approve requirements on energy saving and energy efficiency improvement coming upon pre-project and (or) project (design and estimate) documentation for buildings, structures, facilities;

15) approve model agreement in the energy saving and energy efficiency improvement field;

16) approve sector-specific program in the energy saving and energy efficiency improvement field;

17) approve requirements to the format and content of the action plan on energy saving and energy efficiency improvement developed by the Public energy sector’s entity upon results of energy audit;

18) identify operating procedures of the training centers for retraining and professional development of the personnel involved in energy audit and (or) examination of energy saving and energy efficiency improvement, and also establishment, introduction and organization of energy management system;

19) approve the format and time for submission by the central executive bodies of reports on implementation of state policy in the energy saving and energy efficiency improvement field;

20) carry out other functions laid upon by the Constitution, laws of the Republic of Kazakhstan and deeds of the Kazakh President.

Article 5. Competence of the authorized body

The authorized body shall:
1) implement the state policy in the energy saving and energy efficiency improvement field;
2) effect, within its competence, international cooperation in the energy saving and energy efficiency improvement field;
3) carry out inter-industry coordination of activity of government authorities in the energy saving and energy efficiency improvement field;
4) form and maintain the Public energy register;
5) enforce the Kazakh legislation on energy saving and energy efficiency improvement;
6) develop regulatory acts in the field of energy saving and energy efficiency improvement;
7) develop and approve the format of improvement notice with regard to the Kazakh legislation in the energy saving and energy efficiency improvement field;
8) develop sector-specific program in the energy saving and energy efficiency improvement field;
9) develop and post at its web site the list of the Public energy register’s entities that failed to ensure the annual decline of consumption of energy resources, water per unit of output, size of the building, structure and facility down to the values identified upon energy audit results, including the public offices inobservant of energy consumption standards;
10) organize and coordinate the conduct of R&D, and also technological developments in the energy saving and energy efficiency improvement field;
11) establish a permanent accreditation commission in the energy saving and energy efficiency improvement field, approve its membership and operating procedures;
12) carry out accreditation in the energy saving and energy efficiency improvement field and approve the format of certificate of accreditation;
13) keep the register of legal entities which obtained the certificate of accreditation;
14) organize establishment and work of the training centers for retraining and professional development of the staff involved in energy audit and (or) examination of energy saving and energy efficiency improvement, and also establishment, introduction and organization of energy management system;
15) form the list of training centers for retraining and professional development of the staff involved in energy audit and (or) examination of energy saving and energy efficiency improvement, and also establishment, introduction and organization of energy management system;
16) monitor the implementation of the state policy in the energy saving and energy efficiency improvement field, analyze reports submitted by the central executive bodies under the format and in terms specified by the Kazakh Government;
17) develop a model agreement in the energy saving and energy efficiency improvement field;
18) develop and approve the formats of departmental reporting forms, checklists, risk assessment criteria, inspection plans in accordance with the Kazakh Law “Concerning state control and surveillance in the Republic of Kazakhstan”;
19) submit the operator of the Public energy register to the Kazakh Government for approval;
20) carry out other authorities envisaged by this Law, other laws of the Republic of Kazakhstan, acts of the Kazakh President and Government.

Article 6. Competence of other government authorities in the energy saving and energy efficiency improvement field

