



LARISSA YEMELYANOVA
Counsel

AEQUITAS Law Firm

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Practice Areas

[Labor & Employment](#)

[Civil Law](#)

[Business Law](#)

[Pharmaceuticals](#)

[Corporate Law](#)

[Migration Law](#)

[Customs & Logistics](#)

[TMT](#)

Languages Spoken

English, Russian

**Professional
Qualifications**

Lawyer, Kazakhstan

Ms. Yemelyanova specializes in business, labor, contract and migration law.

Larissa successfully combines work in three AEQUITAS's most active areas of practice – business law, labor & employment and pharmaceuticals – together with other practice areas important for clients. Larissa handles any work in a responsible manner and brilliantly contributes to projects requiring complex analysis and preparation of legal opinions. Larissa has successful experience of client representation in court and in the course of client inspections by governmental agencies and participated in the due diligence of major companies in different cities of Kazakhstan.

She has attended a number of trainings at the Career Development Center of the Union of Advocates of Kazakhstan and holds ISO quality management systems internal auditor certificate.

Memberships

Kazakhstan Bar Association
Ius laboris

Experience

2008-present	AEQUITAS Law Firm – Counsel
2002-2008	Group of companies specializing in security systems and services – Head of Legal Department
1999-2002	Major transport & logistic companies – Lawyer

Education

2010	Bournemouth Business School International, course of legal studies, England
2005	Almaty Management University (former International Academy of Business), BA-finance, Kazakhstan

1999 International Slavic Institute, LLB (majored in commercial, entrepreneurial and banking law; ranked as the "Best student for 5 years of studies"), Russia-Kazakhstan

Awards / Recognition



asiaLaw
LEADING LAWYERS

[Recommended Lawyer](#) in Tax and Customs (The Legal 500 2023); Noted in General law (AsiaLaw 2020)

"Very responsible, diligent and detail oriented." AsiaLaw Profiles 2020

"Diligent, devoted and deeply knowledgeable." The Legal 500 2017

Representative Projects

Labor Law, migration and personal data

Larissa possesses many years' experience in advising large foreign and local companies on a broad range of labor and migration issues, including in the personal data sphere.

Relevant clients are Ius Laboris (alliance of the world leading law firms), World Bank, Chevron, Tengizchevroil, ExxonMobil, Caterpillar, Ipsen, Canon, Sanofi, Abbott, FieldCore, HP, Johnson&Johnson, Schlumberger, Eni (referred by Italy-based law firms), Dr. Theiss Naturwaren GmbH, Sew-Eurodrive, LG (referred by ALRUD), British American Tobacco Kazakhstan Trading, Berlin-Chemie, Gazprom Neft, Siveco Romania, Coca-Cola, Mars, METRO, Megapolis Kazakhstan, Mitsui, Reckitt Benckiser, Roche, Chimpharm (Polpharma), Wagenborg (referred by Allen & Overy), Huawei, Al Tamimi & Company, DAI Global, Population Services International, Penal Reform International, Ferrero Kazakhstan, Outotec, Besins Healthcare, Actavo, Tyco Electronics Raychem GmbH, Uber (referred by DLA Piper UK), Exterus B.V., Mundipharma, major international pharmaceutical companies, major local company in the railway transportation sphere, ALRUD, Allen & Overy, Herbert Smith Freehills CIS, Jones Day, Magrath Sheldrick, Pinsent Masons, Sagardoy Abogados, Moncler (referred by Toffoletto De Luca Tamajo e Soci Studio Legale), Willkie Farr & Gallagher, Pepeliaev Group, Astra Zeneca, Chagala Management, IMO Leipzig GmbH and many other.

Please see below certain implemented projects and experience based on the practice areas.

- **Structuring** of business (re)organization in the labor and migration spheres.
- **Hiring** of managing and key employees, including foreign employees.
- **Change** of managing employees.
- **Complicated dismissals:** documents, legal opinions, support and negotiations.
- **Payment, regime of work and rest:** documents, advice, calculations.
- **Occupational safety and labor protection:** documents, advice.
- **Secondment and provision of personnel:** advice concerning the risks and optimum options for Kazakhstan, contracts.
- **HR documents:** employment contracts, orders, regulations, model templates, etc., including with a view to intricate and non-routine issues.

