



On the approval of Model regulations for a maslikhat

Unofficial translation

Decree of the President of the Republic of Kazakhstan dated December 3, 2013 No. 704.

Unofficial translation

In accordance with Article 9 of the Law of the Republic of Kazakhstan “On Local Government and Self-Government in the Republic of Kazakhstan” as of January 23, 2001, I **hereby RESOLVE:**

1. To approve the appended Model regulations for a maslikhat.
2. This Decree shall be enforced ten calendar days of its first official publication.

*President of the
Republic of Kazakhstan*

N. NAZARBAYEV

Approved

by Decree of the President of the Republic
of Kazakhstan № 704 as of December 3,
2013

Standard regulations of maslikhat

Footnote. The standard regulation - in the wording of the Decree of the President of the Republic of Kazakhstan dated 13.12.2021 No. 715 (the procedure to enter into force see paragraph 2).

Footnote. Throughout the text, the words “secretary of the maslikhat”, “secretaries of the maslikhat”, “new secretary” shall be replaced, respectively, with the words “maslikhat chairman”, “maslikhats’ chairmen”, “new chairman” by Decree of the President of the Republic of Kazakhstan dated 10.04.2023 No. 190 (shall be enforced from the date of its first official publication).

Chapter 1. General provisions

1. This standard regulation of maslikhat (hereinafter referred to as the Regulation) have been developed in accordance with Article 9 of the Law of the Republic of Kazakhstan "On local state administration and self-government in the Republic of Kazakhstan" (hereinafter referred to as the Law) and shall establish the procedure for holding maslikhat sessions, meetings of its bodies, introduction and consideration of issues of education and election of maslikhat bodies at them, hearing reports on their activities, reports on the work done by the maslikhat before the population and the activities of its standing commissions, consideration

of deputy requests, powers, organization of activities of deputy associations in maslikhat, as well as election, organization of the work of the apparatus and other procedural and organizational issues.

2. Maslikhat (local representative body) shall be an elected body elected by the population of the region, city of republican significance and capital or district (city of regional significance), expressing the will of the population and, in accordance with the legislation of the Republic of Kazakhstan, determining the measures necessary for its implementation, controlling their implementation. Maslikhat shall not have the rights of a legal entity.

3. The activities of maslikhat shall be regulated by the Constitution of the Republic of Kazakhstan, the Law and other regulatory legal acts of the Republic of Kazakhstan.

Chapter 2. Procedure of maslikhat session

4. The main form of activity of maslikhat shall be a session at which issues related to its jurisdiction by the Laws of the Republic of Kazakhstan shall be resolved.

A maslikhat session shall be valid if at least two-thirds of the total number of maslikhat deputies shall be present. The session shall be held in the form of plenary sessions with the organization of online broadcasting on Internet resources, taking into account the technical capabilities of maslikhat, except for the cases indicated in part 5 of this paragraph.

In the session, by decision of the maslikhat, a break may be made for the period established by the maslikhat, but not exceeding fifteen calendar days. The duration of the session shall be determined by maslikhat.

Before each maslikhat session registration of the deputies present shall be conducted, its results shall be announced by the maslikhat chairman before the start of the sessions.

The maslikhat session shall be generally open. Closed sessions shall be allowed by the decision of maslikhat, adopted on the proposal of the maslikhat chairman or one third of deputies present at the maslikhat session, if the majority of the total number of deputies present vote for it.

When declaring a state of emergency or eliminating emergency situations and their consequences for the period of the introduction of restrictive measures, including quarantine, the session can be held through video conferencing or other means of communication.

5. The first session of the newly elected maslikhat shall be convened by the chairman of the relevant territorial election commission no later than thirty days from the date of registration of maslikhat deputies, if there are at least three quarters of the number of deputies determined for this maslikhat.

6. The chairman of the relevant territorial election commission shall open the first maslikhat session and conduct it until the election of the chairman of the maslikhat. The chairman of the relevant territorial election commission invites deputies to nominate a

candidate for the maslikhat chairman from among the deputies, for which an open or secret vote shall be held. The candidate who receives the majority of votes from the total number of deputies shall be considered elected.

7. Maslikhat shall make decisions by election.

Election shall be carried out:

- 1) using an electronic vote counting system, if any;
- 2) by raising his hand;
- 3) using ballots.

