

**NON-COMMERCIAL JOINT STOCK COMPANY «SAKEN SEIFULLIN
KAZAKH AGROTECHNICAL RESEARCH UNIVERSITY»**

Approved

Order No. 135 dated April 20, 2023

Chairman of the Board - Rector

NJSC "Saken Seifullin Kazakh
agrotechnical research university"

_____ K.M. Tireuov



**POLICY
RESOLUTION OF CONFLICTS OF INTEREST**

Astana, 2023

1 Purpose and scope

1.1. The conflict of interest resolution policy (hereinafter referred to as the Policy) was developed in accordance with the Law of the Republic of Kazakhstan “On Education”, the Law of the Republic of Kazakhstan “On Combating Corruption”, the Charter of the Saken Seifullin Kazakh Agrotechnical Research University, the international standard ISO 37001:2016, the Code of Ethics for Professors - teaching staff and employees of NJSC "Kazakh Agrotechnical Research University named after S. Seifullin".

1.2. This Policy determines the procedure for identifying and resolving, as well as measures and procedures for the prevention of conflicts of interest arising in the course of the performance of labor duties for employees of NJSC “Kazakh Agrotechnical Research University named after Saken Seifullin” (hereinafter referred to as the University).

1.3. The purpose of this Policy is to create a uniform system for managing real and potential conflicts of interest at the University, as well as to determine the requirements for the behavior of employees and officials, compliance with which will minimize the risks of decision-making at the University under the influence of private interests and employees' connections.

2 Normative references

2.1. This procedure has been developed taking into account the requirements of the following regulatory documents:

Law of the Republic of Kazakhstan No. 410-V ZRK	Law of the Republic of Kazakhstan "On Combating Corruption" dated November 18, 2015 No. 410-V ZRK Law of the Republic of Kazakhstan "On Education" dated July 27, 2007 No. 319-III
Law of the Republic of Kazakhstan "On Education" Criminal Code of the Republic of Kazakhstan	Criminal Code of the Republic of Kazakhstan dated July 3, 2014 No. 226-V ZRK Code of the Republic of Kazakhstan "On marriage (matrimony) and family" December 26, 2011 No. 518-IV ZRK
Code of the Republic of Kazakhstan "On marriage (matrimony) and family".	Civil Code of the Republic of Kazakhstan (General Part). Enacted by the Decree of the Supreme Council of the Republic of Kazakhstan dated December 27, 1994 No. 269-XIII
Civil Code of the Republic of Kazakhstan	Code of the Republic of Kazakhstan on Administrative Offenses, dated July 5, 2014 No. 235-V ZRK.
Code of the Republic of Kazakhstan on Administrative Offenses	Criminal Code of the Republic of Kazakhstan dated July 3, 2014 No. 226-V

Criminal Code	Law of the Republic of Kazakhstan "On the Civil Service of the Republic of Kazakhstan", dated November 23, 2015 No. 416-V ZRK. Anti-corruption management systems. Requirements and guidance for use.
Law of the Republic of Kazakhstan "On the public service of the Republic of Kazakhstan".	Quality management systems. Requirements.

2.2. This procedure introduces the following forms:

F KATU 7012-01 -19	Declaration of Conflict of Interest and Compliance with Anti-Corruption Policy
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3 Terms and definitions

In this documented procedure, terms and their definitions are used in accordance with the Law of the Republic of Kazakhstan "On Combating Corruption", the Criminal Code of the Republic of Kazakhstan, the Code of the Republic of Kazakhstan "On Marriage (Matrimony) and Family", the Civil Code of the Republic of Kazakhstan (general part).

Conflict of interest - a contradiction between the personal interests of persons holding a responsible public position, persons authorized to perform state functions, persons equated to them, officials and their official powers, in which the personal interests of these persons may lead to improper performance of their official powers ,

in accordance with subparagraph 5) of article 1 of the Law of the Republic of Kazakhstan "On Combating Corruption".

Corruption is the illegal use by persons holding a responsible public position, persons authorized to perform public functions, persons equated to persons authorized to perform public functions, officials of their official (official) powers and related opportunities in order to obtain or extract personally or through intermediaries of property (non-property) benefits and advantages for themselves or third parties, as well as bribery of these persons by providing benefits and advantages.

Anti-corruption policy - legal, administrative and organizational measures aimed at reducing corruption risks, increasing public confidence in the activities of state bodies, and other measures in accordance with the Law of the Republic of Kazakhstan "On Combating Corruption".

