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PROVISION

ON THE COMPLIANCE SERVICE

Provision on the Type of Activity 61-2022

Karaganda

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1 Field of application

1.1 This provision on the Compliance Service of the Non-profit Joint-stock Company “Abylkas Saginov Karaganda Technical University” (hereinafter referred to as Provision) has been developed in accordance with the item No.3 of the article No.16 of the Law of the Republic of Kazakhstan “On Fight against Corruption” (hereinafter referred to as the Law).

1.2 This provision determines goals, tasks, principles, functions and powers of the Compliance Service at NPJSC “Abylkas Saginov Karaganda Technical University” (hereinafter referred to as Company).

1.3 The company approves this provision, based on the specific features of its activity, taking into account the Standard Provision on Anti-corruption Compliance Services in the subjects of a quasi-public sector, approved by the order of the Chairman of Anti-Corruption Agency of the Republic of Kazakhstan (Anti-Corruption Service), dated March 31, 2023 No. 112.

1.4 The provision is posted on the official Internet resource of the Company and brought to the attention of all employees.

2 Terms, definitions and abbreviations

The provision contains terms, definitions and abbreviations in accordance with the Standard of the Republic of Kazakhstan ISO 9000-2017 (ISO 9000:2015) “Quality Management System. General provisions and glossary”, in addition to them, the following terms, definitions and abbreviations are established:

anti-corruption compliance is a function of ensuring compliance with the legislation of the Republic of Kazakhstan on corruption combating by the subjects of the quasi-public sector and its employees;

an internal analysis of the corruption risks is to identify and study reasons and conditions, which contribute to the commission of corruption offenses;

HRMD – Human Resources Management Department;

a conflict of interests is a contradiction between personal interests of the people, holding a responsible state position, the people, authorized to perform state functions, the people, equated with them, dutyholders and their official powers, in which the personal interests of these people can lead to non-fulfillment and (or) improper fulfillment of their job duties by them;

a corruption offense is an illegal guilty action (action or inaction), that has signs of the corruption, for which administrative or criminal liability is established by the law;

a corruption risk is the possibility of occurrence of the reasons and conditions, which contribute to the commission of the corruption offenses;

PTA – provision on the type of activity;

ATS – academic teaching staff;

prevention of the corruption is an activity of the anti-corruption subjects on

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studying, identifying, limiting and eliminating the reasons and conditions, that contribute to the commission of the corruption offenses by means of development and introduction of the system of preventive measures;

QMR – quality management representative;

RK – the Republic of Kazakhstan;

ESS – educational support staff;

an authorized anti-corruption body is a state body, that carries out the formation and implementation of the anti-corruption policy of the Republic of Kazakhstan, and coordination in the field of corruption combating, as well as prevention, detection, suppression, disclosure and investigation of the corruption offenses, and its territorial divisions;

CQM&A – Center of Quality Management and Accreditation of the Company;

LD – Legal Department of the Company.

3 Responsibility and authority

3.1 This provision is approved by the Management Board of the Company.

3.2 A leader of the Compliance Service is responsible for content, structure and design of the approved provision. The decision on the final version of the provision is made by QMR.

3.3 The leader of the Compliance Service is responsible for bringing requirements of the provision to the attention of employees of the Compliance Service. A record of the familiarization must be made in the “Familiarization sheet” (Appendix B).

4 General provisions

4.1 The main task of the Compliance Service is to ensure the compliance with the legislation of the Republic of Kazakhstan on corruption combating by the Company and its employees.

4.2 The Compliance Service is determined by the decision of the Board of Directors.

4.3 The Compliance Service exercises its powers independently of an executive body, dutyholders of the Company, reports to the Board of Directors and is independent in ensuring compliance with the requirements of the legislation of the Republic of Kazakhstan.

4.4 Methodological support on anti-corruption compliance issues is provided by the authorized anti-corruption body and its territorial divisions.

4.5 It is not allowed to combine functions of the Compliance Service with the functions of other structural divisions of a subject of the quasi-public sector.

4.6 If the Law, international standards in the field of corruption combating establish requirements and approaches to the organization of anti-corruption compliance, that are not provided for by this provision, these requirements and

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approaches are approved by the Board of Directors of the Company.

5 Goals, tasks, principles, functions and powers of the Compliance Service

5.1 The main purpose of the Compliance Service activity is to ensure the compliance with the legislation of the Republic of Kazakhstan on corruption combating by the Company and its employees, as well as monitoring the implementation of anti-corruption activities.

5.2 Tasks of the Compliance Service:

5.2.1 ensuring the introduction of prevention tools of the corruption offenses by the Company and its employees;

5.2.2 effective implementation of the system of measures on corruption combating in the Company;

5.2.3 ensuring fulfilment of the internal analysis of the corruption risks in the Company;

5.2.4 ensuring compliance with external regulatory requirements and the best international practice on anti-corruption issues;

5.2.5 ensuring compliance with the basic principles of corruption combating in accordance with the Law.