In the absence of the required number of deputies for voting, the secretary of the maslikhat or the person replacing him shall take measures to ensure a quorum. If it is impossible to ensure a quorum, the presiding officer postpones the vote to the next meeting of the maslikhat.

If errors in the procedure and technique of the voting carried out by the decision of the maslikhat are detected, repeated voting is carried out.

The voting results on all issues shall be announced by the maslikhat chairman or the person replacing him, indicating the number of those who took part in the vote, those who voted for, against, abstained and the voting result. The data shall be entered into the minutes of the maslikhat session.

Cancellation, amendments and additions to the previously adopted decisions of maslikhat shall be made by the same vote as they were adopted.

8. Regular maslikhat session shall be convened by the decision of the maslikhat chairman at least four times a year and shall be conducted by the maslikhat chairman.

Regular sessions shall be planned to be held by maslikhat at the session.

9. An extraordinary session of the maslikhat shall be convened and chaired by the maslikhat chairman at the proposal of at least one third of the number of deputies elected to the given maslikhat, also at the request of the akim of the relevant territory.

The extraordinary session shall be convened no later than five working days from the date of the decision to hold the extraordinary session. At the extraordinary session, only issues that served as the basis for its convening shall be considered.

10. The secretary of the maslikhat shall notify the deputies, the population, the akim by posting the specified information on the official Internet resource of the corresponding maslikhat.

The information should be posted on the Internet resource of the corresponding maslikhat no later than ten days before the session, and in the event of an extraordinary session - no later than three days.

On the issues submitted for consideration of the session, the secretary of the maslikhat no later than five days before the session, and in the event of an extraordinary session, no later than three days, shall submit to the deputies and the akim the necessary materials in paper or electronic form.

11. During sessions, meetings of standing commissions and other bodies of maslikhat, during the exercise of parliamentary powers and during the period of advanced training of maslikhat deputies, related to the exercise of parliamentary powers in accordance with the procedure established by the regulations, the deputy shall be exempted from official duties with reimbursement of the average salary at the place of main work at the expense of the local budget, but in an amount not exceeding the salary of the head of the akim's apparatus of the corresponding administrative-territorial unit with experience in this position up to one year, and travel expenses for the duration of sessions, meetings of standing commissions and other bodies of maslikhat, advanced training, taking into account travel time.

12. The session agenda shall be formed by the maslikhat chairman basing on the action plan of the maslikhat, issues introduced by the standing committees and other maslikhat bodies, the deputy faction, deputy groups and deputies, and the akim of the relevant territory.

Proposals for the agenda of the session may be submitted to the maslikhat chairman by local conventions and public associations.

The agenda of the session during its discussion may be supplemented and changed. Maslikhat decides to approve the agenda of the session.

Voting on the agenda shall be held separately on each issue. The issue shall be considered on the agenda if a majority of maslikhat MPs voted for it.

13. For high-quality preparation of issues submitted to the session, the secretary of the maslikhat timely shall develop and approve an action plan for the preparation of the session in agreement with the akim of the relevant territory.

14. Chairmen of maslikhats of oblasts, cities of republican status and the capital, deputies of the Parliament of the Republic of Kazakhstan, akims of oblasts, cities of republican status and the capital, districts (of cities of oblast subordination), of the corresponding territory, heads and other officials of organizations, information on the work of which is considered at the session, shall be invited to the sessions of maslikhat of oblasts, cities of republican status and the capital. Presence at sessions of representatives of mass media, state bodies and public associations at the invitation of the maslikhat chairman shall be allowed.

Akims of region (city of oblast significance), cities of regional significance, villages, settlements and rural districts, heads and other officials, the work of which is considered at the session, shall be invited to the sessions of the region (city of oblast significance) maslikhat. Presence at sessions of representatives of mass media, state bodies and public associations at the invitation of the maslikhat chairman shall be allowed.

15. Special seats in the meeting room shall be allocated for persons invited to the maslikhat meeting. The invited individuals shall not be allowed to intervene in the work of the maslikhat session, to show approval or disapproval of the decisions of the maslikhat session.

In the event of a gross violation of order, an invited person may be removed from the meeting room by decision of the maslikhat chairman or at the request of the majority of deputies present at the session.

