

**«APPROVED»**

**By decision of the Board of  
Directors NJSC «West  
Kazakhstan Marat Ospanov  
Medical University»  
from January 15, 2020  
minutes No. 1.**

**Instructions for ensuring the safety of commercial and official  
secrets of a non-commercial joint-stock company  
«West Kazakhstan Marat Ospanov Medical University»**

**Aktobe, 2020**

# 1. GENERAL PROVISIONS

1.1. This Instruction on ensuring the safety of commercial and official secrets of the non-commercial joint-stock company «West Kazakhstan Marat Ospanov Medical University» (hereinafter referred to as the Instruction) is developed in accordance with the Civil Code and other regulatory legal acts of the Republic of Kazakhstan and establishes general norms on information constituting commercial and official secret of the non-commercial joint-stock company «West Kazakhstan Marat Ospanov Medical University» (hereinafter - the Company).

1.2. Commercial and official secrets of the Company are information related to management, finances and other activities that have actual or potential commercial value due to unknowingness to third parties, they are not legally freely accessible, the disclosure (transfer, dissemination) of which may harm of the Company interests.

1.3. The list of information constituting commercial and official secret is defined in the appendix to this Instruction, which is its integral part.

1.4. Commercial and official secrets do not include:

1) the constituent documents of the University;  
2) information about vacancies, their number and categories;  
3) information on equity securities and their holders to be disclosed in accordance with the legislation of the Republic of Kazakhstan on the securities market;

4) information on affiliates of the Company;

5) other information, free access to which is provided for by legislative acts of the Republic of Kazakhstan, the Charter and other internal documents of the Company. The composition of the information subject to obligatory publication or obligatory reporting to the Sole Shareholder of the Company is established by the Regulation on the Information Policy of the Company.

1.5. The protection of commercial and official secrets consists in prohibiting the disclosure of the above information among a certain or indefinite scope of persons who do not have access to commercial or official secrets in any form that is easy to understand.

1.6. Only citizens whose rights and interests are affected and have the right of access to such information can familiarize themselves with documents, decisions, and sources of information that affect the rights and interests of citizens.

1.7. On documents, deeds and publications containing commercial secrets, in order to prevent unauthorized persons from accessing them, the stamp «Confidential» will be affixed, on documents containing official secret, the stamp «For official use» or «Particleboard».

1.8. In the implementation of trade, economic, scientific, technical, monetary, financial and other relations, including foreign partners, the Company stipulates in the concluded agreements the conditions for maintaining confidentiality or signs a separate agreement, which stipulates the nature and composition of information constituting a trade secret, as well as mutual obligations to ensure its safety in accordance with the law.

1.9. The need to provide, openly publish information constituting a commercial and / or official secret of the Company, their volume, form and time of publication (provision) are determined by the Chairman of the Management Board of the Company.

1.10. The use of information obtained on a contractual or confidential basis or resulting from joint activities for open publication is allowed only with the general consent of the partners.

## **2. ACCESS TO INFORMATION CONTAINING THE COMMERCIAL AND OFFICIAL SECRET OF THE COMPANY**

2.1. Information constituting the commercial and official secret of the Company is available to the Sole Shareholder, members of the Board of Directors, Chairman of the Management Board, Deputy Chairman of the Management Board, corporate secretary, heads of structural divisions and an employee responsible for office work and secret work, ensuring the organization of work with these documents.

2.2. The remaining employees of the Company have access to information and documents containing commercial or official secret, only to the extent necessary for them to perform their official duties.

2.3. An employee of the Company have access to information constituting a commercial and official secret of the Company after signing a document on non-disclosure of this information which is an integral part of the employment contract.

2.4. An employee who, by virtue of his official duties, has access to information constituting a commercial and / or official secret of the Company, as well as an employee to whom such information will be entrusted, should be familiarized with this Instruction.

2.5. Documents containing the commercial and official secret of the Company are stored in the structural divisions of the Company, the competence of which includes the information reflected in these documents.

2.6. Granting access to an employee of one structural unit to commercial and / or official secrets stored in another structural unit is carried out with the permission of the head of the latter.

2.7. Employees admitted to information constituting a commercial or official secret are personally responsible for observing the established procedure for recording, using, reproducing, storing and destroying documents containing commercial or official secret in accordance with applicable law, this Instruction and the terms of the employment contract.

2.8. From the day of hiring and until the expiration of five years from the termination of the employment contract, the employee is obliged to keep confidential information constituting a commercial and official secret that has become known to him in his work, to suppress the actions of other persons that may lead to the disclosure of such information.

2.9. Employees of third-party organizations may be allowed to work with documents containing the commercial or official secret of the Company, if there is an agreement and / or confidentiality agreement between these organizations and the Company, a reasoned written request from those organizations where they work indicating the topic job and surname, name and patronymic of the employee.

## **3. SECURITY OF DOCUMENTS. CHECK THEIR AVAILABILITY**

3.1. Documents containing the commercial and official secrets of the Company should be stored in office premises in safe lockable and fireproof safes, metal

cabinets (drawers) ensuring their physical safety.

3.2. Computers containing a commercial and / or official secret must be password protected.

3.3. Originals or copies of documents containing commercial and / or official secrets may be held by the contractor for the period necessary to complete the assignment, provided that they are fully preserved under his personal responsibility.

3.4. The employees are not allowed to leave originals and copies of documents containing commercial and / or official secrets on their desktops, network printers and copy machine.

3.5. The facts of the loss of documents containing commercial and official secrets, or the disclosure of information contained in them, are immediately notified to the head of the structural unit and the employee responsible for office work and secret work. Moreover, these persons must be informed about the circumstances of the loss of documents.

