

AI, Machine Learning & Big Data 2026

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Trends

Trends and main developments in AI, big data and machine learning

Over the past year, the regulation of artificial intelligence (“AI”) in Kazakhstan has moved from the stage of conceptual debate to full legislative formalisation. The principal development was the adoption of the Law of the Republic of Kazakhstan No. 230-VIII dated 17 November 2025 on Artificial Intelligence (the “**Law**”),¹ which for the first time established in national law a dedicated regulatory regime for AI, including core principles, state powers, the legal framework for AI systems, rules on risk management, transparency, audit, data libraries, and state support. The Law is in force and already constitutes the central element of the new regulatory model. In parallel, Kazakhstan has adopted the Digital Code No. 255-VIII dated 9 January 2026 (the “**Digital Code**”), which consolidates the baseline legal framework for the digital environment and is scheduled to enter into force in July 2026. Alongside it, the Concept for the Development of AI for 2024 to 2029 remains relevant, as it set the state policy direction for the safe and responsible deployment of AI in the economy and public administration.

Technology and the competitive landscape

As regards the state of technology and the competitive landscape, Kazakhstan is not yet a jurisdiction in which a large standalone market for world-class foundation models is being formed. At the same time, the market is already developing actively as a market for applied deployment. Competition is shaped primarily by the integration of ready-made models and digital solutions into existing public sector and corporate processes. The most visible projects involve document workflow automation, customer service, analytics, scoring, antifraud tools, request processing, content generation, and internal digital assistants. In other words, the Kazakhstan market is currently built not around the creation of global foundation models, but around the adaptation, localisation, and safe deployment of AI in specific applied scenarios.

At the infrastructure level, Kazakhstan has also started building national high-performance computing capacity for AI workloads. In 2025, Kazakhstan announced the delivery and launch of a national supercomputer cluster based on NVIDIA H200 accelerators with peak performance reported at around two exaflops (FP8), deployed in a Tier 3 data centre under the competent ministry and launched at the Alemcloud National Supercomputing Center in Astana. Access to such capacity is a practical differentiator in the market, and Kazakhstan has also reported the launch of a platform for organisations to apply for

supercomputer resources (GPU/CPU/RAM/storage) and the use of the cluster by private-sector players (including telecom operators) for developing their own AI solutions.

Use of data for machine learning and other applications

Companies in Kazakhstan seek to maximise the use of data primarily through the creation of data libraries,² the development of internal repositories, the use of corporate datasets for model training and fine tuning, and the integration of AI into existing digital infrastructure. The Law expressly introduces the concepts of a data library and the producer of a data library³ and links model training⁴ to pre-determined and lawful purposes. Owners and possessors of data libraries are entitled to control the conditions under which those libraries may be used for model training, while at the same time being required to ensure the quality, relevance, and lawfulness of the data, including compliance with personal data and copyright requirements.⁵ This means that, for business in Kazakhstan, data is becoming not merely a technical asset, but an object of a managed legal regime in which the origin of the data, access conditions, permissibility of use, and the possibility of subsequent audit are all material.

Adoption of AI, big data and machine learning and key legal issues

The adoption of AI, big data and machine learning in Kazakhstan primarily raises compliance questions around data protection and confidentiality, transparency obligations, and risk governance over the AI system's lifecycle. The Law places a clear emphasis on preventing unlawful handling of personal data, on using datasets obtained in compliance with applicable legislation, and on implementing transparency mechanisms, including user information duties and labelling/notice requirements for AI-generated (synthetic) outputs.⁶ It also introduces a risk-oriented approach to AI systems, including classification elements, documentation and other lifecycle controls.⁷ In parallel, intellectual property ("IP") issues remain relevant, particularly in relation to training data and the use of third-party works, and questions of civil liability and compensation for harm continue to be governed by the general civil law framework, as referenced by the Law.⁸