16. Maslikhat meetings shall be held at a time defined by maslikhat.

The secretary of the maslikhat can declare a break on his own initiative or a motivated proposal of deputies. At the end of the plenary session, time shall be given for the deputies to speak with brief statements and messages, the debate on which does not open.

17. The rules for statements at maslikhat meetings for reports, co-reports, statements in debates and on a point of order, discussion of candidates, voting, certificates and issues shall be determined by maslikhat. Speakers and co-speakers shall be given time to answer questions. If the speaker has exceeded the allotted time, the secretary of the maslikhat interrupts his speech or, with the consent of the majority of the deputies present at the meeting, extends the time for speech.

A maslikhat deputy can speak on the same issue no more than twice. Parliamentary requests, speeches to give explanations and answers to questions shall not be considered speeches in the debate. The transfer of the right to speak to another deputy shall not be allowed.

The debate shall be terminated by an open vote by a majority of the deputies present at the session. When raising the issue of terminating the debate, the secretary of the maslikhat shall inform about the number of registered and speaking deputies, finds out who insists on providing the word.

18. A point of order shall be given to the deputies out of turn after the end of the previous speech. The secretary of the maslikhat can provide out of turn a word for reference, deputy request, answer a question and give explanations on the issue under discussion.

Questions to the speakers shall be submitted in writing or orally. Written questions shall be submitted to the maslikhat chairman and announced at maslikhat session.

Chapter 3. Procedure for acceptance of maslikhat acts

19. Maslikhat on issues of its competence shall make decisions by a majority of votes from the total number of maslikhat deputies, unless otherwise established by the Law.

20. Draft resolutions shall be directed by the head of the maslikhat apparatus to the maslikhat chairman.

Draft resolutions accepted for consideration with the attachment of all necessary materials shall be sent by the maslikhat chairman to the standing committees for consideration and preparation of proposals. At the same time, one of the standing committees at the level of maslikhats of oblasts, cities of republican status and the capital may be assigned to prepare a conclusion on the draft act of the maslikhat, a co-report for the session, and collect and analyze additional information.

The preparation of the draft decision on the budget of the relevant territory shall be carried out in accordance with the procedure provided for by paragraph 29 of these Rules.

To work on draft solutions and prepare other issues, permanent commissions can create working groups. If necessary, deputies from another standing committee may be involved in the working group. Any deputy can take part in the work of the working group.

In cases stipulated by the legislation of the Republic of Kazakhstan, on the proposal of the relevant local executive body, maslikhat shall make a joint decision with it.

21. Regulatory legal decisions of the maslikhat shall be subject to state registration with the justice bodies and publication in accordance with the procedure established by the legislation of the Republic of Kazakhstan, with the exception of cases provided for by the legislation.

22. If there are disagreements between the standing committees taking part in preparing the issue of the session, the chairmen of the committees and the maslikhat chairman shall take measures to settle them; the remaining disagreements shall be brought to the maslikhat deputies' notice.

23. When considering the issue at the session, the main report of the commission (working group) or deputy faction responsible for draft decisions, and, if necessary, the co-report of other commissions (working groups) or deputy factions participating in the consideration of the issue, is heard.

In the report of the commission (working group) or the deputy faction responsible for draft decisions, the proposals included in the draft decisions and rejected proposals shall be indicated, the reasons for the adoption or rejection of amendments shall be argued.

Standing commissions, individual members of the commission and working groups disagreeing with the provisions of the co-salary or the conclusions on draft decisions may present their views before the general debate on the issue under consideration.

24. Discussion of the draft decision shall be carried out on points. Amendments to draft decisions shall be submitted in writing with clear wording of proposed amendments or additions, indicating their place in the text of the draft decision. Amendments not meeting these requirements shall not be accepted for consideration.

Decisions of the maslikhat on procedural issues shall be made by an open vote by a majority of votes of the deputies present at the meeting, in protocol, without making a separate decision and shall be recorded in the minutes of the meeting.

Procedural issues shall be: the order of the meeting, the order of discussion of the issues, the termination of the debate, the limitation or extension of the time of speeches, the methods of voting, the certification of the quorum and the recount of votes, the return to the previously adopted decisions and (or) the re-voting on the issues under consideration.

25. The maslikhat session shall make decisions on each agenda item. If several decisions are made on one issue, each of them is handed over to the deputies present at the session.