Anti-corruption is the activity of anti-corruption entities within their powers to prevent corruption, including the formation of an anti-corruption culture in society, the identification and elimination of the causes and conditions conducive to the commission of corruption offenses, as well as the identification, suppression, disclosure and investigation of corruption offenses and eliminate their consequences.

Prevention of corruption is the activity of anti-corruption entities to study, identify, limit and eliminate the causes and conditions that contribute to the commission of corruption offenses by developing and implementing a system of preventive measures.

Corruption risk - the possibility of occurrence of causes and conditions conducive to the commission of corruption offenses;

Corruption offense - an unlawful guilty act (action or inaction) that has signs of corruption, for which administrative or criminal liability is established by law;

Bribe - receipt by a person authorized to perform state functions, or a person equated to him, or a person holding a responsible state position, or an official, as well as an official of a foreign state or international organization personally or through an intermediary of money, securities, other property, rights to property or property benefits for himself or other persons for actions (inaction) in favor of the briber or persons represented by him, if such actions (inaction) are within the official powers of this person, or he, by virtue of his official position, can contribute to such actions (inaction)), as well as for general patronage or connivance;

Close relatives - parents (parent), children, adoptive parents (adopters), adopted (adopted), full and half brothers and sisters, grandfather, grandmother, grandchildren, in-laws - brothers, sisters, parents and children of the spouse (wife).

Family - a circle of persons bound by property and personal non-property rights and obligations arising from marriage (matrimony), kinship, property, adoption (adoption) or other form of adoption of children for upbringing and designed to contribute to the strengthening and development of family relations;

Relatives - persons who are related, having common ancestors up to great-grandfather and great-grandmother.

Property benefits - things, money, including foreign currency, financial instruments, works, services, objectified results of creative intellectual activity, trade names, trademarks and other means of product individualization, property rights and other property.

Personal non-property benefits - life, health, personal dignity, honor, good name, business reputation, privacy, personal and family secrets, the right to a name, the right to authorship, the right to inviolability of a work and other intangible benefits and rights.

4 General provisions

- 4.1. One of the necessary conditions for the effective performance of the official duties by the University employee is the absence of contradictions between the personal interests of the employee, official and the interests of the University, in the presence of such contradictions - their timely disclosure and settlement.
- 4.2. A conflict of interest is defined as a situation in which the personal interest of an employee and an official of the University affects or may affect the impartial performance of official duties.
- 4.3. A conflict of interest can create a corruption risk, namely the combination of the likelihood of occurrence and severity of consequences from offering, promising,

giving, accepting or soliciting an undue advantage in any form (both financial and non-financial), directly or through intermediaries, regardless of location, in violation of applicable law as an incentive or reward for a person to act or refrain from acting in the framework of the activity for which he is responsible.

4.4. Examples of corruption risks based on conflicts of interest include, but are not limited to, when:

- 1) a family member or friend of an official/employee of the University is hired by structural subdivisions of the University without going through the proper competitive selection procedures through the intervention of an official/employee;
- 2) a family member, a close relative, a relative studying at the University receives advantages in passing the knowledge control during the intermediate / final certification due to communication with an official / employee of the University;
- 3) a family member working for a University supplier receives material benefits due to association with a University official/employee;
- 4) There is an impact on the procurement process, voting in favor of concluding an agreement / contract with suppliers / contractors of the University.

4.5. This Policy applies to all persons who are employees of the University and are in labor relations with it, regardless of their position and functions performed, as well as to individuals cooperating with the University on the basis of civil law contracts.

5 Basic principles for managing conflicts of interest

- 5.1. Each employee and official, while performing their official duties, is obliged to put the interests of the University above their own private interests.
- 5.2. At the same time, the University respects the rights of its employees and officials as individuals and recognizes their right to engage in legitimate scientific, educational, political and other activities in their free time from their main work, if it does not affect their ability to perform official duties at the University .
- 5.3. Maximum observance of the balance of interests of the University and the private interests of employees and officials is one of the conditions for the stability of relations between the above-mentioned persons and the University.
- 5.4. The University establishes a conflict of interest management system based on the following principles:
 - Mandatory disclosure of information about a real or potential conflict of interest or even the appearance of such a conflict;
 - individual consideration, assessment of reputational risks for the University of each conflict of interest and its settlement;
 - confidentiality of the process of disclosing information about a conflict of interest and the process of settlement (at the request of an employee, official);
 - observance of the balance of interests of the University and the employee, official in the settlement of conflicts of interest;

- protection of the employee from persecution in connection with reporting a conflict of interest, which was timely disclosed by the employee and resolved (prevented) by the University.