- **Conciliation board** on pre-trial consideration of individual labor disputes: documents for establishment and unimpaired functioning.
- **Personal data**: documents, forms, consents (candidates, employees, healthcare professionals and other persons), advice, policies for posting on websites.
- **Non-competition, trainings and confidentiality**: contracts and advice.
- **Liability of employees** (material, disciplinary and other): documents and advice.
- **Compliance**: ensuring compliance and execution of documents in the labor sphere, assessment of corruption risks, provision of advice and recommendations in the anti-corruption sphere.
- **Labor audit**: comprehensive and limited-scope.
- **International transfers** of chief executives and employees: support, documents, advice.
- **Non-routine situations**: practical solution of legal matters.
- **Migration**: visas and "visa free", foreigners' stay, notices about foreigners' movements, work permits, intra-corporate transfer, liability.
- **Legal opinions** on a wide range of issues. Examples of certain issues requiring legal opinions (except for those listed in other items):
 - work under the conditions of the state of emergency and the quarantine;
 - hiring of relatives;
 - introduction of the Extraordinary Profit Sharing Plan;
 - change of special conditions of work permits;
 - special work regimes for drivers;
 - inflation index;
 - dismissal of employees;
 - change of chief executive officers; and
 - labor relations with a woman with a child, etc.
- **Labor inspections**: successful representation and protection of clients' interests.
- **Labor disputes**: pre-trial settlement, legal analysis, preparation of materials to litigation, dispute support (almost all disputes were successfully resolved).
- **Accidents**: advice on required documents and measures.
- **Workshops**: HR documents and replacement of employees (Chevron); electronic employment contracts and unified accounting system of employment contracts (Chevron, Tengizchevroil); changes in labor law (Tengizchevroil).
- **Public work**:
 - webinar together with ALRUD, a Russian law firm, concerning anti-crisis restructuring and provision of personnel;
 - webinar together with Pepeliaev Group on the issues of relocation of foreign companies to Kazakhstan;
 - reports, conferences, round tables;
 - preparation of proposals to the new draft Labor Code of Kazakhstan, which entered into force in 2016, many of which were accepted.

■ World Bank respondent.

Legal support of business (business, civil, corporate law, pharmaceuticals, customs, logistics and environment)

Larissa's experience allows her providing complex, business-focused advice for professional support of your business in Kazakhstan.

Relevant clients are Chevron, Tengizchevroil, ExxonMobil, Caterpillar, Ipsen, Sanofi, HP, Michelin, Gazprom Neft, NIPigaspererabotka, Sew-Eurodrive, Dr. Theiss Naturwaren GmbH, METRO, LG (referred by ALRUD), Johnson&Johnson, Besins Healthcare, Siemens, Peri, CMA CGM Logistics Central Asia, Bogatyr Access Komir, Coca-Cola, KCell, Abbott, Karazhanbasmunai, Salini Costruttori S.p.A., Coriant, GE, Hennessy, Michelin Russian Tyres Manufacturing Company LLC, Mitsubishi Electric (RUS) LLC, Gowling WLG (UK) LLP, Allen & Overy, Baker Botts (UK), Clifford Chance, Covington & Burling, Jacobs, Kele Inc., Lewis Silkin, Mundipharma, Servier, METRO, Shardul Amarchand Mangaldas & Co, Atomy Rus, Astra Zeneca, Jones Lang LaSalle, Uranium mining company, major international pharmaceutical companies and other.

Please see below certain implemented projects and experience based on the practice areas.

- **Organization and reorganization of business:** legal structuring, market entry and doing business recommendations for major distribution networks and other clients.
- **Business risks:** analysis and forecast, elaboration of measures to mitigate risks.
- **Corporate issues:** management structure optimization, charter and corporate documents, "double signature rule", protection of business owners' interests.
- **Regulation of practice areas** (licensing, notification procedure, requirements to the types of activities): advice.
- **Currency operations:** advice, contracts.
- **Industrial safety:** advice.
- **Relations with counterparties:** legal protection of clients' interests, negotiations, dispute settlement, risk assessment, correspondence, documents.
- **Pharmaceutical industry:** in addition to legal support outlined in other items:
 - commercial and tender policies, standard operating procedures;
 - circulation of medicines and medical products (including the issues of manufacture, import, customs clearance, permitting documents, storage, transportation, sale, destruction, recall from the market, etc.).
 - state deliveries and long-term contracts;
 - price formation;
 - marking;
 - relations and contracts with distributors;
 - fighting corruption and compliance;
 - gifts;
 - instructions for medical application (legal matters);
 - other industry-specific issues.