All submitted draft decisions shall be put to a vote. After the adoption of one of the projects as a basis, the deputies shall begin the procedure for adopting amendments to it.

26. If there are amendments to the draft decision of the maslikhat, voting is carried out in the following sequence:

1) the proposed (revised) draft decision of the maslikhat shall be taken as a basis, and if it is rejected, further voting on the amendments is terminated;

2) amendments not included in the draft adopted as a basis shall be put to the vote in turn;

3) the decision of the session shall be put to a vote as a whole, taking into account the amendments adopted. Repeated voting on rejected draft decisions and amendments to them at the current session shall not be allowed.

27. Amendments shall be put to a vote separately, the sequence of which shall be determined by the maslikhat chairman or the person replacing him. Before voting on mutually exclusive amendments, the latter shall be read out by the presiding officer. The authors of the amendments shall be allowed to speak with explanations of their essence or with a proposal to remove them from discussion.

Amendments to the decisions of maslikhat shall be made in the procedure established for their adoption.

Minutes of sessions shall be printed no later than a month after the session and stored in accordance with the procedure established by the Law.

28. Draft plans, programs for socio-economic development of the territory, reports on their implementation, schemes for managing the territory and other issues submitted for consideration by the maslikhat session, as well as draft decisions on them in Kazakh and Russian with an explanatory note and visas of agreement on belonging with the application of all the necessary materials shall be entered into maslikhat no later than three weeks before the next session.

Draft decisions of local representative bodies providing for an increase in expenses or a reduction in local budget revenues can be submitted for consideration by maslikhats only if there is a positive conclusion of the akim.

29. The draft budget of the relevant territory shall be considered in the standing commissions of maslikhat. Maslikhat or the secretary of the maslikhat shall create a temporary commission of the maslikhat to consider the draft budget, which may include employees of the maslikhat apparatus, representatives of local executive bodies and apparatus of akims of cities of district significance, villages, towns, rural districts.

Within two working days from the date of receipt of the draft budget, the secretary of the maslikhat sends an order to the relevant commissions indicating the necessary deadlines for preparing an opinion on the draft budget.

The permanent commissions, taking into account the opinion of the Provisional Commission of Maslikhat, shall develop proposals for the draft budget of the relevant territory with appropriate justifications, calculations and shall send them to the relevant

permanent commissions, which carries out a set of proposals and the preparation of an opinion on the draft budget of the relevant territory.

At least two weeks before the start of the session the local authorized budget planning body shall submit to the maslikhat chairman the final version of the draft budget decision with all the necessary materials attached.

The regional budget, the budget of the city of republican significance, the capital shall be approved at the session of the corresponding maslikhat no later than two weeks after the President of the Republic of Kazakhstan signs the Law on the republican budget. The district (city of regional significance) budget shall be approved by the relevant maslikhat no later than two weeks after the signing of the decision of the regional maslikhat on the approval of the regional budget. The budgets of cities of regional significance, villages, towns, rural districts shall be approved by the maslikhat of the district (city of regional significance) until the end of the financial year from the date of signing the decision of the maslikhat of the district (city of regional significance) on the approval of the district (city of regional significance) budget.

It shall be allowed to approve the budgets of cities of regional significance, villages, towns, rural districts by separate decisions of the maslikhat of the district (city of regional significance).

30. When submitting unscheduled issues related to the clarification of the local budget for the corresponding year to the regular session of the maslikhat, the materials shall be submitted within the deadlines provided for by the budget legislation.

31. When clarifying the budget of the relevant territory at an extraordinary session of the maslikhat, work is carried out to consider the draft budget in permanent (temporary) commissions within two working days from the date of the decision on its convening.

Chapter 4. Procedure for hearing reports

32. Maslikhat shall monitor the implementation of the local budget, economic and social programs for the development of territories by hearing the reports of the akim of the relevant territory.

33. The hearing of the annual report of the akim of the relevant territory to deputies at a maslikhat session shall be started with a brief opening speech by the maslikhat chairman or the person replacing him, on the agenda.

After the speech of the maslikhat chairman or the person replacing him, the akim of the corresponding territory shall take the floor.

The akim's report should contain information on the socio-economic development of the relevant administrative-territorial unit over the past year, the achievement of key indicators of regional development programs, the tasks and main directions of further development of the region, the process of forming draft local budgets in terms of determining priorities for socio-economic development of the region.