Government view on the adoption of AI and reaction to the concern of AI safety

The position of the Government of the Republic of Kazakhstan on AI adoption is generally supportive, but not deregulatory. The wording of the Law itself makes clear that the purpose of state regulation is not to restrict technology as a matter of principle, but to ensure the development of AI and to encourage its deployment in order to improve quality of life and enhance economic efficiency.⁹ At the same time, the legislature has expressly established a system of principles centred on legality, fairness, transparency, accountability, data protection, security, and the priority of human well-being.¹⁰ The state's response to concerns relating to AI safety is reflected not in general policy statements, but in concrete legal rules. The Law classifies systems by risk level, identifies high-risk systems, requires ongoing risk management throughout the entire lifecycle,¹¹ permits audit,¹² provides for registers of trusted high-risk systems,¹³ and expressly prohibits a number of functionalities, including manipulative methods of influence, exploitation of vulnerabilities, social scoring, certain forms of biometric categorisation, emotion recognition without consent, and the creation of prohibited AI outputs.¹⁴

State support for the development, implementation and adoption of AI technologies

State support for the development, deployment, and use of AI technologies in Kazakhstan is expressly provided for at the legislative level. Article 28 of the Law states that state support measures are implemented in accordance with the Entrepreneurial Code, legislation on informatisation, and other applicable legislation, while the support itself is to be provided by the authorised body, state bodies, national development institutions, and other organisations acting within their competence and taking into account the list of priority sectors of the economy for AI deployment. In addition, the Law provides for the establishment of a national AI platform as a controlled environment for the development, training,

and pilot operation of platform software products and AI models, as well as access to computing resources with due regard to priority sectors of the economy.¹⁵ In practice, this “access to computing resources” component is already being implemented through the deployment of national high-performance computing infrastructure (including a national supercomputer/GPU cluster) and the introduction of an application-based mechanism for organisations to obtain access to such resources. This demonstrates that the state is supporting not only the legal framework, but also the infrastructure without which full scale AI deployment would be difficult.

Leading industries and sectors in the development and adoption of AI and demand for AI risk-management services

At present, the sectors leading in the development and use of AI in Kazakhstan appear to be the public sector, financial services, telecommunications, digital platforms, media, and large corporate groups with developed IT infrastructure. In the public sector, AI is widely used for data processing, digital services, and the optimisation of administrative procedures of government services. This leadership is also driven by the scale of data generated through Kazakhstan’s digitised public services and the availability of large state information systems and registries, which provide extensive datasets for analytics and AI-enabled service delivery. In the financial sector, the principal areas remain scoring, antifraud, automation of customer service, and compliance analytics. In media and marketing, the importance of generative AI is growing rapidly, particularly where synthetic images, texts, and videos are used, which makes labelling and transparency requirements especially significant. Within businesses, the use of AI is also increasing in HR, document workflow, analytics, procurement, legal functions, and internal automation. At the same time, the market remains only moderately mature. Demand exists, but it is concentrated primarily on practical deployment rather than on large-scale development of proprietary foundation models.

Against this background, a market for AI risk-management services is also beginning to emerge. Demand for those services in Kazakhstan cannot yet be described as fully mature, but it is already real and commercially relevant. Businesses require assistance in classifying a system by risk level, verifying the lawfulness of data, preparing internal documentation, user agreements, and contracts, setting up notice and labelling mechanisms, and allocating liability among the developer, owner, and user. Those services become particularly important in high-risk scenarios and where Kazakhstan companies enter foreign markets.

The EU AI Act does not apply directly in Kazakhstan and is not part of Kazakhstan law. However, it may be relevant for Kazakhstan-based companies that develop or deploy AI systems in the EU, or place AI products/services on the EU market, given the EU AI Act’s extraterritorial reach.

The overall conclusion is clear. Over the past year, Kazakhstan has become one of the few jurisdictions in the region where AI has received a fully developed legislative framework of a dedicated nature. The market remains emerging, but it is already active. The state has adopted a pro-innovation but controlled position. Growth is concentrated in applied sectors, while legal demand is shifting toward transparency, data governance, copyright, liability, audit, and AI governance. These issues will shape the practice of AI deployment in Kazakhstan in the near term.

Ownership/protection

AI algorithms and ownership

In Kazakhstan, the question of who owns an AI algorithm is not resolved through a separate proprietary right in AI itself. The applicable legal regime is formed through a combination of general civil law rules, copyright legislation, contractual regulation, and the Law. For practical purposes, it is important to note that the Law itself distinguishes between the owner and the holder of an AI system and sets out their rights and obligations in Article 15. Owners and holders are entitled to determine the conditions for use

of the system and to protect their rights in the AI system. At the same time, they are required to ensure security, reliability, risk management, recordkeeping, and the prior provision of a user agreement. This means that, in corporate practice, title to an AI solution is determined not in abstract terms, but through the legal framework of control, contract, and allocation of responsibilities under Article 15 of the Law.