6 Obligations of employees in connection with the disclosure and settlement of conflicts of interest

6.1. Employees and officials of the University are obliged to:

- when making decisions on issues arising in connection with official duties, be guided solely by the interests of the University without taking into account their personal interests, the interests of their relatives and friends;
- avoid situations and circumstances that may lead to a conflict of interest;
- be personally responsible for the timely identification of a conflict of their private interests with the interests of the University, as well as for active participation in the settlement of a real or potential conflict of interest;
- ensure that their private interests, family ties, friendships or other relationships, personal likes and dislikes will not affect the performance of official duties and powers;
- not use the assets of the University, as well as his official position and / or business opportunities arising in connection with the performance of official duties, to satisfy his private, including financial, interests;
- comply with work ethics;
- Follow the anti-corruption policy.

6.2. Employees and officials of the University are prohibited from:

- perform official duties if there is a conflict of interest;
- receive personally or through an intermediary illegal material remuneration, gifts, benefits or services for actions (inaction) in favor of the persons who provided them, if such actions (inaction) are within the official powers of an employee of the University;
- illegally receive remuneration, use services of a property nature for the use of their working position, as well as for general patronage or connivance in work in the interests of the person carrying out the bribery (according to the Criminal Code of the Republic of Kazakhstan);
- use for non-official purposes the means of material and technical, financial and information support of work activities, other property of the University and work information.

7 Prevention and disclosure of conflicts of interest

7.1. The University establishes the following system for disclosing (declaring) information about potential and real conflicts of interest:

- disclosure of information about a conflict of interest when hiring;

- disclosure of information about the conflict of interest in the appointment to a new position;
- one-time disclosure of information about a conflict of interest as situations (circumstances) arise that give rise or have given rise to a new real or potential conflict of interest;
- the management of the University (rector, vice-rectors) fills out a declaration after certain periods of time, the duration of which is no more than 3 years, confirming their adherence to the anti-corruption policy.

7.2. Disclosure of information about a conflict of interest is carried out in writing, by filling out a declaration of conflict of interest (hereinafter referred to as the Declaration), in the form F KATU 7012-01-23, in accordance with Appendix 1.

7.3. The University considers the concealment and/or intentionally late or incomplete disclosure of information about a conflict of interest for any reason as a breach of its trust and deceit.

7.4. An important institutional structure in matters of preventing and resolving conflicts of interest at the University is the Human Resources Department. Reception of information from the personnel about emerging (existing) conflicts of interest and compliance with the anti-corruption policy, in the form of a Declaration, is carried out by specialists of the personnel management department.

7.5. The information specified in the Declaration by the employee (candidate for the position) is subject to monitoring and analysis for making managerial decisions by the University management.

7.6. Chairman of the Board - Rector The completed and signed Declaration is kept in the personal file of the employee.

8 Managing conflicts of interest

8.1. The University undertakes to confidentially review the submitted information and resolve conflicts of interest by verifying the data.

8.2. Based on the results of the verification of the information received, it should be established whether the situation that has arisen (can arise) is or is not a conflict of interest.

8.3. A situation that is not a conflict of interest does not need special ways of settling.

8.4. If an employee has a conflict of interest, then his immediate supervisor takes the following measures:

- restricting employee access to specific information of the University, which may be related to the private interests of the employee;
- voluntary refusal of the employee or his removal (permanently or temporarily) from participation in the discussion and decision-making process on issues that are or may be influenced by a conflict of interest;
- revision and change of functional duties of the employee;

- transfer of an employee to a position that provides for the performance of labor functions not related to a conflict of interest (with the consent of the employee);
- refusal of the employee from his private interest, which gives rise to a conflict with the interests of the University.

- dismissal of an employee on his initiative;

8.5. Based on the results of the analysis of information on the presence of a real or potential conflict of interest, the official takes the following measures to resolve the conflict of interest:

- restricting an official's access to specific information of the University, which may be related to the official's private interests;
- voluntary refusal of an official or his removal (permanently or temporarily) from participation in the discussion and decision-making process on issues that are or may be influenced by a conflict of interest;
- refusal of an official from his private interest, which gives rise to a conflict with the interests of the University.

8.6. This list of measures to resolve conflicts of interest is not exhaustive. In each specific case of conflict of interest settlement, by agreement between the University and the employee, official who disclosed information about the conflict of interest, other measures to resolve the conflict may be found.

8.7. For committing a disciplinary offense related to a conflict of interest, the following types of penalties may be applied to a University employee:

- remark;
- reprimand;
- severe reprimand;
- termination of the employment contract at the initiative of the employer.