5.3 When introducing and performing functions of the anti-corruption compliance, the Company is guided by the following principles:

5.3.1 sufficiency of the powers and resources, allocated to perform the functions of the anti-corruption compliance;

5.3.2 an interest of the management in effectiveness of the anti-corruption compliance;

5.3.3 information openness of the Compliance Service activity;

5.3.4 independence of the Compliance Service;

5.3.5 continuity of the anti-corruption compliance fulfilment;

5.3.6 improvement of the anti-corruption compliance;

5.3.7 constant improvement of the competencies of specialists, performing the functions of the anti-corruption compliance.

5.4 Functions of the Compliance Service:

5.4.1 it ensures the development of:

– internal anti-corruption policy of the Company;

– an anti-corruption guide for employees of the Company;

– internal policy of identifying and resolving the conflict of interests in the Company;

– an anti-corruption standard in accordance with the anti-corruption legislation;

– an internal action plan of the anti-corruption issues;

– a document, regulating the procedure of providing information by the employees of the Company about the facts or possible violations of the anti-corruption legislation;

– a document, regulating the issues of corporate ethics and behavior;

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5.4.2 it collects, processes, generalizes, analyzes and evaluates information, related to effectiveness of the anti-corruption policy in the Company;

5.4.3 it coordinates the fulfilment of the internal analysis of the corruption risks in the activity of the Company in accordance with the Standard Rules of making the internal analysis of the corruption risks, approved by the order of the Chairman of the Agency of the Republic of Kazakhstan for Public Service Affairs and Corruption Combating, dated October 19, 2016 No. 12 “On Approval of the Standard Rules of Making the Internal Analysis of the Corruption Risks” (registered in the Register of State Registration of the Regulatory Legal Acts under No. 14441);

5.4.4 it participates in the external analysis of the corruption risks, in the activity of the Company, carried out in accordance with a joint decision of the first leaders of the authorized anti-corruption body and the Company;

5.4.5 it monitors identified corruption risks in the Company and takes measures to mitigate and eliminate them;

5.4.6 it holds explanatory activities on the issues of corruption combating and formation of the anti-corruption culture in the Company;

5.4.7 it organizes anti-corruption training seminars for the Company’s employees;

5.4.8 it ensures control over compliance with the anti-corruption policy and the issues of the corporate ethics and behavior by the Company’s employees;

5.4.9 it helps to form a culture of the relationships, that corresponds to generally accepted moral and ethical norms in the staff of the Company;

5.4.10 it ensures compliance with financial control measures and anti-corruption restrictions, established by the Law within the competence of the Compliance Service by people, equated with the people, authorized to perform the state functions;

5.4.11 it develops and monitors the execution of an internal action plan on the issues of corruption combating by structural divisions of the Company;

5.4.12 it takes the measures of identifying, monitoring and resolving the conflict of interests, including the issues of employment, purchases and business processes of the Company;

5.4.13 it takes the measures of resolving the issues of giving and receiving gifts in the Company;

5.4.14 it makes a comprehensive check of the reliability of counterparties;

5.4.15 it makes official checks, based on applications (complaints) about the facts of corruption in the Company and/or participates in them;

5.4.16 it monitors and analyzes changes in the anti-corruption legislation, judicial practice on cases, related to corruption in the Company;

5.4.17 it evaluates the effectiveness of implementation of the anti-corruption measures by the structural divisions and the employees of the Company;

5.4.18 it listens to information of the structural divisions and the employees of the Company on the issues of corruption combating;

5.4.19 it makes recommendations for the Chairman of the Management Board -

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Rector of the Company on elimination of the identified corruption risks, improvement of the efficiency of internal processes of organizing the activity of the Company;

5.4.20 depending on the specific features of the Company’s activity, it performs functions, related to the issues of compliance, business ethics, sustainable development, if such functions do not affect independence and do not create the conflict of interests;

5.4.21 it interacts with the authorized anti-corruption body and state bodies, the subjects of the quasi-public sector, public associations, as well as other individuals and legal entities.

5.5 The leader of the Compliance Service is appointed by the decision of the Board of Directors of the Company and the timeframe of his powers, the amount of remuneration and conditions of the labour payment are determined.

5.6 The leader of the Compliance Service ensures the fulfillment of tasks, imposed on the Compliance Service.

5.7 A structure, staff (the number of employees), the timeframe of powers, a work procedure and other conditions of employees’ labour payment of the Compliance Service are determined by the decision of the Chairman of the Management Board - Rector of the Company on recommendation of the leader of the Compliance Service and their assignment is carried out.