Where a company develops an AI algorithm through its employees, ownership of rights will in most cases be determined through employment and service relationships, as well as the employer's internal documents. Where a solution is created by a contractor, developer, or jointly with a technology partner, ownership of rights must be expressly regulated by contract. In Kazakhstan, this is particularly important in practice, because in the absence of contractual allocation there may be a gap between factual possession of the model and legally confirmed rights in the code, architecture, training data, outputs, and derivative materials. The Law does not replace the civil law and contractual framework, but it strengthens it, because it links the status of owner and holder not only to rights, but also to public law obligations.

IP issues regarding ownership

In Kazakhstan, AI-related IP issues typically revolve around protection of the software product and its components, questions of rights in content generated using AI systems, and the lawfulness of using third-party copyright-protected works for training AI models. Article 23 of the Law is of central importance here, because it directly regulates copyright in the AI context. The Law provides that works created using AI systems are protected by copyright only where there is a human creative contribution. It also states that creative text-prompts submitted to an AI system may be protected if they satisfy the criteria for copyrightability, while the use of works for model training is permitted only in the absence of an expressly stated prohibition by the author or another rightsholder in machine-readable form. This is one of the central provisions for the entire issue of copyright ownership and protection, because it distinguishes lawful training from potential infringement of third-party rights.

IP and AI-created content and inventions

In Kazakhstan, AI is not recognised as an independent author or inventor. Legal protection remains with the human being, provided that the human made a creative contribution to the final result. Based on a literal interpretation of the applicable legislation, a result generated entirely autonomously by an AI system, without any human creative input, would not qualify for copyright protection. However, this issue cannot be regarded as entirely settled, as the practical boundaries of "creative contribution" and the evolving use of AI tools may give rise to further interpretative questions. For that reason, in relation to AI-created content, businesses are recommended to document in advance what the human contribution consisted of. This may include the formulation of an original prompt, the selection and arrangement of the output, editing, revision, review, and finalisation.

Protecting technology and data

Companies in Kazakhstan generally protect their technology and data not through a single mechanism, but through a combination of legal and organisational measures. Copyright applies to program code, documentation, and certain elements of software solutions. Patent protection may be considered for technological solutions where the relevant patentability requirements are met, although even in that case the starting point remains human contribution. Article 15 of the Law reinforces the importance of this model of protection, because it requires owners and holders of AI systems to ensure the security and reliability of the system, while Article 18 requires continuous risk management throughout the entire lifecycle of the system.

Other issues regarding ownership

A separate issue concerns the protection not of the model itself, but of data libraries. Article 27 of the Law expressly provides that owners and holders of data libraries are entitled freely to create, use, and

disseminate data libraries subject to the limitations established by the Law, to control their use for model training within the declared purposes, and to obtain information on the operating principles of models to the extent necessary to verify compliance with the conditions of use. This means that the Law recognises in favour of the holder of a data library not only factual control, but also a distinct bundle of powers relating to the management of the use of that dataset. This is highly significant in practice because, in AI projects, economic value is often concentrated in the dataset rather than only in the code or interface.

In addition to ownership issues, there are other legal issues closely connected with ownership. These issues are the delineation of rights in the system, the model, the training data, and the outputs of the system. They also include situations where the holder of the system does not always coincide with the holder of the data library or the commissioning party. Another aspect concerns obligations owed to users and to the state. For example, even where a company regards the system as its IP, it is not relieved of the obligation to ensure transparency in its use. Under Article 21 of the Law, users must be informed that goods, works, and services are produced or provided using AI systems. Synthetic outputs may be disseminated only if accompanied by machine-readable labelling and a corresponding warning. Responsibility for informing users is assigned to the owners or holders of the AI systems. Consequently, ownership of AI in Kazakhstan is not absolute in the classical commercial sense. It is always accompanied by obligations relating to transparency and lawful use.