1. The central executive bodies, within their competence, shall implement the state policy in the energy saving and energy efficiency improvement field, and submit to the authorized body the reports on energy saving and energy efficiency improvement under the format and in time specified by the Kazakh Government.
2. The authorized state body on architecture, town planning and construction issues shall:
   1) ensure compliance of the architectural and construction and other pre-project and (or) project (design and estimate) documentation developed and approved for reconstruction and construction of buildings, structures, facilities to the energy saving and energy efficiency improvement requirements;
   2) ensure development and approval of pre-project and (or) project (design and estimate) documentation for standard multifamily houses subject to thermomodernisation;
   3) fulfill other authorities envisaged by this Law, other laws of the Republic of Kazakhstan, deeds of the Kazakh President and Government.
3. The authorized state body in the technical regulation field shall:
   1) exercise the state control over class indexing and characterizing energy performance in the technical documentation and on the labels (tags) of the electric energy-consuming devices in accordance with the technical regulation of the Customs Union;
   2) Fulfill other authorities envisaged by this Law, other laws of the Republic of Kazakhstan, deeds of the Kazakh President and Government.
4. Local executive bodies in oblasts (regions of Kazakhstan) shall:
   1) include energy saving and energy efficiency improvement activities in the
programs of development for the appropriate territory;
  2) implement, within its competence, the state policy in the field of energy saving and energy efficiency improvement;
  3) monitor, within its competence, the compliance of the government agencies with the energy consumption standards;
  4) fulfill other functions in accordance with the Kazakh legislation.
5. The local executive bodies of the cities of republican significance, capital shall:
   1) include energy saving and energy efficiency improvement activities in the programs of development for the appropriate territory;
   2) implement, within its competence, the state policy in the energy saving and energy efficiency improvement field;
   3) monitor, within its competence, the compliance of the government agencies with the energy consumption standards, launch energy audits, thermomodernisation of the government offices, purchase and installation of energy resource meters and automatic heat consumption control system for the government offices, and also ensure modernization of park and street lighting subject to the use of energy-saving lamps;
   4) organize disposal of mercurial energy-saving lamps used by the population;
   5) fulfill other functions in accordance with the Kazakh legislation.
6. The local executive bodies of rayons (towns of oblast significance) shall:
   1) include the energy saving and energy efficiency improvement activities in the programs of development of appropriate rayon (town of oblast significance);
   2) implement, within their competence, the state policy in the energy saving and energy efficiency improvement field;
   3) monitor, within their competence, the compliance of the government agencies with the energy consumption standards, launch energy audits, thermomodernisation of government offices, purchase and installation of energy resource meters and automatic heat consumption control system for the government offices, and also ensure modernization of park and street lighting subject to the use of energy-saving lamps;
   4) organize disposal of mercurial energy-saving lamps used by the population;
   5) fulfill other functions in accordance with the Kazakh legislation.

Article 7. State control of compliance with the Kazakh legislation concerning energy saving and energy efficiency improvement

1. The state control in the energy saving and energy efficiency improvement field is exercised over:
   1) accuracy of the information submitted to the Public energy register;
   2) execution of requirements on energy performance of buildings, structures and facilities, except for objects specified in para 3 Article 11 herein;
   3) compliance of the sole entrepreneurs and legal entities with the energy consumption standards and standard values of capacity rates for the electric networks;
   4) conduct of energy audits and examination of energy saving and energy efficiency improvement, and also compliance with the requirements coming upon the training centers for retraining and professional development of the personnel involved in energy audit and (or) examination of energy saving and energy efficiency improvement, and also establishment, introduction and organization of energy
5) compliance with other requirements envisaged by this Law and other regulatory acts in the energy saving and energy efficiency improvement field.

2. The state control over compliance with the Kazakh legislation concerning energy saving and energy efficiency improvement shall be exercised in the form of inspection and other formats.

The inspection shall be carried out in compliance with the Kazakh Law “Concerning the state control and surveillance in the Republic of Kazakhstan”.

Chapter 3. GENERAL REQUIREMENTS IN THE ENERGY SAVING AND ENERGY EFFICIENCY IMPROVEMENT FIELD

Article 8. Use of energy-saving equipment and materials, restrictions on the commissioning of new objects and payment for the consumed heat energy

1. The construction projects for objects consuming energy resources should envisage the obligatory use of energy-saving materials, installation of energy resource meters, automatic heat consumption control systems.

The projects of multifamily houses should envisage the obligatory use of energy-saving materials, installation of general heat energy meters and door-to-door electric power meters, meters for cold and hot water, gas, and also meters - control devices for heating systems, automatic heat consumption control systems.

2. It is restricted to accept (commission) new objects which are not equipped with the corresponding energy resource meters and automatic heat consumption control systems.

3. Provisions of paras 1 and 2 herein, in terms of automatic heat consumption control systems, shall not cover facilities with the hourly average heat energy consumption (including consumption of heat energy, heating, ventilation, conditioning and hot water supply) less than 50 kW.

4. Consumers shall pay for the consumed heat energy according to the tariffs, differentiated against availability or absence of heat energy meters approved in accordance with the Kazakh legislation concerning natural monopolies and regulated markets.