After the report, deputies have the right to ask questions and receive answers to them, to express their opinion.

The report of the akim (person acting) on the fulfillment of the functions and tasks assigned to him and the draft decision on it shall be submitted for consideration by the maslikhat three weeks before the relevant session.

34. At the end of the meeting, the secretary of the maslikhat or the individual replacing him puts the question to the vote:

- 1) on approval of the report of the akim (person acting);
- 2) on the rejection of the report and the need to re-hear it.

Repeated hearing of the report of the akim (person acting) shall be carried out no later than 10 working days from the date of deviation.

The revised report of the akim (person acting) shall be entered into the maslikhat no later than 5 working days from the date of deviation.

35. The grounds for consideration by the maslikhat of the issue of expressing no confidence in the akim shall be:

1) double non-approval by the maslikhat of reports submitted by the akim on the implementation of plans, economic and social programs for the development of the territory, the local budget;

2) initiation by the meeting of the local community of the issue of dismissal from the post of akim of the city of district significance, village, village, rural district.

The initiation of the issue of dismissal of the akim of the city of district significance, village, village, rural district shall be confirmed by the protocol of the meeting of the local community in accordance with Article 39-3 of the Law.

36. The maslikhat shall hear reports from the chairman of the maslikhat, chairmen of the standing committees and other maslikhat bodies.

The secretary of the maslikhat at least once a year at the next sessions of the maslikhat reports on the work done to organize the activities of the maslikhat, the consideration of deputy requests and deputy appeals, the appeals of voters and the measures taken on them, the interaction of the maslikhat with other local authorities, the activities of the maslikhat apparatus.

Chairmen of permanent commissions and other bodies of maslikhat at least once a year at regular sessions of maslikhat report on the performance of assigned functions and powers.

37. The reports of the audit commissions of the regions, cities of republican significance, the capital on budget execution shall be considered annually by the maslikhat.

38. Maslikhat at least once a year shall report to the population on the work done by maslikhat, the activities of its permanent commissions.

39. The report of the maslikhat of the oblast, the city of republican status, the capital shall be presented to the population at least once a year at reporting sessions by a deputy group headed by the maslikhat chairman or his deputy, or the chairmen of the standing committees.

The report of the district maslikhat (city of oblast significance) shall be presented to the population at least once a year at local conventions by a deputy group headed by the maslikhat chairman or his deputy, or the chairmen of the standing committees.

The hearing of the report by maslikhat chairman or the person replacing, or the chairman of the standing committee to the population begins with a brief opening speech by the akim of the relevant territory on to the agenda.

After the akim of the relevant territory, the floor is given to the chairman of the maslikhat or the person replacing him, or the chairman of the standing committees.

After the report, the population has the right to ask questions and receive answers to them, to express their opinion, which shall be recorded in the minute.

Minutes of reporting sessions shall be prepared by the head of the maslikhat apparatus and signed by the maslikhat chairman or the person replacing him, or the chairman of the standing committee.

Chapter 5. Procedure for consideration of deputy requests

40. The deputy of maslikhat on issues within the competence of maslikhat shall make an official written request to the akim, chairman and member of the relevant territorial election commission, prosecutor and officials of territorial divisions of central state bodies, executive bodies financed from local budgets.

41. Deputy requests made before the start of the session shall be submitted to the maslikhat chairman and considered at its session when deciding on putting them on the session agenda. A copy of the deputy request shall be sent by the maslikhat chairman to the body or official to whom it is addressed at least two working days after its receipt. Deputy requests made during the session shall be submitted to the chairman of the session.

42. A deputy request, not related to other issues to be considered at the session, shall be included in the agenda as an independent issue or be considered at the end of the session at a specially designated time. Maslikhat shall determine the agenda of the session in such a way that it provides for a reserve of time for handling deputy requests and questions. Parliamentary requests related to other issues to be resolved at the session shall not be included in the agenda and be announced by the presiding officer at the session before the debate on the relevant issue begins.

43. Maslikhat may postpone the consideration of the deputy request to another session. Before the approval of the agenda of the session, deputy requests can be withdrawn by the deputies who submitted them. After the approval of the agenda of the session, the removal of the deputy request from consideration shall be carried out by decision of the maslikhat. Deputy requests shall be attached to the minutes of the session.