Data ownership, security and information privacy laws

The applicable law in Kazakhstan in relation to data ownership, security, and information privacy consists of several layers. The Law establishes the basic principles of data protection and confidentiality in Article 10 for secure operation, requires protection of personal data processed by AI systems, measures against unauthorised third-party access, and uses high-quality and representative datasets obtained in compliance with Kazakhstan law, the rights and obligations of owners and holders of systems in Article 15 (risk management, security and reliability safeguards, maintaining AI documentation commensurate with impact, user support, and making the user agreement available prior to use), the transparency regime in Article 21 (notice to users that goods/works/services are produced or provided using AI, synthetic outputs may be disseminated only with machine-readable labelling and a clear warning, and responsibility for such notice rests with the owner/possessor) and Article 22 (machine-readable forms are used to ensure transparency and accountability, and the authorised body determines the procedure for their development and use), the copyright rules in Article 23 (AI-assisted works are protected only with a human creative contribution, text prompts can be copyright objects, and use of works for AI training is permitted only absent a machine-readable prohibition by the author/rightsholder), the rules on compensation for harm in Article 24 (compensation for harm caused by AI systems follows the Civil Code, and liability/risk insurance is governed by separate laws), and the legal regime of data libraries in Article 27 (data library owners/holders must ensure data quality and currency, define access terms, comply with personal data and copyright rules, and indicate the data library manufacturer in machine-readable form). Alongside this, the Law of the Republic of Kazakhstan on Personal Data and Their Protection, the Law on Informatization, the Law on Copyright and Related Rights, and the general provisions of the Civil Code continue to apply. As a result, Kazakhstan does not recognise a universal and absolute right of ownership in data modelled on ownership of tangible property. Instead, a mixed regime applies, combining access rights, contractual limitations, personal data protection requirements, information security, confidentiality, and lawful use requirements.

IP protection and regulatory/reporting

A reasonable balance between IP protection and regulatory transparency in Kazakhstan is currently structured as follows. The state does not require businesses to disclose source code, model architecture, or other commercially sensitive elements merely because a system uses AI. At the same time, the state does require the owner or holder to be able to demonstrate the lawful origin of the data, the existence of risk

management, compliance with user rights, and transparency in the use of AI. This is clear from Articles 18, 20, 21, and 22 of the Law. In particular, an audit under Article 20 of the Law includes an assessment of the quality and lawfulness of the use of data libraries employed for model training, as well as the absence of prohibited functionalities. The optimal approach for a company, therefore, is not a complete non-disclosure, but controlled disclosure of the amount of information necessary to comply with the law, confirm the lawfulness of the use of the technology, and reduce regulatory risk, while preserving in a confidential regime the code, architecture, know how, and commercially valuable datasets.

Antitrust/competition laws

Machine collusion

In Kazakhstan, “machine collusion” is not regulated as a separate legal category. Potential AI-driven parallel or coordinated conduct is assessed under the general antimonopoly framework of the Entrepreneurial Code, primarily through (i) anti-competitive agreements, and (ii) anti-competitive concerted actions. Where algorithms or AI tools are used as an instrument to implement a pre-agreed strategy (for example, resale price maintenance, market allocation, output restriction, or exclusion of competitors), the conduct is likely to be characterised as an anti-competitive agreement under the Entrepreneurial Code.

A more complex scenario arises where there is no explicit agreement between market participants, but the outcome is aligned through algorithmic pricing/decision-making tools and market signalling. In such cases, the legal risk is assessed under Article 170 of the Entrepreneurial Code on anti-competitive concerted actions. Importantly, an agreement is not required: under Article 170(2), actions may be recognised as concerted where the statutory criteria are met, including (among others) a restriction of competition, advance awareness of the conduct due to a public statement or public disclosure by one participant, causal dependence of each participant’s conduct on the conduct of others, and the market-share thresholds.

Antitrust concerns arising from big data

From the perspective of big data, the main antitrust concerns are data concentration, potential barriers to market entry, and abuse of dominance. Companies holding substantial volumes of data may obtain significant competitive advantages, including more accurate models, more effective algorithms, and more personalised products, which may strengthen market power and make entry more difficult for new market participants. However, Kazakhstan law does not impose a general obligation to grant competitors access to data, particularly where such data have been created through significant investment and effort.