Article 9. Public energy register

1. Information submitted to the Public energy register shall include:

1) name, address and core businesses of the entities of the Public energy register;

2) extent of production, output, consumption, transfer and losses of energy resources and water in terms of money and in kind per calendar year;

3) action plan on energy saving and energy efficiency improvement developed by the Public energy register’s entity upon results of energy audit, and also amendments to the action plan;

4) results of implementation of action plan on energy saving and energy efficiency improvement developed by the Public energy register’s entity upon results of energy audit, over the reporting period;

5) actual energy consumption per unit of output and (or) consumption of energy resources for heating per unit of size of the buildings, structures, facilities;
6) a copy of energy audit report (opinion);
7) information concerning equipment with energy resource meters.

2. Information specified in para 1 herein shall be submitted by the Public energy register’s entities except for items 3), 4) 6) for the government agencies, to the operator of the Public energy register in hard and soft copies on an annual basis by March 1.

3. Based on data of the Public energy register and government authorities, the authorized body shall analyze and forecast energy intensity of the gross domestic product and efficiency of the use of energy resources in the Republic of Kazakhstan.

Article 10. Energy management

1. Entities of the Public energy register consuming energy resources in the volume of one thousand five hundred or more tons of coal equivalent per year shall develop, introduce and organize the energy management system pursuant to international energy management standards.

2. Control over development, introduction and organization of energy management system shall be laid upon the chief executive officers of the Public energy register’s entities consuming energy resources in the volume of one thousand five hundred or more tons of coal equivalent per year.

Article 11. Energy performance of buildings, structures, facilities

1. Buildings, structures and facilities designed and under construction (under reconstruction or capital repair) shall comply with the Kazakh legislation concerning energy saving and energy efficiency improvement.

2. Requirements on energy performance of buildings, structures, facilities should include:
   1) indicators characterizing specific value of energy resources consumption in the building, structure, facility;
   2) requirements to architectural, space-planning, technological, constructional and engineering solutions affecting the energy performance of buildings, structures, facilities;
   3) requirements to engineering systems and technological equipment used in buildings, structures, facilities;
   4) requirements to technologies and materials enabling avoidance of irrational (unreasonable) consumption of energy resources incorporated in the project documentation and applied during construction (reconstruction, capital repair) of buildings, structures, facilities.

   The fulfillment of energy performance requirements during commissioning of buildings, structures, facilities shall be laid upon the builder.

3. The energy performance requirements shall not relate to buildings, structures, facilities as follow:
   1) buildings, structures, facilities which attribute to the historic and cultural heritage;
   2) temporary outbuildings, utility rooms with service life two or less years;
   3) detached houses, and also summer cottages and structures on garden plots;
4) stand-alone buildings, structures, facilities with gross area less than fifty square meters;
5) hieratic buildings, structures and facilities;
6) stand-alone unheated buildings, structures and facilities.

4. The required energy performance class shall be specified in the client’s terms of reference for the construction (reconstruction, capital repair) project and indicated in the data sheet (technical passport) of the built and commissioned facility during registration of deeds after commissioning the constructed (reconstructed, repaired) facility.

5. The energy performance class of the existing buildings, structures, facilities and its revision shall be determined in manner prescribed by the Kazakh Government, upon results of the energy audit and specified in the technical data sheet (technical passport) of the building, structure, facility.

The energy audit report shall be enclosed to the data sheet (technical passport) of buildings, structures, facilities.

Article 12. Electric energy-consuming devices

1. The technical documentation and labels (tags) of electric energy-consuming devices marketed throughout Kazakhstan should contain information on the class and characteristics of their energy performance.

2. The list of electric energy-consuming devices to which the provisions of para 1 herein apply, shall be determined by the Customs Union’s technical regulation.

3. The energy performance class and characteristics shall be defined in accordance with the technical regulation of the Customs Union and effected by the manufacturer (importer).

4. Manufacturers (importers) shall specify the energy performance class and characteristics in the technical documentation and on labels (tags) of the electric energy-consuming devices in accordance with the technical regulation of the Customs Union.

