

Approved by
Resolution No. 431
of the Government
of the Kyrgyz
Republic, dated
August 1, 2014

PROCEDURE
for record (profile) registration of legal entity as free
economic zone entity

*(as amended by Resolution No. 139 of the Government of the
Kyrgyz Republic dated March 15, 2018)*

1. This procedure for the record (profile) registration of a legal entity as an entity of free economic zone (hereinafter, "the Procedure") is developed in accordance with the Law of the Kyrgyz Republic "On Free Economic Zones in the Kyrgyz Republic" and defines the procedure for record registration of legal entities intending to obtain the status of an entity of free economic zone (hereinafter, "FEZ").

2. A legal entity intending to obtain the status of FEZ Entity shall submit an application to the general directorate of FEZ for the conclusion of an operating agreement/ contract containing the following information:

- intended activity;
- on the land plot size required for the intended activity;
- on the expected amount of capital investments, during the year from the date of conclusion of the operating agreement in the territory of FEZ

3. An applicant shall enclose the following documents to an application:

- a copy of the state registration/re-registration certificate;
- a copy of the taxpayer registration form;
- a copy of the founding documents;
- a business plan.

The documents referred to in paragraphs 2 and 3 of this Procedure shall be accepted by the general directorate of FEZ as per checklist.

4. The general directorate of FEZ shall verify the presence of documents specified in paragraph 2 and 3 of this Procedure, accept such documents and within five business days from the day of receipt of document shall notify an applicant on one of the following decisions:

- on the conclusion of an operating agreement in the territory of FEZ;
- on refusal to conclude the operating agreement in the territory of FEZ stating the reasoned grounds for such refusal.

5. The refusal to conclude an operating agreement in the territory of FEZ shall be allowed in the following cases:

- A legal entity fails to submit the documents specified in paragraphs 2 and 3 of this Procedure;
- No land plot on the territory of FEZ is available that meets the conditions specified in the application to conclude an operating agreement;

- Inconsistency of the applicant's intended activities with the types of activities that are allowed in the territory of FEZ;
- Non-compliance of the business plan with the conditions specified in the application for the conclusion of an operating agreement in the territory of FEZ.

6. The decision of the general directorate of FEZ on refusal to conclude an operating agreement in the territory of FEZ may be appealed in administrative/ pre-trial order, and subsequently, by judicial means pursuant to the legislation of the Kyrgyz Republic on the basics of administrative activities and procedures

(as amended by Resolution No. 139 dated March 15, 2018)

7. A legal entity shall be recognized as FEZ entity from the date an appropriate entry is made to the register of FEZ entities.

8. The general directorate of FEZ shall make a record in the register of FEZ entities about the registration of a legal entity and issue a certificate confirming the record (profile) registration of the legal entity as FEZ Entity within three (3) working days from the date of signing the operating agreement, in the form enclosed in the annex to this Procedure.

The general directorate of FEZ shall provide public access to the register of FEZ entities, including mandatory placement of the register on the web-site of the general directorate of FEZ.

9. The general directorate of FEZ shall send an information about record (profile) registration of a legal entity as FEZ Entity to a government authority carrying out registration/ re-registration of legal entities, government authority for formulation of the national policy on FEZ functioning, tax, customs authorities, statistics government agency, state social insurance and banking supervision government agencies of the Kyrgyz Republic within ten working days following the day of record (profile) registration.

10. Withdrawal or loss of the status of FEZ Entity by a legal entity shall be performed pursuant to the legislation of the Kyrgyz Republic.

11. The general directorate of FEZ shall make a record in the register of FEZ entities about withdrawal or loss of the status of FEZ entity by a legal entity within three working days from the date of receiving documents confirming the fact of withdrawal of the status of a FEZ entity or from the date of effectuation of the normative legal act on the basis of which the FEZ entity loses the status of FEZ entity.

12. If a legal entity has been withdrawn of or has lost the status of FEZ entity, the general directorate of FEZ shall allow such legal entity twelve-month period to complete the procedure of dismantling of buildings, structures and removing equipment in the territory of FEZ.

13. The certificate on record (profile) registration of the legal entity as FEZ entity shall be returned to the general directorate of FEZ not later than three working days following the day of entering into the register of FEZ entities a corresponding record on withdrawal or loss of the status of FEZ entity by such legal entity.

14. The general directorate of FEZ shall inform about withdrawal or loss of FEZ Entity status by a legal entity to the government authority carrying out registration/ re-registration of legal entities, government authority for formulation of the national policy on FEZ functioning, tax, customs authorities, statistics government agency, state social insurance and banking supervision government agencies of the Kyrgyz Republic within ten working days following the day of making a corresponding entry to the register of FEZ entities.

15. In case of loss or damage of original certificate on registration of FEZ entity, legal entity should submit to the general directorate of FEZ the application for issuing a duplicate copy during five working days since the day of loss or damage of certificate. Such application should indicate all details of lost or damaged certificate.

A duplicate copy shall be issued within three working days from the day of submission of the respective application on the basis of the available entry in the register. When issuing the duplicate copy, the registration number of the certificate in the database remains unchanged. The

issued certificate shall be marked "Duplicate".

In case of finding lost original copy of certificate, FEZ entity should submit original copy (or a duplicate copy) to the general directorate of FEZ for canceling.

Annex to Procedure for
Record Registration of Legal
Entity as FEZ Entity

Form

GENERAL DIRECTORATE OF FREE ECONOMIC ZONE



CERTIFICATE

Of Record Registration of Legal Entity as FEZ Entity

No. _____

_____ 20 _____

« _____ » _____

Name _____ of _____ legal _____ entity

No. _____

« _____ » _____ 20 _____

Registration number of government authority for registration/ re-registration of legal entities

Director General of Free Economic Zone _____

signature