



Transfer Pricing in Kazakhstan: recent developments

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Briefly

We remind you that the amendments to the Transfer Pricing Law ("TP") adopted in July 2025 came into force on 1 January 2026.

In details

The main changes are presented below:

- Introduction of a new principle of substance over form when comparing the terms of controlled transactions with market conditions and conducting a functional analysis. The new principle may allow tax authorities to compare terms of controlled transactions with market.
- Reduction of the deadline for providing information and documents confirming the reasonableness of the transaction price at the request of authorized bodies, **from 90 to 30 days**.
- Introduction of a definition of "intangible asset."

The changes are aimed at increase in the TP control and may cause uncertainty in practical application. Considering that the principle of substance over form places increased emphasis on the functional profiles of the parties in controlled transactions, we recommend:

- conducting an analysis of agreements and actual conditions for controlled transactions on compliance with new substance over form principle, along with preparing the necessary documentation;
- making appropriate changes to contractual relationships and pricing for transactions, if necessary;
- developing internal TP policy and preparing defense file that confirm the functional profiles of the parties in complex controlled transactions (i.e. transactions with complex financing and/or sales structures).

How can we help you?

We will be happy to discuss with you the amendments and their impact on your business, as well as to perform short diagnostics of your obligations arising under TP considering taking into account the introduced amendments and provide the necessary consulting support. You may send our team a separate request via the [link](#) on our website.

If you are interested in additional information, please contact us.