

For the purpose of ensuring compliance with the legislation of the Republic of Kazakhstan and executing customs control, the Government of the Republic of Kazakhstan shall be entitled to establish certain prohibitions and restrictions with regard to operations with goods at free warehouses.

Article 241
Time Limit for Storing Goods at Free Warehouses

Goods may be stored at free warehouses without time limitations, provided the free warehouses are operating.

Article 242
Customs Control and Customs Clearance of Goods Placed under the
Customs Regime of a Free Warehouse

Customs control and customs clearance of goods placed in free warehouses, as well as those being exported from free warehouses, shall be carried out in accordance with the procedure defined by an authorized body on customs issues.

Article 243

1. A free warehouse shall be established after obtaining a license from the authorized body on customs issues. The license shall be issued to the Kazakhstani resident who owns the premises intended for the establishment of a warehouse, or who is authorized to dispose of them, based on ownership or operating rights.
2. Relations concerning licensing which are not covered in this Chapter,

1. A license may be withdrawn by the authorized body on customs issues in the following cases:
 - 1) deliberate submission of false information;
 - 2) the licensee fails to comply with the requirements specified in the license;
 - 3) the reasons that caused the previous suspension of the license have not been eliminated;
 - 4) the court prohibits the licensee to be engaged in the activity of rendering services of a free warehouse.
2. The decision to withdraw a license shall be made by the order of the head of the authorized body on customs issues, and shall indicate the grounds for making the decision.
3. The license for establishing of a free warehouse of the owner who is the subject of small enterprise, shall be withdrawn based on the decision of the court.
4. Withdrawal of the license shall become effective as of the date that the decision on withdrawal was made.
5. In case of the withdrawal of license, the owner of the free warehouse shall be obliged to return the license to the authorized body on customs issues within a period of time not to exceed fifteen calendar days after receipt of the decision on withdrawal.
6. A repeated application for the issuance of a license for establishing a free warehouse may be considered upon the expiration of two years after the date that the decision on withdrawal was made, provided that the reasons, which resulted in withdrawal were eliminated.

Article 251

Termination of the Validity of a License for Establishing a Free Warehouse

1. The validity of a license for establishing a free warehouse shall terminate upon a decision by the authorized body on customs issues in the following cases:
 - 1) the license is withdrawn;
 - 2) the owner of the free warehouse submits written application to the authorized body on customs issues for termination of free warehouse operations;
 - 3) a juridical person, who is the holder of a free warehouse license, is re-organized or liquidated.
2. The decision to terminate the validity of a license for establishing a free warehouse shall be made by the order of the head of the authorized body on customs issues, and shall indicate the reasons for the termination.
3. When a free warehouse terminates operations in the event that a juridical person re-organizes or is liquidated, the owner of the free warehouse shall be obliged to return the license to the authorized body on customs issues within fifteen calendar day period as of the moment of termination of the validity of the license.
4. When a free warehouse terminates operations goods which were placed under the free warehouse customs regime prior to when the decision terminate the validity of the license was made may be moved to a different free warehouse, pursuant to procedures determined by Chapter 12 of this Code or, with regard to these goods, the validity of the free warehouse customs regime must terminate within thirty calendar days as of the day that the decision to terminate the license was made.

When goods stored at a free warehouse undergo processing operations, the customs authority shall inform the person who placed those goods into the free warehouse of its liquidation.

In the process, the customs free warehouse regime shall be valid with respect to those goods until the final processing operation is completed.