44. The answer to the deputy's request shall be submitted in writing, signed by the individuals specified in paragraph 40 of these Regulations, or by the first head of the state body to which the deputy's request has been sent, or by his deputy no later than one month.

The deputy shall be given the opportunity to express his opinion on the answer to the deputy's request.

Deputy's request addressed to the prosecutor cannot be related to the implementation of criminal prosecution.

Chapter 6. Officials, permanent commissions and other bodies of maslikhat, deputy associations of maslikhat

Paragraph 1. Secretary of maslikhat

45. At the first maslikhat session, the deputies shall nominate the candidate for the maslikhat chairman, who must be an official working on a permanent basis and accountable to the maslikhat.

The number of nominated candidates is not limited. Candidates shall present their tentative action program. A candidate shall be considered elected to the maslikhat chairman position if in the open or secret voting he received a majority of votes from the total number of maslikhat deputies.

If more than two candidates were nominated for the maslikhat chairman position and none of them received the required number of votes for election, a repeat vote shall be held on the two candidates who received the largest number of votes.

If in a second vote none of these candidates won more than half of the votes of the total number of deputies, a second election is held.

The secretary of the maslikhat shall be elected for the term of office of the maslikhat.

The Secretary of the maslikhat shall exercise powers in accordance with the Law and these Regulations.

46. In the absence of the secretary of the maslikhat of the district (city of regional significance), his powers shall be temporarily exercised by the chairman of one of the standing commissions of the maslikhat or a deputy of the maslikhat, which is determined at the session of the maslikhat for the entire term of the next convocation.

47. The secretary of the maslikhat shall enjoy the right of a decisive vote if, when voting at the session of the maslikhat, the votes of the deputies are divided equally.

48. The maslikhat chairman may not be a member of the standing committee of the maslikhat. In case of early termination of maslikhat chairman's powers, the election of a new chairman shall be conducted in the procedure established by the Law and these Regulations.

Paragraph 2. Permanent and temporary commissions of maslikhat

49. For the term of its term of office, maslikhat shall form at the first session from among the deputies permanent commissions for preliminary consideration and preparation of issues related to the management of maslikhat, assistance in the implementation of its decisions, Laws, and the implementation of functions within its competence. Members of standing commissions shall be elected by maslikhat by open voting from among the deputies.

The list, number and composition of each standing committee shall be put to a vote separately. Their numerical and personal composition is determined by the maslikhat at the proposal of the maslikhat chairman.

The number of standing commissions should not exceed seven.

Standing commissions can form working groups.

50. The organization of activities, functions and powers of standing commissions shall be determined by the Law and these Regulations.

51. In order to prepare for consideration at sessions of certain issues related to maslikhat, the maslikhat or secretary of the maslikhat may form temporary commissions. The composition, tasks, terms of the office and rights of temporary commissions shall be determined by maslikhat during their formation.

52. Standing commissions, on their own initiative or the decision of the maslikhat, may hold public hearings.

Public hearings shall be held to discuss the most important and socially significant issues referred to the standing commissions in the form of expanded meetings of these commissions with the participation of deputies, representatives of executive bodies, local self-government bodies, organizations, the media, citizens.

A working group of deputies is being created to hold public hearings. Specialists of other state bodies and organizations may be involved in the preparation of hearings.

A permanent commission a month before the public hearings through the media shall bring to the attention of the population the topic, date and time of the upcoming public hearings.

The permanent commission shall invite representatives of interested state bodies, the public, and the media to public hearings. Maslikhat deputies from other standing commissions may participate in public hearings.

At public hearings after the speech of the deputy of the standing committee, time shall be given to answer questions.

The proposals and comments received following the speech to the report of the deputy of the commission shall be entered in the minutes of public hearings.

The minutes of public hearings shall be prepared by an employee of the maslikhat apparatus and signed by the deputy who chaired the public hearings.

53. Meetings of standing commissions shall usually open, except when the issues under consideration in accordance with the Law of the Republic of Kazakhstan "On state secrets" shall be classified as state or official secrets.

Meetings of Standing Commissions shall be convened as required and shall be deemed eligible in the presence of more than half of their total membership.

