

## A QUOTA HAS BEEN SET FOR ATTRACTING FOREIGN LABOR FOR 2021

By the order of the Minister of Labor and Social Protection of the Population of the Republic of Kazakhstan (the RK), a quota was established for attracting foreign labor to carry out labor activities in the territory of the RK for 2021.<sup>1</sup>

Below we bring to your attention a brief overview of the goals, rules and amounts of established quotas for the current year.

The quota for attracting foreign labor is the maximum allowable amount of foreign labor allowed by the employer to engage in labor activities in the territory of the RK in order to protect the domestic labor market.

There are rules for establishing a quota for attracting foreign labor in the RK and its distribution between regions (the Rules).<sup>2</sup>

The rules are developed in accordance with the laws of the Republic of Kazakhstan dated April 6, 2016 "On employment of the population", dated July 22, 2011 "On migration of the population" and determine the procedure for establishing a quota for attracting foreign labor in the RK and its distribution between regions, a city of republican significance and the capital.

The quota for attracting foreign labor is established as a percentage of the labor force, which includes:

In addition, the above concepts will help to distinguish the legal status of the employee from the employees of the provided personnel.

- 1. a quota for attracting foreign labor force under permits issued by the local executive body to the employer;
- 2. the quota for attracting foreign labor by the countries of origin in the presence of international agreements on cooperation in the field of labor migration and social protection of migrant workers ratified by the RK;
- 3. quota for attracting labor immigrants.<sup>3</sup>



The quota for attracting foreign labor is formed and established by the authorized body for employment of the population, taking into account the forecast of the state of supply and demand in the labor market for the coming year and the proposals of the authorized state bodies in charge of the relevant sphere of government, local executive bodies, as well as employers.

According to paragraph 1 of Article 32 of the Law of the RK dated April 6, 2016 "On employment of the population" and subparagraph 4 of Article 11 of the Law of the RK dated July 22, 2011 "On migration of the population", a quota is established for attracting foreign labor to carry out labor activities in the territory Of the RK for 2021 as a percentage of the labor force:

- 1) by permits issued by the local executive body to the employer in the amount of 0.31%;
- 2) to attract labor immigrants in the amount of 2.7%.

In comparison, we note that the size of the quota for attracting foreign labor over the past year was:

- 1) by types of economic activity in the aggregate 0.32%;
- 2) to attract labor immigrants in the amount of 3.9%.

The order was registered in the Register of State Registration of Normative Legal Acts of the RK on January 5, 2021 under No. 22030 and entered into force.

1. Order of the Minister of Labor and Social Protection of the Population of the Republic of Kazakhstan "On the establishment of a quota for attracting foreign labor to carry out labor activities in the territory of the Republic of Kazakhstan for 2021" dated December 31, 2020 No. 560.

2. Decree of the Government of the Republic of Kazakhstan "On approval of the Rules for establishing quotas on attracting foreign labor to the Republic of Kazakhstan and its distribution between the regions of the Republic of Kazakhstan, identifying persons for the implementation of labor activities which do not require permission from local executive bodies to attract foreign labor, and invalidating some decisions of the Government of the Republic of Kazakhstan "dated December 15, 2016 Year No. 802.

3. Paragraph 4 of Article 32 of the Law "On Employment of the Population" of the Republic of Kazakhstan dated April 6, 2016 No. 482-V 3PK.

If you have any questions regarding the above issues, please contact. We will be glad to help you.



**Regards,  
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