Board of directors/governance

Governance issues in relation to AI and big data

For companies in Kazakhstan, corporate governance issues arising from AI and big data can no longer be treated as an internal technical matter for the IT department. Following the adoption of the Law, governance in this area has become a distinct field of legal and managerial oversight. This follows from the fact that the Law expressly establishes the principles of transparency, explainability, accountability, controllability, data protection, confidentiality, security, and the priority of human well-being. These principles are set out in Articles 6 to 11 of the Law and, in effect, form the basic framework for an internal AI governance system within a company.

From a practical perspective, companies must address several key governance issues. First, a company must determine the precise role it occupies in relation to the AI system. The Law distinguishes between the owner, the holder, and the user of the system, and the scope of obligations depends on that classification. Article 15 expressly provides that owners and holders of AI systems must ensure the security and reliability of the system, manage risks, maintain documentation, support users, and provide the user agreement in

advance. This means that the governance model must include not only the technical operation of the system, but also a legally structured allocation of roles and responsibilities within the company and in its relations with contractors, suppliers, and clients.

Second, companies are recommended to establish a continuous risk-management process. Article 18 of the Law defines risk management as an ongoing process throughout the entire lifecycle of the system. It includes the identification and analysis of known and foreseeable risks, the assessment of risks in light of the intended purpose and reasonably foreseeable misuse, the adoption of measures to prevent and mitigate risks, and the regular updating of those risks at least once a year. For the board of directors, this means that AI risks must be integrated into the overall corporate risk map rather than treated as a separate and isolated category.

Third, AI and big data materially change the due diligence standard applied by boards of directors and in corporate transactions. Where due diligence previously focused mainly on corporate, property, tax, and contractual matters, it must now also include an analysis of digital assets, data libraries, rights in models, the lawfulness of data provenance, the legal basis for the use of data for training, the structure of access to data, the existence of user agreements, compliance with transparency obligations, and readiness for audit. This follows directly from the structure of the Law itself, which separately regulates the rights and obligations of relevant persons, the legal regime of AI systems, risk management, registers of trusted high-risk systems, audit, and transparency in the use of AI systems in Articles 15 to 22.

The effect of AI and big data on the due diligence process for boards of directors

Particular importance for due diligence attaches to Article 20 of the Law on the Audit of AI Systems. The very introduction of a mandatory or otherwise significant audit component means that, when acquiring a business, entering into a technology partnership, or deploying an external AI solution, the board of directors should assess not only the commercial utility of the technology, but also the extent to which the system is documented, governed, and capable of being reviewed for compliance with legal requirements. At board level, due diligence in this respect is no longer optional from a risk-management perspective. It forms part of the assessment of the legal resilience of the asset.

The effect of AI and big data on a board's fiduciary duties

AI also affects the fiduciary duties of governing bodies. Although Kazakhstan corporate law does not contain a separate rule on fiduciary duties specifically in connection with AI, the general standard of good faith and reasonableness must now be applied with regard to technological risks. Following the adoption of the Law, the board of directors can no longer argue that the risks associated with automated decisions, synthetic content, opaque data processing, or undocumented models were unforeseeable. If a company uses an AI system in sensitive processes and the governing bodies fail to ensure the minimum necessary oversight, fail to implement an internal policy, fail to designate responsible persons, and fail to integrate AI risks into the internal control system, this may be regarded as insufficient diligence in the management of the company. For this reason, Articles 8, 10, 11, 15, and 18 of the Law are directly relevant to the assessment of the conduct of management bodies, because they establish requirements relating to accountability, data protection, security, and risk management.

The effect of AI and big data on communication plans to shareholders, vendors, etc.

It is also important to note the impact of AI and big data on communications with shareholders, counterparties, suppliers, and other stakeholders. Article 21 of the Law requires transparency in the use of AI systems. In particular, users must be informed that goods, works, or services are being created or provided with the use of AI systems. Article 22 further introduces machine-readable labelling and warnings for synthetic outputs. This means that corporate communications in companies using AI must already take into account new disclosure requirements.

For suppliers and contractors, the significance of communication increases especially at the contractual level. Companies must agree in advance who is the owner and who is the holder of the system, who is responsible for data quality, who ensures the labelling of synthetic outputs, who manages risks, and who bears liability to the user or the regulator. In other words, communication plans *vis-à-vis* vendors and technology partners can no longer be limited to ordinary technical specifications. They must include legal provisions addressing data, transparency, audit, security, and the allocation of liability. This follows logically from Articles 15, 18, 20, and 21 of the Law, because these provisions form the mandatory elements of proper governance of an AI system.

