



On approval of the Rules for the assignment, return and amount of a one-off payment in connection with adoption of an orphan child and (or) a child left without parental care

Invalidated Unofficial translation

Resolution of the Government of the Republic of Kazakhstan dated July 10, 2014 No. 787. Abolished by the Decree of the Government of the Republic of Kazakhstan dated 07/28/2023 No. 621

Unofficial translation

Footnote. Abolished by the Decree of the Government of the Republic of Kazakhstan dated 07/28/2023 No. 621 (effective after ten calendar days after the date of its first official publication).

In accordance with paragraph 2 of Article 86 of the Code of the Republic of Kazakhstan "On Marriage (Matrimony) and Family", the Government of the Republic of Kazakhstan **HEREBY RESOLVES:**

Footnote. The preamble is in the wording of the Resolution of the Government of the Republic of Kazakhstan dated 27.09.2022 No. 757 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

1. To approve the attached Rules for the assignment and return of a one-off payment in connection with adoption of an orphan child and (or) a child left without parental care.

2. To establish that the amount of a one-off payment in connection with adoption of an orphan child and (or) a child left without parental care shall be seventy-five monthly calculation indices.

3. This resolution shall enter into force on January 1, 2015 and shall be subject to official publication.

*Prime-Minister
of the Republic of Kazakhstan*

K. Massimov

Approved
by the Resolution of
the Government of the
Republic of Kazakhstan
dated July 10, 2014 No. 787

Rules

for the assignment and return of a one-off payment in connection with adoption of an orphan child and (or) a child, left without parental care Chapter 1. General provisions

Footnote. The heading of Chapter 1 is in the wording of the Resolution of the Government of the Republic of Kazakhstan dated 27.09.2022 No. 757 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

1. These Rules for the assignment and return of a lump sum cash payment in connection with the adoption of an orphan child and (or) a child left without parental care (hereinafter- the Rules) have been developed in accordance with paragraph 2 of Article 86 of the Code of the Republic of Kazakhstan "On Marriage (Matrimony) and Family" and shall determine the procedure for assigning and returning a lump-sum cash payment upon adoption of an orphan child and (or) a child left without parental care.

Footnote. Paragraph 1 is in the wording of the Resolution of the Government of the Republic of Kazakhstan dated 27.09.2022 No. 757 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

2. Assignment and payment shall be made by the education departments of cities of republican significance and the capital, education departments of districts, and cities of regional significance (hereinafter - the department) through the web portal "electronic government".

Footnote. Paragraph 2 is in the wording of the Resolution of the Government of the Republic of Kazakhstan dated 27.09.2022 No. 757 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

3. Assignment and payment shall be made to the citizens of the Republic of Kazakhstan, permanently residing on the territory of the Republic of Kazakhstan, who have adopted an orphan child and (or) a child left without parental care.

Footnote. Paragraph 3 is in the wording of the Resolution of the Government of the Republic of Kazakhstan dated 02.07.2015 No. 504 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Chapter 2 The procedure for assigning a lump-sum cash payment in connection with the adoption of an orphan child and (or) a child left without parental care

Footnote. The heading of Chapter 2 is in the wording of the Resolution of the Government of the Republic of Kazakhstan dated 27.09.2022 No. 757 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

4. A one-off payment shall be assigned and paid to one of the adoptive parents, if the court decision on adoption of a child entered into force not earlier than January 1, 2015, and can be implemented within twelve months from the date of entry into force of the above mentioned court decision.

5. A one-off payment shall be assigned and paid for each adopted orphan child and (or) child left without care.

6. In the case of separate residence of the adoptive parents at the time of applying for assignment of a one-off payment, it shall be assigned and paid to an adoptive parent with whom an adopted child lives.

7. To receive a lump-sum cash payment, one of the adoptive parents shall submit the following documents to the department at the place where the court decision on the adoption of a child was made:

- 1) an application in the form in accordance with Appendix 1 to these Rules;
- 2) a copy of the court decision on the adoption of the child, which has entered into legal force;
- 3) a copy of an identity document of the adopter;
- 4) a birth certificate of an adopted child (children) in electronic form or a copy of it on paper;
- 5) a copy of an agreement on opening a personal account in the name of one of the adoptive parents in a second-tier bank or an organization licensed by the National Bank of the Republic of Kazakhstan to carry out certain types of banking operations.

An employee of the department receives information about identity documents, an agreement on opening a personal account in the name of one of the adoptive parents in a second-tier bank or an organization licensed by the National Bank of the Republic of Kazakhstan to carry out certain types of banking operations, from the relevant state information systems through the gateway "electronic government."

