



On formation of the Commission under the President of the Republic of Kazakhstan on anti-corruption issues

Unofficial translation

Decree of the President of the Republic of Kazakhstan dated April 2, 2002 N 839.

Unofficial translation

Footnote. In the heading and text, the words "and observance of official ethics by civil servants" were excluded by Decree of the President of the Republic of Kazakhstan dated 23.07.2007 № 369.

Footnote. The name of the Decree as amended by Decree of the President of the Republic of Kazakhstan dated 09.06.2016 № 275.

To be published
in the republican press
in the statement

In accordance with subparagraph 20) of Article 44 of the Constitution of the Republic of Kazakhstan, hereby I resolve:

1. To form the Commission under the President of the Republic of Kazakhstan on anti-corruption issues.

Footnote. Paragraph 1 as amended by Decree of the President of the Republic of Kazakhstan dated 09.06.2016 № 275.

2. To approve the attached:

1) Regulations on the Commission under the President of the Republic of Kazakhstan on anti-corruption issues;

2) Excluded by Decree of the President of the Republic of Kazakhstan dated 13.03.2012 № 284.

Footnote. Paragraph 2 as amended by Decree of the President of the Republic of Kazakhstan dated 09.06.2016 № 275.

3. This Decree shall come into effect from the date of signing.

The President of the Republic of Kazakhstan

Approved by
Decree of the President of the
Republic of Kazakhstan
dated April 2, 2002 № 839

Regulation

**on the Commission under the President of the Republic of Kazakhstan
on anti-corruption issues**

Footnote. In the title and throughout the text of the Regulation on the Commission under the President of the Republic of Kazakhstan on the fight against corruption, approved by the above-mentioned Decree, the words “fight against corruption”, “on fight against corruption” were replaced, respectively, with the words “combating corruption”, “combating corruption” in accordance with Decree of the President of the Republic of Kazakhstan dated 09.06.2016 № 275.

1. General Provisions

1. The Commission under the President of the Republic of Kazakhstan on anti-corruption issues (hereinafter referred to as the Commission) shall be an advisory and consultative body under the Head of State.

2. The tasks of the Commission shall be the development and adoption of coordinated measures aimed at strengthening the fight against corruption and violations by civil servants of the Code of Ethics of Civil Servants of the Republic of Kazakhstan (hereinafter referred to as the Code of Ethics), increasing the level of responsibility of civil servants.

Footnote. Paragraph 2 as amended by the Decree of the President of the RK dated 29.06.2024 № 591.

3. The Commission shall be guided in its activities by the Constitution, the laws of the Republic of Kazakhstan, acts, and instructions of the Head of State, as well as this Regulation

4. The Commission shall consist of the Chairman, Secretary and other members of the Commission according to the Annex to the present Regulation. The Commission shall be headed by the State Counselor of the Republic of Kazakhstan. The Secretary of the Commission shall be the Head of the Law Enforcement Division of the Administration of the President of the Republic of Kazakhstan.

Footnote. Paragraph 4 - in the wording of the Decree of the President of the RK dated 29.06.2024 № 591.

5. Excluded by Decree of the President of the Republic of Kazakhstan dated 13.03 2012 № 284.

2. Functions and powers of the Commission

6. The Commission shall perform the following functions:

1) development and submission of proposals to the Head of State on anti-corruption issues, including on improving anti-corruption legislation, forms and methods of anti-corruption;

2) monitoring and analyzing the state of anti-corruption, violations of the Code of Ethics by civil servants;

3) consideration of appeals of citizens and legal entities, as well as publications in the media on the facts of corruption offenses committed by persons holding responsible public

positions, violations of official ethics by civil servants and preparation of recommendations on them to individuals authorized to impose disciplinary sanctions, to conduct an official investigation.

Footnote. Paragraph 6 as amended by the Decree of the President of the RK dated 29.06.2024 № 591.

7. The Commission, within its competence, has the right to:

1) request from central and local state bodies information, documents and materials necessary to perform the tasks assigned to it, with the exception of criminal cases and operational-search materials;

2) hear oral and receive written explanations from officials of state bodies, as well as persons authorized to perform state functions, or persons equated to them;

3) send materials to law enforcement and other state bodies for conducting inspections and taking other measures provided for by law on the facts of violations of official ethics and committing corruption offenses;

4) hear at their meetings the information of the heads of law enforcement and other state bodies on the implementation of anti-corruption legislation;

5) to submit for consideration to the relevant bodies and state organizations proposals on disciplinary responsibility of officials who shall have committed corruption offenses, failing to ensure the implementation of the Law of the Republic of Kazakhstan “On Combating Corruption”, as well as violations of the Code of Ethics, up to their dismissal from their positions;

6) Excluded by Decree of the President of the Republic of Kazakhstan dated 02.27.2003 № 1032;

7) make proposals to the President of the Republic of Kazakhstan on giving instructions, issuing relevant acts of the President of the Republic on the issues under consideration, as well as bringing to disciplinary responsibility up to the dismissal of akims of regions, cities of republican significance, the capital, heads of state bodies appointed by the President of the Republic of Kazakhstan that do not provide an adequate level of work to combat corruption.