8.8. The laws of the Republic of Kazakhstan may establish other types of penalties.

8.9. Penalty against an employee of the University cannot be applied during the period:

- temporary disability of the employee;
- release of the employee from the performance of his official duties for the period of his performance of public or other duties;
- the employee is on vacation;
- the employee is on a business trip;
- the presence of an employee in training, retraining, advanced training courses and internships;
- Appeal by the University employee in the court of acts of state bodies on the commission of a disciplinary offense by him.

9 Responsibility

9.1. Compliance with this Policy is an indispensable duty of any employee and official of the University.

9.2. Failure to comply with this Policy may be considered as a disciplinary offense and serve as a basis for bringing the employee to disciplinary responsibility.

10 Final provisions

- 10.1. The heads of the structural divisions of the University communicate the requirements of this Policy to their employees.
- 10.2. The University expects that employees and officials of the University who have reason to believe that this Policy has been violated or there is a potential possibility of such a violation will immediately report this to the immediate supervisors of persons who have violated or have the potential to violate this Policy.
- 10.3. The University guarantees that no employee will be held accountable by the University or suffer any other adverse consequences at the initiative of the University in connection with compliance with the requirements of this Policy or reporting to the University of potential or past violations of this Policy.

NJSC "Saken Seifullin Kazakh Agrotechnical Research University"

DECLARATION
on conflicts of interest and compliance with the anti-corruption policy

This document is strictly confidential (by filling in) and is intended solely for internal use of S. Seifullin KATRU (hereinafter referred to as the University). The contents of this document are not to be disclosed to any third parties and may not be used for any purpose.

From whom: (Name of the employee of the University who filled out the Declaration)	
Job title: (indicating the structural unit)	
Direct supervisor: (name and position indicated)	
Date of completion:	

- When filling out the Declaration, it must be taken into account that all the questions raised apply not only to you, but also to your spouse, parents (including adopted ones), children (including adopted ones), siblings and cousins, as well as parents, siblings and cousins of the spouse.
- I hereby confirm that I am familiar with the following documents:
 - - Anti-corruption policy;
 - - Anti-Corruption Standard;
 - - Conflict of Interest Resolution Policy.

Signature: _____

№	Question name	Yes	No
External interests			
1.	Do you (your family members) own securities, shares or any other financial interests in an organization that does business with the University?		
2.	Do you (your family members) own securities, shares or any other financial interests in an organization that is negotiating with the University?		
3.	Do you (members of your family) own securities, shares or any other financial interests in an organization that is a party to a lawsuit or arbitration with the University?		
4.	Are you or any of your family members members of the governing bodies of the University (for example: the Supervisory Board, the Ministry of Education and Science of the Republic of Kazakhstan, etc.)?		
5.	Are you a member of any social movement or political party with a requirement to pay membership dues?		
Personal interests			
6.	Do you have a share (more than 5%) in the management / activities of the University or its structures?		
7.	Do you have a share (more than 5%) in the management/activities of other organizations (including government agencies)?		
8.	Are you currently in public service?		
9.	Are you involved in any commercial, scientific or economic activity outside of employment at the University (eg contract work, self-employed, etc.)?		
Equal rights of workers			
10.	Do your family members (close relatives) work or study at the University?		
11.	Do your family members (close relatives) work at the University under your direct supervision?		
12.	Does any member of your family (close relatives) work at the University in a position that allows you to exert administrative, social or managerial influence on you?		

13.	When doing community service at the University, do you have relationships with your family members (close relatives)?		
University resources			
14.	Are you involved in any transaction on behalf of the University (as a decision maker, responsible for the implementation of the contract, approving the acceptance of work performed, issuing or approving payment documents, etc.)?		
15.	Have you ever made payments or authorized payments by the University to external entities?		
16.	Is your work related to the use of material resources and infrastructure of the University (for example: equipment, office equipment, communications, Internet access, consumables, etc.)?		
17.	Is your work related to the use of material resources and infrastructure of the University to perform scientific, commercial or contractual work for third-party organizations (state, private, quasi-state, foreign)?		
Activity			
18.	In your current activities, have you ever encountered facts of corruption, bribes or violations of business ethics at the University?		
19.	Complying with the University's anti-corruption policy, have you ever reported the facts of its violation by other staff?		
20.	Are you aware of any other circumstances not listed above that cause or may cause a conflict of interest, or may violate the University's anti-corruption policy?		

Your explanatory information (if necessary):

I hereby certify that I have read and understood all of the above questions and that my answers and any explanatory information are complete, true and correct.

Signature: _____ (Full name)