In relation to shareholders and investors, AI also changes the substance of corporate reporting and internal explanations. Even if the Law does not yet require a separate public report on AI governance, the board of directors is recommended to be prepared to explain which AI solutions the company uses, in which processes they are deployed, which risks are associated with them, how data protection is organised, and which measures have been taken to prevent legal and reputational consequences. In practice, this means that AI governance is gradually becoming part of the broader ESG, compliance, and risk reporting agenda.

The overall conclusion is straightforward. Kazakhstan's new AI framework shifts a number of issues from "best practice" into a compliance agenda. From a compliance perspective, companies deploying AI need to (i) determine their role and responsibilities in relation to the AI system, (ii) organise ongoing risk management and maintain required documentation, (iii) conduct appropriate due diligence on data, models and rights, and (iv) ensure transparent communication and user-facing notices where required. These are not presented as a statutory checklist; rather, they reflect how the Law and the existing legal framework translate into corporate compliance priorities.

Regulations/government intervention

Specific laws relating to AI, big data and machine learning

Kazakhstan already has dedicated legislation that directly regulates AI. The principal act is the Law, which has been in force since 18 January 2026. The Law (Article 2) itself provides that the legislation of the Republic of Kazakhstan in the field of AI is based on the Constitution and consists of the Law and other regulatory legal acts of the Republic of Kazakhstan. The Law contains not only general definitions, but also a comprehensive structure of state regulation, including the objectives and purposes of regulation, governing principles, state competence, the legal regime of AI systems, risk management, audit, transparency, copyright, compensation for harm, and state support.

Alongside the Law, related amendments have already been adopted. The Law introduced amendments to a broad range of sector-specific acts, including the laws on operational investigative activity, national security bodies, consumer protection, personal data and their protection, informatisation, digital assets, and mass media. This is important because Kazakhstan's regulatory model is built not only around a standalone law, but also around the incorporation of AI-related elements into the existing regulation of personal data, consumer relations, the digital environment, and information security. In addition, Law No. 232-VIII established administrative liability mechanisms for violations of AI legislation, which demonstrates a shift from declaratory regulation to a regime in which supervision and sanctions are already possible.

Future laws relating to AI, big data and machine learning

As to whether further legislative reforms are being considered in this area, the answer is yes. First, the Law was adopted as part of a legislative package. Alongside the core Law, the Parliament also adopted companion Laws No. 231-VIII and No. 232-VIII dated 17 November 2025, which introduce consequential

amendments to related legislation to enable implementation of the new AI framework, including (in particular) administrative liability mechanisms for breaches of the AI regime. Second, Kazakhstan has adopted the Digital Code, which is intended to regulate social relations arising in the digital environment in the course of the introduction and use of digital technologies and solutions and forms a broader framework relevant to AI technologies. The Digital Code is scheduled to enter into force in July 2026. Legislative development in Kazakhstan is therefore not complete; the Law should be regarded as a foundation that will be supplemented by implementing subordinate legislation, sector-specific rules and the broader digital reforms reflected in the Digital Code.

The regulators responsible for AI, machine learning and big data

The principal regulators in this area are the Government of the Republic of Kazakhstan, the authorised body in the field of AI, and sector-specific state bodies. This follows directly from the structure of Chapter 2 of the Law. Article 12 sets out the competence of the Government of the Republic of Kazakhstan in the field of AI, Article 13 sets out the competence of state bodies in the field of AI, and Article 14 provides for the operator of the national AI platform. The authorised body is identified as the Ministry of AI and Digital Development of the Republic of Kazakhstan, while the operator of the national AI platform is JSC National Information Technologies. The Law also states that the Government approves the list of priority sectors of the economy for AI deployment, the authorised body exercises supervisory and control functions, and sector-specific bodies form sectoral data libraries in accordance with data governance requirements.