- **Advertising and promotion:** requirements, evaluation of promotional actions and advertising materials, evaluation of information on websites, rules for using websites.
- **Intellectual property:** contracts, patent and other protection of rights to medicines and data of clinical studies, policies for posting on websites, advice.
- **Antitrust matters:** advice, recording in documents, opinions for protection in disputes with the antitrust agency.
- **Business activities and consumer protection:** overview of requirements, advice, recording in documents, settlement of disputes with consumers.
- **Delivery and sale and purchase** (equipment, vehicles, medicines and other goods): contracts, negotiations, guarantee periods, specifications, complicated conditions of Incoterms®, mutual settlements, resolution of disputable situations.
- **Lease of immovable property and equipment:** contracts, cancellation, change of lease payments, reconstruction of leased premises, advice.
- **Contract work and services:** different contracts, amendment, cancellation, guarantee obligations, advice, legal opinions.
- **Insurance:** contracts, advice, legal opinions on insurance events.
- **Logistics:** package contracts with customs representatives, transporters, forwarding and logistics companies, protection of clients' interests.
- **Contracts** on a wide range of issues (storage, loan, banking operations, sponsor agreements, participation agreements, etc.).
- **Customs:** application of customs regimes, temporary import, conditional release, requirements to import documentation and cargo, customs payments and declarations, customs inspections and liability, possibility to import, etc.
- **Storage and destruction of documents:** advice, documents.
- **Business and state:** public procurement, procurement by Samruk-Kazyna: legal opinions, advice, contracts, inquiries to governmental agencies.
- **Civil liability and limitation thereof:** legal opinions, evaluation of documents and assessment of risks, advice, selection of optimum options, client protection.
- **Taxes:** assessment and mitigation of tax risks, accounting issues (on intricate matters – together with tax advisors).
- **Due Diligence.**
- **Claim settlement.**
- **Legal opinions** on a wide range of issues (including in disputes and for international arbitrations). Examples of certain issues requiring legal opinions:
 - import of equipment for free-of-charge use by recipients with an obligation to acquire spare parts;
 - sales promotion program;
 - procedure for and possibility of purchasing defective spare parts when repairing equipment on balance of a state institution;
 - necessity of participation of the manufacturer's representative in the course of certification of equipment in Kazakhstan imported by a third party;
 - possibility to exercise a bank guarantee;

- tax and regulatory issues of commercial activities in Kazakhstan pertaining to different forms of legal presence;
- legal status of Puerto Rico;
- possibility to recover the borrowers' debts from ultimate beneficial owners;
- checking the ownership to a large batch of equipment;
- disputable price-related issues under a contract with KazTransGas for the sale of gas;
- cancellation of EPC contract;
- interpretation of conditions of EPC contract and possibility to qualify the disputable amount as default interest;
- cancellation of a contract for the construction of a large immovable property item, liability of customer and contractor, payment obligations (legal opinion for a party to an international arbitration);
- interpretation of certain contract provisions in relation to recovery of money interest in connection with payment delay;
- structuring of joint operations to mitigate legal risks;
- temporary import of a container with cargo subject to international agreements;
- possibility to use cloud services at governmental agencies;
- prospects of litigation with a distributor;
- classification of residential and non-residential premises;
- guarantee periods and other obligations in connection with an accident at an oil pipeline (joint opinion together with colleagues);
- mitigation of the risk of invalidation of an interested-party transaction; invalidation of major transactions and transactions in the course of subsoil use operations;
- invalidation of a contract under Kazakhstan law, which is governed by foreign laws;
- introduction of amendments into the prospectus of share issue;
- issues relating to activities of one of the largest Kazakhstan companies occupying a dominant position and providing railway container loading/unloading services (legal opinion for a court in the Netherlands);
- protection of legitimate interests of a major mobile communications operator in a litigation over contract invalidation;
- protection of legitimate interests of a major mobile communications operator in connection with certain issues of antitrust legislation when providing roaming services;
- organization of activities of Edinburgh educational organization in Kazakhstan;
- complicated customs issues of conditional release of goods imported for the company's needs under a preferential regime in the historical aspect and subject to legislation of the Customs Union;
- corporate regulation of powers of the chief executive officers of representative offices;

