

NEW DEVELOPMENTS IN KAZAKH IMMIGRATION LAW: IMPACT ON FOREIGN BUSINESSMEN AND INVESTORS

ALUMNI Partners wishes to highlight important changes to the Rules governing the issuance, cancellation, restoration, extension, and curtailment of visas for foreigners and stateless persons entering the Republic of Kazakhstan (the "RK"; "Rules"). These updates, effective 17 November 2024, coincide with additional requirements introduced in May 2024 regarding foreign participation in legal entities registered in Kazakhstan¹.

The main changes include a simplified C5 visa procedure for business immigrants and new visa categories, such as A6, B9, B9-1 Digital Nomad Visa and B12-1 Neo Nomad Visa.

1 SIMPLIFIED C5 VISA DOCUMENTATION REQUIREMENTS

Effective 17 November 2024, the documentation required to obtain a C5 visa has been significantly reduced. Applicants now only need to provide:

- proof of medical insurance; and
- a criminal record certificate issued by the competent authority of their country of citizenship or permanent residence².

The following documents are no longer required:

- a medical certificate confirming that the applicant is free of diseases restricting entry into the RK; and
- a document certifying that the applicant is not prohibited from engaging in business based on a court judgment, where such a certificate is mandated by the applicant's home country³.

2 VISA EXTENSION WITHOUT LEAVING KAZAKHSTAN

C5 visa holders can now apply to extend their visas through the RK immigration service without leaving the country⁴. This change removes the need for the so-called 'visa run' and simplifies the process by eliminating the requirement for a new visa invitation from the legal entity established by the initial C5 visa holder⁵.

Please note that, within two months of entering the RK, a business immigrant is required to:

- register a commercial entity in the RK or become a participant (shareholder) in a commercial entity operating in the RK; and
- deposit with a second level RK bank a sum at least equal to the minimum amount prescribed by the RK legislation as the authorised capital of a legal entity to be registered⁶.

Visas are extended for up to two years on the basis of a written application submitted to territorial police bodies – immigration service units⁷.

¹ Joint Order of the Deputy Prime Minister – Foreign Affairs Minister of the Republic of Kazakhstan No. 11-1-4/612, dated 31 October 2024, and of the Internal Affairs Minister of the Republic of Kazakhstan No. 872, dated 31 October 2024, "On amending Joint Order of the Acting Foreign Affairs Minister of the Republic of Kazakhstan No. 11-1-2/555, dated 24 November 2016, and of the Internal Affairs Minister of the Republic of Kazakhstan No. 1100, dated 28 November 2016, "On approving the Rules for issuing invitations, endorsing entry invitations for foreigners and stateless persons to the Republic of Kazakhstan and issuing, cancelling, restoring, extending and curtailing visas to the Republic of Kazakhstan" (the "Joint Order of 31 October 2024").

² Clause 35 of the Rules approved by the Joint Order of 31 October 2024.

³ Clause 31 of Appendix 1 to the Rules approved by Joint Order of the Acting Foreign Affairs Minister of the Republic of Kazakhstan No. 11-1-2/555, dated 24 November 2016, and of the Internal Affairs Minister of the Republic of Kazakhstan No. 1100, dated 28 November 2016, "On approving the Rules for issuing invitations, endorsing entry invitations for foreigners and stateless persons to the Republic of Kazakhstan and issuing, cancelling, restoring, extending and curtailing visas to the Republic of Kazakhstan" (the "Joint Order of 24 November 2016").

⁴ Clause 53 of the Rules approved by the Joint Order of 31 October 2024.

⁵ Clause 51 of the Rules approved by the Joint Order of 24 November 2016.

⁶ Clause 2, art. 40 of Republic of Kazakhstan Law No. 477-IV, dated 22 July 2011, "On population migration".

⁷ Sub-clause 12, clause 51 of the Rules approved by the Joint Order of 31 October 2024.

Let us recall that, in order to obtain a multiple C5 visa, the first step for a company founding member is to apply for a petition letter from the akimat (a local government body) where the company is registered. This confirms the relevant body’s consent to a multiple visa being issued to a business immigrant who is the company founder.

Petition letters are issued within 15 business days. An application needs to be submitted to the akimat, together with a business plan including complete information about the company’s activities, a description of its projects and their objectives, an implementation plan and the proposed investment.

3 INTRODUCTION OF NEW VISA CATEGORIES

Kazakhstan has introduced new visa categories designed to attract foreign investors, skilled professionals, and remote workers. key details are summarized below:

Visa Category	Eligible Recipients	Multiplicity	Term	Grounds for issuance
A6	Foreign businessmen investing over USD 300,000 in Kazakhstan’s economy	Multiple	Up to 10 years	Invitation issued by RK foreign missions
B9	Individuals with in-demand professions ⁸	Single/Multiple	Up to 90 calendar days	Petition and education certificate confirming alignment with RK’s list of in-demand professions
B9-1 Digital Nomad Visa	Individuals with in-demand professions seeking permanent residence in the RK	Single	Up to 1 year	A single electronic visa is issued on a visa and immigration platform on the basis of an invitation
		Multiple		A multiple visa for up to one year is issued by the RK Internal Affairs Ministry on the basis of a petition from an authorised body in the IT sphere and a previously issued single electronic visa
B12-1 Neo Nomad Visa	Remote workers with stable foreign income	Multiple	Up to 1 year	Visas are issued by RK foreign missions on the basis of an invitation subject to provision of: <ul style="list-style-type: none"> • a bank statement for the past six months confirming a stable monthly income of over USD 3,000; • tax returns issued by the competent authority of the country of citizenship; • a document issued by the competent authority of the country of citizenship

⁸ Order of the Labour and Social Security Minister of the Republic of Kazakhstan No. 49, dated 20 February 2023, “On approving a list of in-demand professions for issue of permanent residence permits to foreigners in the Republic of Kazakhstan and the Rules for compiling it”.

				or permanent residence confirming absence of a criminal record; and <ul style="list-style-type: none">• medical insurance covering the requested visa term.
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To sum up, Kazakhstan has simplified the procedure for obtaining and extending C5 visas for business immigrants and introduced new visa categories for attracting foreign investors, sought-after professionals and so-called “digital nomads”.

ALUMNI Partners legal updates are a brief overview of new developments in law and law enforcement and should not be viewed as a legal opinion or advice.

If you have any questions or comments in relation to this legal update, please contact us and we will be happy to discuss them.



Anton Panchenkov

Partner
Head of Central Asia
ALUMNI Partners
+7 (771) 968-8-968
anton.panchenkov@alumnipartners.ru



Nikita Lysenko

Associate
Corporate and Commercial Law
Kazakhstan Office
ALUMNI Partners
+7 (771) 968-8-968
nikita.lysenko@alumnipartners.ru