Sector-specific regulations concerning AI

Sector-specific AI regulation in Kazakhstan is emerging, but it is not yet consistently expressed through standalone “AI-by-sector” acts. Much of the current framework is cross-cutting: the Law operates together with generally applicable regimes, such as personal data protection, consumer protection, informatisation/information security and related compliance requirements. Against that baseline, certain regulated areas reflect more tailored considerations in practice. For example: media and digital content is particularly affected by transparency and labelling requirements for synthetic outputs; consumer-facing services are affected by the duty to inform users where AI is used; and higher-sensitivity uses linked to national security and law enforcement are subject to tighter legal constraints under the relevant sectoral legislation. Overall, Kazakhstan is moving toward an applied, sector-aware model through the combination of the general law and existing sectoral regimes, rather than through a single dedicated AI regulation for each sector.

Preventing adverse outcomes

From the perspective of state policy, Kazakhstan proceeds on the basis that AI should develop actively, but within a controlled and safe environment. This is already clear from the objectives and principles of the Law. The main principles expressly include transparency and explainability, accountability and controllability, the priority of human well-being, data protection and confidentiality, as well as safety and security. These principles are set out in Articles 7, 8, 9, 10, and 11 of the Law. Kazakhstan, therefore, does not adhere to the idea of prohibiting or restraining the technology as a whole. It seeks to prevent adverse outcomes through a preventive legal architecture. This logic underlies the provisions on risk classification, risk management, audit, transparency, machine-readable labelling, and state oversight.

Managing risks and potential liabilities

In practice, AI risk management in Kazakhstan is developing unevenly. At the same time, there is no publicly available, systematic national research or comparable benchmarking that would allow an objective assessment of the overall market maturity of corporate AI compliance and risk-management practices.

Civil liability

Civil liability arising from the use of AI in Kazakhstan is determined on the basis of the general provisions of the Civil Code. Article 24 of the Law expressly provides that compensation for harm caused by AI systems is carried out in accordance with the Civil Code of the Republic of Kazakhstan. At the same time, the allocation of liability may be refined by contract between the developer, supplier, and user of the system. Where an AI system causes harm, the general rules on compensation for harm apply, including the need to establish unlawfulness, causation, and fault, unless otherwise provided by law.

Criminal issues

From the standpoint of criminal law, AI is not recognised as a subject of crime. Liability is borne by the natural persons who developed, deployed, or used the system in violation of the law. Where the system is used as an instrument for the commission of a crime, liability arises under the general rules applicable to the relevant offence. Where the actions of the system lead to unlawful consequences in the absence of direct intent on the part of the user, the assessment will depend on whether the applicable requirements relating to control, safety, and risk management were observed.

Discrimination and bias

Issues of discrimination and algorithmic bias are addressed through the existing rules prohibiting discrimination, protecting consumer rights, and safeguarding personal data. Where an AI system produces discriminatory outcomes, that conduct may be treated as a violation of human rights and equality principles. Of particular importance is the requirement of transparency and explainability, especially where automated decisions affect the rights and legitimate interests of individuals. The Law reinforces this approach by establishing obligations relating to information disclosure and risk management.

Conclusion

In conclusion, Kazakhstan has already established a full basic framework for AI regulation, although enforcement practice and subordinate regulation will continue to develop. For developers, suppliers, users, and regulators, the key point is that AI in Kazakhstan is no longer viewed as a technological area without clear rules. It is now an independent field of regulation in which issues of data, transparency, copyright, security, liability, consumer protection, and national security intersect. In practical terms, this means that, in the coming years, the most important factor will not be general discussion of AI ethics, but the ability of market participants to demonstrate the lawful origin of data, effective control over the system, the existence of proper documentation, the correct allocation of roles, and genuine readiness for audit and regulatory oversight.



Endnotes

- 1 Available at Adilet Legal Information System, <https://adilet.zan.kz/rus/docs/Z2500000230>
- 2 Article 1, paragraph 1 of the Law.
- 3 Article 1, subparagraph 2 of the Law.
- 4 Article 1, subparagraph 9 of the Law.
- 5 Article 27 of the Law.

- 6 Article 10, paragraph 2 of the Law.
- 7 Article 21 of the Law.
- 8 Article 24 of the Law.
- 9 Article 3, paragraph 1 of the Law.
- 10 Article 4 of the Law.
- 11 Article 18 of the Law.
- 12 Article 20 of the Law.
- 13 Article 19 of the Law.
- 14 Article 17, paragraph 3 of the Law.
- 15 Article 28 of the Law.



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