- "right to be forgotten" in the Internet and other methods to protect honor, dignity and business reputation in Kazakhstan;
- complicated aspects of the right to allotment, including the company's rights to production assets;
- state's priority right to purchase subsoil user's shares and other issues of a disputable situation (legal opinion for a party to an international arbitration);
- international environmental obligations in the documents of the World Trade Organization.

■ **Reports at corporate meetings of clients:**

- compliance, anti-corruption, ethical promotion in the sphere of pharmaceuticals;
- laws of the Eurasian Economic Union (EAEU);
- legal support of the global meeting of the management of subdivision GE Healthcare of General Electric with local dealers of the company;
- corporate liability training for the members of the Management Board of a major pharmaceutical company.

■ **Environment:** international environmental obligations of Kazakhstan, preparation of and legal support to the Environmental Forum (30 May 2013, Astana) pursuant to Chevron's assignment (together with colleagues).

■ **Public work:** secretary of the Legal Committee of Association of International Pharmaceutical Manufacturers (2019), participation in the work of AmCham, Association of the French Business Community in Kazakhstan.

Publications

- Yemelyanova L. Is employment law ready for AI? – Kazakhstan chapter // *Ius Laboris*. – October 2023
- Yemelyanova L. Information in employment contracts: what's changing in the EU? – Kazakhstan chapter // *Ius Laboris*. – June 2022
- Yemelyanova L. Workplace health and safety training – Kazakhstan chapter // *Ius Laboris*. – April 2022
- Yemelyanova L. State Accounting of Employment Agreements: Practical Tips for Employers to Work with the Unified Employment Agreements Accounting System // *Petroleum*. – 2020 - №6.
- Yemelyanova L. Unified Employment Agreements Accounting System and other important changes in labor legislation // *Petroleum*. – 2020. – № 4.
- Yemelyanova L. New registration system for employment contracts in Kazakhstan and other key labour law changes // *Ius Laboris*. – June 2020
- Yemelyanova L. Immigration and Global Mobility Update: Kazakhstan chapter // *Ius Laboris*. – June 2020
- Yemelyanova L. How should employers prepare for the year-end in Kazakhstan? // *Ius Laboris*. – December 2019
- Yemelyanova L. What does 'pay' actually mean? Kazakhstan chapter // *Ius Laboris*. – December 2019

- Yemelyanova L. 2020 Vision: the employment year in prospect in Kazakhstan // Ius Laboris. – December 2019
- Yemelyanova L. Obligation to inform migration authorities about foreigners' travel in Kazakhstan: requirements and practical nuances // The Legal 500. – January 2018.
- Yemelyanova L. Kazakhstan: a guide to transferring foreign employees // Ius Laboris. – January 2018
- Yemelyanova L. Rules about travel by foreign nationals within Kazakhstan // Ius Laboris. – January 2018
- Yemelyanova L. Kazakhstan: a guide to transferring foreign employees // Ius Laboris. – January 2017
- Yemelyanova L. Rules about travel by foreign nationals within Kazakhstan // Ius Laboris. – January 2017
- Chumachenko Y., Yemelyanova L. The New Labor Code: Notes on the Margins // Investors Voice. – 2015. – No. 66.
- Yemelyanova L. Changes to Workplace Injury Insurance Payments in Kazakhstan // ABA Section of Labor and Employment Law / International Labor & Employment Law Committee Newsletter. – 2015. – June.
- Yemelyanova L. International Environmental Obligations of the Republic of Kazakhstan (Analytical Review) // Materials of the Twelfth Atyrau Legal Conference. – 2007. – 2014.
- Chentsova O., Kim V., Yemelyanova L. Kazakhstan's Judicial Practice in Environmental Disputes. // Petroleum. – 2013. – № 3.

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