Article 13. Restrictions on production, sale and use of the output

1. With the view of energy saving and energy efficiency improvement it shall be prohibited to:

1) manufacture, sell electric incandescent lamps with a capacity of 25 or more W, which can be used at AC circuits for the lighting purposes;

2) procure for the government offices and entities of the quasi-public sector the electric incandescent lamps with a capacity of 25 or more W, which can be used at AC circuits for the lighting purposes;

3) manufacture materials and use technology and materials incompliant with the requirements specified by the Kazakh legislation concerning energy saving and energy efficiency improvement, in buildings, structures and facilities under construction (reconstruction, capital repair);

4) manufacture, sell electric energy-consuming devices not containing information on the class and characteristics of their energy performance under the Customs Union’s technical regulation;

5) use, for the purpose of commercial accounting, class 2,5 accuracy electricity meters.

2. In the newly erected facilities and during replacement of electricity meters in
the existing facilities it shall be prohibited to use electricity meters unappropriated for the differentiated control and accounting of electric energy subject to time of day.

Chapter 4. ACTIVITIES FOCUSED ON ENERGY SAVING AND ENERGY EFFICIENCY IMPROVEMENT

Article 14. Accreditation in the energy saving and energy efficiency improvement field

1. Energy audit and examination of energy saving and energy efficiency improvement shall relate to the accredited types of activities in the energy saving and energy efficiency improvement field.

2. Accreditation in the energy saving and energy efficiency improvement field shall be carried out in accordance with the rules approved by the Kazakh Government.

3. A permanent accreditation commission in the energy saving and energy efficiency improvement field shall be established to consider and make a decision on accreditation-related documents of the legal entities, which composition and operating procedures shall be determined by the authorized body’s chief executive officer.

The accreditation documents shall be considered by the commission within thirty working days reckoned from the moment of their receipt by the authorized body.

If the authorized body makes a favorable decision, the applicant shall be issued a certificate of accreditation.

In the event of a refusal of accreditation, the applicant shall be delivered a motivated written letter of reply of such refusal.

The reasons for refusal of accreditation shall be:

1) untrustworthy information in the submitted documents;
2) incompliance of the submitted information with the requirements on the conduct of energy audit and (or) examination of energy saving and energy efficiency improvement;
3) availability of a court decision prohibiting engagement in the declared activity.

4. The certificate of accreditation issued by the authorized body shall be valid across the Republic of Kazakhstan for five years.

The validity of the certificate of accreditation is counted from the moment the accreditation decision is made.

5. The certificate of accreditation shall be withdrawn in manner prescribed by the Kazakh Code of administrative violations.

6. The foundations for termination of the certificate of accreditation, not related to the violated legislation concerning energy saving and energy efficiency improvement, shall be:

1) a written request by the accredited entity;
2) a liquidation or bankruptcy of the accredited entity.

7. Requirements coming upon energy audit and examination of energy saving and energy efficiency improvement to which the legal entities shall be compliant, shall be specified by the Kazakh legislation concerning energy saving and energy efficiency improvement.
Article 15. Examination of energy saving and energy efficiency improvement

1. The pre-project and (or) project (design and estimate) documentation for the construction of new or expansion (capital repair, reconstruction) of existing buildings, structures and facilities with the rate of energy resources consumption equal to five hundred or more tons of coal equivalent per calendar year shall be subject to obligatory examination in terms of energy saving and energy efficiency improvement.

The conduct of examination of energy saving and energy efficiency improvement is obligatory for pre-project and (or) project (design and estimate) documentation for the construction of facilities unprovided with the valid national or intergovernmental standards developed under the specific technical provisions (special standards) replacing the missing standards.

The mandatory examination of energy saving and energy efficiency improvement shall not be carried out on projects (pre-project and (or) project (design and estimate documentation) liable to the state expert review for the construction of facilities, executed in accordance with the effective national or intergovernmental regulatory requirement on energy saving and energy efficiency improvement, which total yearly consumption of energy resources equal to five hundred or less tons of coal equivalent per calendar year.

2. The major task of examination of energy saving and energy efficiency improvement shall be match-making of pre-project and (or) project (design and estimate) documentation for the construction and reconstruction of buildings, structures and facilities to the Kazakh legislation concerning energy saving and energy efficiency improvement.

3. The right to conduct examination of energy saving and energy efficiency improvement shall be enjoyed by the legal entities which obtained a certificate of accreditation in this business.

4. The legal entities shall not be entitled to examine energy saving and energy efficiency improvement of the pre-project and (or) project (design and estimate documentation) developed by them or with their participation.

5. Examination of energy saving and energy efficiency improvement shall be carried out at the expense of appearer (client) based on the agreement concluded in accordance with the Kazakh legislation.