3.6. For the internal investigation of the fact of loss of documents containing commercial and official secret, or the fact of disclosure of information contained in these materials, the commission may be created by order of the Chairman of the Board - Rector of the University. The materials collected by the commission during the investigation of such facts and the commission's opinion (act) on the results of the investigation are the basis for bringing the guilty persons to liability established by law.

3.7. The procedure for receiving, recording and working with documents with the stamp «Confidential», «For official use» or «Chipboard» is carried out in accordance with the Instruction for the Office of the Company. Checking the availability of such documents is carried out at least once a year by the employee responsible for office work and secret work in the Company.

#### **4. RESTRICTIONS RELATED TO THE USE OF INFORMATION CONTAINING COMMERCIAL AND OFFICIAL SECRET**

4.1. Employees with access to the Company's commercial and official secret are required to:

- keep commercial and official secret that they became aware of in connection with the work they perform;
- comply with the requirements of this Instruction, other provisions, orders to ensure the safety of commercial and official secrets;
- not to use knowledge of commercial and official secrets for engaging in activities that, as a result of competitive action, could harm the Company;
- in case of dismissal, transfer all storage media constituting commercial and / or official secrets to their immediate supervisor or to the person indicated to them, according to the acceptance certificate.

4.2. Workers are prohibited from:

- conduct conversations regarding the content of the Company's commercial and / or official secret in the presence of unauthorized persons or employees of the Company, whose competence does not apply to these issues;
- use information containing commercial and / or official secrets in documents, articles intended for publication in the open press, speeches, interviews, etc. without the appropriate order or permission of management;

- present in writing information containing trade secrets in statements on personal issues, complaints, requests;
- make notes, calculations, etc., revealing trade secrets, in personal notebooks, notebooks, personal computers;
- make copies of documents containing commercial and / or official secrets, without appropriate permission;
- accumulate in desktops documents unnecessary for work containing commercial and / or official secrets;
- take out documents containing commercial and / or official secrets from premises or offices without the permission of the Company's managers in charge of structural divisions;
- post information of documents and publications marked «Confidential», «For official use» or «Chipboard» and other documents containing commercial and official secret in global and local information networks.

## **5. RESPONSIBILITY**

5.1. In case of the disclosure or illegal use of commercial or official secrets, the employee bears disciplinary, civil and other liability established by the legislation of the Republic of Kazakhstan.



**Appendix to the Instructions for ensuring the safety of commercial and official secrets of the non-commercial joint-stock company «West Kazakhstan Marat Ospanov Medical University»**

The list of information constituting commercial and official secrets of the non-commercial joint-stock company «West Kazakhstan Marat Ospanov Medical University»:

1. The commercial secrets of the non-commercial joint-stock company «West Kazakhstan Marat Ospanov Medical University» (hereinafter referred to as the Company) are as follows:

1) information on the preparation, adoption and execution by the management and bodies of the Company of individual decisions on production, commercial, organizational and other issues (decisions of bodies and officials of the Company and other materials and documents arising from them);

2) information on the Company's Development Strategy;

3) information on officially unannounced investment plans, launching new services on the market;

4) information on the directions of marketing research and the results of market research, containing an assessment of the state and prospects of the development of market conditions;

5) content of primary documents, including:

- bank documents (bank accounts for operations);

- cash documents (capitalization and expenditure of funds, and cash balance);

- information on salary accruals to employees of the Company, the amount of material assistance, bonuses;

6) contents of accounting registers;

7) contents of internal financial reports;

8) information on settlement and other accounts opened in credit institutions, other financial organizations (banks), including in foreign currency, on the movement of funds on these accounts, and on the balance of funds on these accounts, information on available deposits with banks, including in foreign currency;

9) financial documents:

- the contents of the budgets of the Company and its subsidiaries;

- the content of the Development Plans (plans for financial and economic activities) of the Company and its subsidiaries;

- settlements with partners, information on receivables and payables of the Company and its subsidiaries;

- plans and reports of the work of the Internal Audit Service of the Company (including quarterly and annual);

10) preparation of proposals for the participation of the Company in public procurement;

11) tender proposals of the Company prior to their disclosure to potential suppliers in accordance with the established procedure;

12) information on domestic and foreign contractors, suppliers, counter-partners (counterparties), sponsors, investors, intermediaries, as well as information on relations with them, their financial situation, terms of contracts, etc. that are not contained in open sources;

13) commercial secrets of partner organizations transferred to the Company on a confidential basis (confidentiality agreement concluded);

14) information on prepare and results of negotiations with business partners;

15) transactions concluded and completed by the Company, including to be concluded and already concluded agreements, their subject matter, contents, price and other essential conditions;

16) staffing of the Company;

17) information about the order and status of the organization of alarm systems;

18) information on the procedure of protection of the Company's commercial and official secrets;

19) information regarding the object of intellectual property, know-how in doing business, in the field of medical science and technology, defining a qualitatively new level of medicine's capabilities up to official presentation in open sources;

20) data about the information system of the Company and the applied methods of information protection;

21) on the availability and owners of equity securities on personal accounts in the system of registers of securities holders and the accounting system for nominal holdings, on balances and movements of equity securities on these accounts, with the exception of information subject to disclosure in accordance with the legislation on the securities market.

2. The official information of the Company is the following information:

1) contained in the personal files of the employees of the Company, including their personal data;

2) own assessment of the nature and reputation of the Company personnel;

3) acts of the Company (personnel orders, production orders);

4) statistical report of the department;

5) information about the system of remuneration of employees of the Company;

6) Company personnel statistics.