Footnote. Paragraph 7 as amended by Decrees of the President of the Republic of Kazakhstan dated February 27, 2003 № 1032; dated 18.02.2011 № 1157; dated 09.06.2016 № 275; dated 04.08.2018 № 723; dated 29.06.2024 № 591.

3. Organization of the Commission's activities

8. Meetings of the Commission shall be held as needed, but at least once a quarter, may be open or closed by decision of the Chairperson of the Commission.

9. The meetings of the Commission shall be competent if two thirds of the total number of members of the Commission are present. Members of the Commission participate in its meetings without the right to be replaced.

10. The decisions of the Commission shall be adopted by a majority vote of the total number of those present at the meeting. In case of equality of votes, the vote of Chairperson shall be decisive.

11. Officials who are not members of the Commission, as well as other persons may be invited to meetings of the Commission.

Footnote. Paragraph 11 as amended by the Decree of the President of the Republic of Kazakhstan dated 03.01.2024 № 429 (shall be enforced after the date of its first official publication).

11-1. If at a meeting of the Commission, the facts of violation of legislation in the field of activities of the state body being heard are cited, the heads of state control and supervision bodies who are members of the Commission or invited to the meeting of the Commission, within their competence, shall express the position of the state body on the existing facts of violations.

The heads of the aforementioned bodies of state control and supervision shall have the right to express proposals on the facts of such violations to act appropriately.

Footnote. The regulation was supplemented with paragraph 11-1 in accordance with Decree of the President of the Republic of Kazakhstan dated 18.02.2011 № 1157.

12. Chairperson of the Commission shall:

- 1) manage the activities of the Commission;
- 2) preside over its meetings;
- 3) regularly report on the work of the Commission to the President of the Republic;
- 4) have the right to attend meetings of the collegiums of law enforcement and other state bodies related to the consideration of issues of combating corruption and official ethics of civil servants.

13. Excluded by the Decree of the President of the Republic of Kazakhstan dated 03.01.2024 № 429 (shall be enforced after the date of its first official publication).

14. Secretary of the Commission shall:

- 1) inform the members of the Commission on the time and place of meetings of the Commission;
- 2) organize the preparation of materials for meetings of the Commission;
- 3) keep minutes of the meetings of the Commission;
- 4) organize and control the implementation of the decisions of the Commission;
- 5) perform other functions on behalf of the Chairperson of the Commission.

15. Central and local executive bodies shall be obliged to assist the Commission in the performance of the tasks assigned to it.

16. The working body of the Commission is the Law Enforcement Division of the Administration of the President of the Republic of Kazakhstan.

Footnote. Paragraph 16 as amended by the Decree of the President of the Republic of Kazakhstan dated 03.01.2024 № 429 (shall be enforced after the date of its first official publication).

ANNEX
to Decree of the President of the
Republic of Kazakhstan
dated April 2, 2002 № 839

Composition of the Commission under the President of the Republic of Kazakhstan on Combating Corruption

Footnote. Composition - in the wording of the Decree of the President of the RK dated 29.06.2024 № 591.

State Counselor of the Republic of Kazakhstan, Chairman
Head of the Law Enforcement Division of the Administration of the President of the Republic of Kazakhstan, secretary
members of the Commission:
Secretary of the Security Council of the Republic of Kazakhstan
Prosecutor General of the Republic of Kazakhstan
Chairman of the National Security Committee of the Republic of Kazakhstan
Assistant to the President of the Republic of Kazakhstan on legal issues
Chairman of the Supreme Audit Chamber of the Republic of Kazakhstan
Minister of Internal Affairs of the Republic of Kazakhstan
Chairman of the Agency of the Republic of Kazakhstan for Financial Monitoring
Chairman of the Agency of the Republic of Kazakhstan for Public Service
Chairman of the Agency of the Republic of Kazakhstan for Combating Corruption (Anti-Corruption Service)
Minister of Justice of the Republic of Kazakhstan
Minister of Finance of the Republic of Kazakhstan
Advisor to the President of the Republic of Kazakhstan in charge of socio-economic issues
Chairman of the Committee on Constitutional Legislation, Judicial System and Law Enforcement Agencies of the Senate of the Parliament of the Republic of Kazakhstan (by agreement)
Chairman of the Committee on Legislation and Judicial and Legal Reform of the Majilis of the Parliament of the Republic of Kazakhstan (by agreement)
Commissioner for the Protection of Entrepreneurs' Rights of Kazakhstan (by agreement)