6. The conduct of mandatory examination of energy saving and energy efficiency improvement shall result in the expert opinion.

The expert opinion shall be issued on a letter-head of the legal entity which has examined energy saving and energy efficiency improvement.

7. Projects being amended and affecting the approved basic cost/performance ratio in terms of energy saving and energy efficiency improvement shall be subject to re-examination in manner prescribed for the newly developed projects.

8. Pre-project and (or) project (design and estimate) documentation for buildings, structures and facilities subject to the mandatory examination of energy saving and energy efficiency improvement shall contain a section on energy saving and energy efficiency improvement.

9. It is prohibited to approve projects without favourable opinion upon the mandatory examination of energy saving and energy efficiency improvement.

10. Pre-project and (or) project (design and estimate) documentation specified
by para 1 herein under which upon expiry of three years after the examination, the construction or expansion (capital repair, reconstruction) of existing buildings, structures, facilities, equipment with the rate of energy resources consumption equal to five hundred or more tons of coal equivalent per calendar year have not been started, shall be used only after the re-examination of energy saving and energy efficiency improvement.

Article 16. Energy audit

1. The right to conduct an energy audit is enjoyed by the legal entities which obtained a certificate of accreditation in this business.

2. The energy audit is carried out at the expense of the appearer (client) based on the agreement concluded in accordance with the Kazakh legislation.

3. Upon results of energy audit, the report on energy saving and energy efficiency improvement shall be made.

   The energy audit report shall be issued on a letter-head of the legal entity which has carried out energy audit.

4. The Public energy register’s entities, except for the government offices, shall undergo mandatory energy audit at least once every five years.

5. The Public energy register’s entities, except for the government offices, shall within three years after the entry into force of this Law obtain report on results of conducted energy audit.

Chapter 5. STATE SUPPORT IN THE ENERGY SAVING AND ENERGY EFFICIENCY IMPROVEMENT FILED

Article 17. Scope of the state support in the energy saving and energy efficiency improvement field

The state support in the energy saving and energy efficiency improvement field shall be provided in the line of:

1) encouraging use of energy-saving equipment;

2) assisting in educational activity and information support of activities in the energy saving and energy efficiency improvement field;

3) implementing the comprehensive energy efficiency improvement plan;

4) conducting R&D in the energy saving and energy efficiency improvement field, including financing of development and advancement of procedural and regulatory framework in the energy saving and energy efficiency improvement field;

5) disposing of mercurial energy-saving lamps used by the population;

6) establishing training centers for retraining and professional development of the personnel involved in energy audit and (or) examination of energy saving and energy efficiency improvement, and also establishment, introduction and organization of the energy management system;

7) rendering assistance to owners of apartment buildings (residential buildings), accommodation facilities (apartments) to pay for activities focused on ensuring energy saving and energy efficiency improvement in accordance with the Kazakh legislation concerning housing relationship.
Article 18. Agreement in the energy saving and energy efficiency improvement field

1. The agreement in the energy saving and energy efficiency improvement field shall be concluded on a voluntary basis among the authorized body, local executive body of the oblast, city of republican significance, the capital and the Public energy register’s entity consuming energy resources in the volume of one hundred thousand or more tons of coal equivalent per year (hereinafter as Agreement).

2. The foundation for the Agreement is the application of the Public energy register’s entity consuming energy resources in the volume of one hundred thousand or more tons of coal equivalent per year, to the local executive body of oblast, city of republican significance, capital.

The subject of the Agreement is the assumption by the Public energy register’s entity of obligations to reduce the consumption of energy resources by twenty five or more per cent within five years by increasing efficiency of the use of energy resources. The Agreement shall be concluded for a five year period at least.

3. The Agreement shall be terminated in accordance with the provisions of the Kazakh civil legislation.

Article 19. Information support of the energy saving and energy efficiency improvement activity

Information support of the energy saving and energy efficiency improvement activity shall be provided by the central and local executive bodies and entities of quasi-public sector on a regular basis through:

1) discussion of energy saving programs, promotion of the effective use of energy resources;
2) coordination of development of demonstration projects on high energy performance;
3) assistance in mounting exhibitions of energy-saving materials and equipment.