5.8 Functional duties, rights and responsibility of the leader and the employees of the Compliance Service are determined by job descriptions or documents, prescribing official rights and obligations of the employee, developed on the basis of the Provision on the Compliance Service and approved by the Chairman of the Management Board - Rector of the Company.

5.9 The leader of the Compliance Service provides a proposal of the structure and staff table of the Compliance Service to the Board of Directors of the Company.

5.10 Documents and requests, sent on behalf of the Compliance Service to other structural divisions of the Company, departments and subordinate organizations on issues, being within the competence of the Compliance Service, are signed by the leader of the Compliance Service.

5.11 The leader and the employees of the Compliance Service must constantly improve professional qualification by participating in the training events, held by authorized bodies and professional organizations in the field of compliance.

5.12 Within the framework of its activity, the Compliance Service:

5.12.1 requests and receives information and materials from the structural divisions of the Company, including those ones, which are commercial and official secrets;

5.12.2 initiates to raise issues, related to their competence, for consideration by the Board of Directors of the Company;

5.12.3 makes the official checks on incoming notifications of the possible corruption offenses or violations of the legislation of the Republic of Kazakhstan on corruption combating;

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5.12.4 requires leaders and other employees of the Company to provide written explanations within the framework of official investigations;

5.12.5 develops the proposals of improvement of the anti-corruption legislation of the Republic of Kazakhstan and sends them to the authorized anti-corruption body;

5.12.6 participates in the development of drafts of the internal documents within its competence;

5.12.7 creates information channels in order that the Company’s employees inform about the facts of existence or potential possibility of the anti-corruption legislation’s violation in the Company or for making proposals of the improvement of effectiveness of the anti-corruption measures in the Company.

5.13 When carrying out its activity, the Compliance Service:

5.13.1 maintains the confidentiality of information about the Company and its affiliated persons, insider information, that has become known during the fulfilment of compliance functions, if it does not contain the data on a forthcoming and (or) committed corruption offense;

5.13.2 ensures the confidentiality of people, who have addressed on probable or actual facts of the corruption, violations of the corporate code of ethics and other internal documents on the anti-corruption issues in the Company;

5.13.3 timely informs the Board of Directors of the Company about any situations, related to the existence or the potential possibility of the anti-corruption legislation’s violation;

5.13.4 brings to the attention of the authorized anti-corruption body about the cases of forthcoming, committing or committed corruption offenses, that have become known;

5.13.5 does not interfere with an established working mode of the Company;

5.13.6 observes official and professional ethics.

5.14 The employees of the Compliance Service must not:

5.14.1 participate in the checks of processes in which they participated during three previous years;

5.14.2 participate in the activity, that could damage the impartiality of check or be perceived as causing such a damage;

5.14.3 use confidential information for personal interests;

5.14.4 violate the norms of business ethics;

5.14.5 accept the gifts and use services, as a result of which the independence, objectivity and impartiality of the Compliance Service can be damaged or which can be perceived as causing such a damage;

5.14.6 take part in the checks, the official investigations and other activities, that can lead to the conflict of interests.

5.15 The management of the Company needs:

5.15.1 to contribute to the creation of an effective environment for execution of the activity of the Compliance Service, assist in the fulfillment of its goal, tasks, functions and obligations, in the realization of rights;

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5.15.2 to carry out administrative (organizational and technical) support of the activity of the Compliance Service, as well as to provide necessary opportunities, assets and resources for its activity, including information systems and applications (access to necessary databases) and other goods, works, services;

5.15.3 to provide the leader and the employees of the Compliance Service with training and certification opportunities on issues of the Compliance Service activity, social and communication skills and competencies.

5.16 Interaction of the Compliance Service with the structural divisions of the subject of the quasi-public sector is based on mutual politeness and civility in the work.

5.17 Employees of the structural divisions of the Company provide assistance to the Compliance Service by means of:

5.17.1 providing documents and information, being necessary for fulfilment of the tasks and functions of the Compliance Service, taking into account features, established by the item No. 5.3.1 of this provision;

5.17.2 objective discussion of the identified risks and violations;

5.17.3 joint solution of the emerging issues and problems.

6 Compliance Service reporting

6.1 The Compliance Service quarterly sends information on the anti-corruption measures, taken in the Company, to the authorized anti-corruption body.

Additional information on the anti-corruption measures, taken in the Company, is sent at the request of the authorized anti-corruption body.

6.2 The Compliance Service periodically reports to the Board of Directors of the Company.

If possible corruption offenses occur on the part of a leader of the Company, the Compliance Service addresses authorized state bodies in accordance with the item No. 1 of the article No. 24 of the Law.

7 Agreement, approval and introduction

7.1 This provision is agreed with QMR, the director of HRMD, the leader of LD, the Chairman of the Trade Union Committee of Teachers and Employees, and is drawn up in the “Approval sheet” (Appendix A).

7.4 The date of introduction of this provision is the date of approval of the provision.