

Taxation of Individuals on TOM/SPOT Transactions

Pursuant to Article 388 of the Tax Code of the Republic of Kazakhstan: Income derived from non-deliverable derivative financial instruments is subject to personal income tax (PIT).

When an individual earns income from TOM / SPOT transactions during a calendar year:

- **income must be reported in Form 270.00 (Asset and Income Declaration)**

Foreign exchange transactions (including TOM / SPOT transactions) are not subject to VAT.

Income from TOM / SPOT transactions

Income arises only at the moment the transaction is executed (upon sale of foreign currency or position closing).

Income is defined as:

a positive difference between the purchase price and the sale price

How income is calculated

Income = financial result of the transaction:

Income = proceeds received upon closing – invested funds

If the result is positive → PIT is due

In case of a loss → no tax is due

Example

An individual opened a leveraged transaction

Investment
100 000 ₸

Closing result
130 000 ₸

Income
130 000 – 100 000 = 30 000 ₸

Personal Income Tax (10%)
30 000 × 10% = 3 000 ₸

Report in the Mobile App

The mobile app provides access to a TOM/SPOT Financial Results Report that enables to:

- view the total annual result (profit or loss)
- review summary information for all completed transactions
- determine the amount of taxable income

If a profit is generated at year-end:

- independently calculate Personal Income Tax at the rate of 10%
- declare income using Form 270.00
- pay your tax to the budget