Chapter 6. RIGHTS AND OBLIGATIONS OF THE ENTITIES IN THE ENERGY SAVING AND ENERGY EFFICIENCY IMPROVEMENT FIELD

Article 20. Rights and obligations of the Public energy register’s operator

1. The operator of the Public energy register shall be entitled to:

1) request and receive information necessary to form and maintain the Public energy register from the entities of the Public energy register, natural and legal entities fulfilling energy audit and (or) examining energy saving and energy efficiency improvement;

2) submit proposals to the authorized body regarding formation of the Public energy register;

3) exercise other rights envisaged by the Kazakh laws.

2. The operator of the Public energy register shall be obliged to:

1) follow the procedure of forming and maintaining the Public energy register;

2) transfer information to the authorized body concerning entities of the Public
energy register evading information submission or providing untrustworthy information;
3) assess and analyze effectiveness of energy saving and energy efficiency improvement activities carried out by the Public energy register’s entities and submit information to the authorized body;
4) fulfill other obligations envisaged by the Kazakh laws.

Article 21. Rights and obligations of entities in the energy saving and energy efficiency improvement field

1. Entities in the energy saving and energy efficiency improvement field specified in paras 2-5 herein shall be entitled to:
   1) submit proposals to the government authorities concerning energy saving and energy efficiency improvement;
   2) receive information from the authorized body regarding energy saving and energy efficiency improvement;
2. Sole entrepreneurs and legal entities shall be obliged to:
   1) follow the capacity rate standards in the electric networks;
   2) not to exceed energy consumption standards;
   3) when producing and transferring energy resources and water, prevent direct leakage thereof due to the defected equipment, fittings, operation of pipelines without heat insulation or inobservance of operating regime of energy consuming equipment.
3. Entities of the Public energy register shall be obliged to submit information specified in Article 9 herein and, except for the government agencies, shall ensure annual decline of energy resources and water consumption volume per unit of output, size of the buildings, structures and facilities down to values determined upon results of energy audit, within five years after the energy audit completion.
4. Legal entities that obtained the certificate of accreditation for the conduct of energy audit and (or) examination of energy saving and energy efficiency improvement shall be obliged to:
   1) follow the procedure of energy audit and examination of energy saving and energy efficiency improvement specified by the Kazakh legislation concerning energy saving and energy efficiency improvement;
   2) in a timely manner, execute instructions of the authorized body related to the remedy of violations in the course of energy audit and (or) examination of energy saving and energy efficiency improvement;
   3) in followup of six months, on or before July 15 and January 15 submit to the authorized body copies of all energy audit opinions and expert opinions on examination of energy saving and energy efficiency improvement issued over the reporting period.
5. Training centers for retraining and professional development of the personnel involved in energy audit and (or) examination of energy saving and energy efficiency improvement, and also establishment, introduction and organization of energy management systems shall meet the requirements specified by the Kazakh legislation.

Chapter 7. FINAL PROVISIONS
Article 22. Responsibility for violation of the Kazakh legislation concerning energy saving and energy efficiency improvement

The violation of the Kazakh legislation concerning energy saving and energy efficiency improvement shall invoke responsibility in accordance with the laws of Kazakhstan.

Article 23. Appeal of action (inaction) of the authorized body’s official

Natural and legal entities are entitled to appeal against action (inaction) of the authorized body’s official in manner prescribed by the law.

Article 24. Enactment of this Law

1. This Law shall enter into force upon expiry of six months after its first official publication, except for:
   - item 9) of Article 5, which shall enter into force as of 1 January 2013;
   - para 2 of Article 8, which shall enter into force as of 1 January 2013;
   - para 4 of Article 8, which shall enter into force as of 1 July 2012;
   - Article 9, which shall into force as of 1 January 2013;
   - para 1 of Article 10, which shall enter into force as of 1 January 2014;
   - item 1) of para 1 of Article 13, which shall enter into force as of 1 July 2012 for the electric incandescent lamps with a capacity of 100 W or more, as of 1 January 2013 for 75 W or more, as of 1 January 2014 for 25 W or more;
   - item 5) of para 1 of Article 13, which shall enter into force as of 1 January 2014;
   - paras 1 and 9 of Article 15, which shall enter into force as of 1 January 2013;
   - para 3 of Article 21, which shall enter into force as of 1 January 2013.


President of the Republic of Kazakhstan

N. Nazarbayev