Footnote. Paragraph 7 is in the wording of the Resolution of the Government of the Republic of Kazakhstan dated 27.09.2022 No. 757 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

8. Is excluded by the Resolution of the Government of the Republic of Kazakhstan dated 27.09.2022 No. 757 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

9. Is excluded by the Resolution of the Government of the Republic of Kazakhstan dated 27.09.2022 No. 757 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

10. The department shall check the right of the adopter to receive a lump sum cash payment and, within five working days from the date of receipt of an application, shall make a decision on assignment or refusal to assign a lump sum cash payment in connection with the adoption of an orphan child and (or) a child left without parental care, in accordance with Appendix 2 to these Rules.

Footnote. Paragraph 10 is in the wording of the Resolution of the Government of the Republic of Kazakhstan dated 27.09.2022 No. 757 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

11. A one-off payment shall be made by transferring the funds to the personal account of an adopter within seven working days from the date of the decision on

assignment of a one-off payment in connection with adoption of an orphan child and (or) a child left without parental care.

12. The grounds for refusal to assign a payment in connection with adoption shall be:

1) submission of an incomplete list of documents specified in paragraph 7 of these Rules;

2) cancellation of adoption by the court decision that has entered into force;

3) recognition of adoption as invalid by the court decision that has entered into force.

Chapter 3 Refund of funds paid in the form of a lump-sum cash payment in connection with the adoption of an orphan child and (or) a child left without parental care

Footnote. The heading of Chapter 3 is in the wording of the Resolution of the Government of the Republic of Kazakhstan dated 27.09.2022 No. 757 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

13. A one-off payment in case of cancellation of an adoption or recognition of adoption as invalid shall be returned by the adopter to the local budget of the Republic of Kazakhstan within a month from the date of entry into force of the court decision to cancel the adoption or to recognize the adoption as invalid.

14. The body within five working days from the date of entry into force of the court decision on cancellation of an adoption or recognition of adoption as invalid shall notify the adoptive parent of the need to return the transferred one-off payment.

15. In case of non-return by an adoptive parent of a one-off payment within the prescribed period, their return shall be carried out a judicial proceeding.

Appendix 1
to the Rules for assignment and
return of a one-off payment in
connection with adoption of
an orphan child or a child
left without parental care
Form

(name of body)

Footnote. Appendix 1 is in the wording of the Resolution of the Government of the Republic of Kazakhstan dated 27.09.2022 No. 757 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Form

_____ **(name of the department) Application**

I hereby request to assign a lump sum cash payment in connection with the adoption of a child

(Full name (if any), date of birth of a child (children)

Surname _____ Name _____

—
Patronymic (if any) _____ of the adoptive parent
Address _____

—
Name of the court _____
Court decision No. _____ dated " _____ " _____ 20 ____
Type of the document certifying the identity of an adoptive parent _____

—
series _____ number _____ issued by _____
Individual identification number _____
Personal account number _____

—
Name of the bank _____

Attachments:

- 1) a copy of the court decision on the adoption of a child that has entered into legal force;
- 2) a copy of an identity document of the adopter;
- 3) a birth certificate of an adopted child (children) in electronic form or its copy on paper;
- 4) a copy of the birth certificate of an adopted child;
- 5) a copy of an agreement on opening a personal account in the name of one of the adoptive parents

in a second-tier bank or an organization licensed by the National Bank of the Republic of Kazakhstan

to carry out certain types of banking operations.

I have been warned about the responsibility for providing inaccurate information and forged documents.

" _____ " _____ 20 ____ Applicant's signature _____

Documents accepted:

" _____ " _____ 20 ____

(signature) (full name (if any), position of the person who accepted the documents)

(cutting line)
Application of Mr. (Mrs.) _____ with attached documents
in the amount
of _____ pieces accepted " ____ " _____ 20

(signature) (full name (if any), position of the person who accepted the documents)

Appendix 2
to the Rules for assignment
and return of a one-off payment in
connection with adoption of
an orphan child or a child
left without parental care

**Decision
on assignment (on refusal to assign)
a one-off payment in connection with adoption
of an orphan child and (or) a child
left without parental care**

No. ____ dated " ____ " _____ 20 ____

(name of body)

Citizen _____

(full name)

Date of application _____

FULL NAME of an adopted child _____

Date of birth of an adopted child _____

Birth certificate of an adopted child _____

(record of the act of birth)

No. _____ Date of issue _____ Name of an

authority that issued the child's birth certificate

(record of the act of birth) _____

The decision of the court on adoption " ____ " _____ 20 ____

The amount of a one-off payment in connection with adoption of a child shall be

_____ tenge

(amount in writing)

The assignment of a one-off payment has been refused

due to: _____

P. S.

_____ (Head of the authority) _____
(signature) (surname)

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Justice of the Republic of Kazakhstan