The resolution of the standing committee shall be adopted by a majority of votes from the total number of members of the commission.

The resolution of the standing committee and the minutes of the meeting shall be signed by its chairman, and in the case of a joint meeting of several standing commissions, the chairmen of the relevant commissions.

Paragraph 3. Chairman of the standing committee of Maslikhat

54. The chairman of the standing committee of maslikhat shall be elected from among the deputies by open voting by a majority of votes from the total number of deputies and shall be dismissed from office by the maslikhat at the maslikhat session.

If more than two candidates were nominated for the post of chairman of the standing committee of maslikhat and none of them received the number of votes required for the election, a second vote shall be held on the two candidates who received the largest number of votes.

If in a second vote none of these candidates won more than half of the votes of the total number of deputies, a second election is held.

The chairman of the standing committee enjoys the right of a decisive vote if, when voting at a meeting of the commission, the votes of the deputies are divided equally.

55. In the absence of the chairman of one of the standing committees of the maslikhat, by decision of the maslikhat chairman, his powers shall be temporarily exercised by the chairman of another standing committee of the maslikhat or a deputy who is a member of this standing committee of the maslikhat, unless otherwise provided by paragraph 60 of these Regulations.

56. The Chairman of the standing committee of maslikhat shall exercise powers in accordance with the legislation of the Republic of Kazakhstan, these Regulations and the decision of maslikhat.

Paragraph 4. Chairman of the standing committee of the maslikhat of the region, the city of republican significance, the capital, which operates on a permanent basis

57. The chairman of the standing committee of the maslikhat of the region, the city of republican significance, the capital (hereinafter referred to as the chairman of the standing committee working on a permanent basis) may be an official working on a permanent basis.

The Chairman of the standing committee, on a permanent basis, shall be elected in accordance with paragraph 54 of these Rules.

The maslikhat of the region, the city of republican significance, the capital at the session shall be determined by no more than two standing commissions headed by the chairmen of the standing commission, working on a permanent basis.

58. The Chairman of the standing committee, working on a permanent basis, shall be elected for the term of the powers of the maslikhat and cannot be elected more than two times in a row.

Chairmen of standing commissions working on a permanent basis cannot be MPs who are members of the same political party.

59. Chairman of the standing committee, working on a permanent basis shall:

- 1) supervise the work of the standing committee of maslikhat;
- 2) ensure the sending to the interested bodies and organizations of appeals of citizens and organizations received by the standing committee between sessions, and monitors their consideration;
- 3) ensure meetings with the population, non-governmental organizations, state bodies and organizations, the media to maintain relations between maslikhat and voters, systematically inform them about the activities of maslikhat, respond to emergency and urgent issues;
- 4) participate in meetings of the standing commissions of maslikhat, which it is not a member of, with the right of advisory vote;
- 5) requests the opinions of other standing commissions of maslikhat, state bodies and their officials, public associations, scientific institutions, specialists on issues under consideration;
- 6) consider the issues and proposals made by the deputies of the maslikhat, make decisions on them, organize the implementation of the decisions made, and also monitor their implementation;
- 7) organize the preparation of the meeting of the standing committee and the issues submitted for its consideration, ensure the preparation of a protocol and sign resolutions, other documents adopted at the meeting of the standing commission;
- 8) assist the deputies of the maslikhat in the exercise of their powers, provide them with the necessary information on the activities of the standing committee;
- 9) monitor the consideration of deputy requests of the standing committee and deputy appeals received by the standing committee;
- 10) ensure the publication of the decisions of the standing committee of maslikhat on the Internet resource of maslikhat, determine measures to control their implementation;
- 11) exercise other functions and powers in accordance with the Law and these Regulations.

60. In the absence of the chairman of the maslikhat of the oblast, city of republican status and the capital, his powers shall be temporarily exercised by the chairman of one of the standing committees, working on a permanent basis, which is determined at the maslikhat session for the entire convocation term.

The chairman of the standing committee, working on a permanent basis, while temporarily exercising the powers of the chairman of the maslikhat of the oblast, city of republican status and the capital, shall not have a casting vote if the permanent committee of which he is the chairman was responsible for considering the issue.

In the absence of the chairman of one of the standing committees working on a permanent basis, his powers shall be temporarily exercised by another chairman of the standing

committee working on a permanent basis, or on decision of the maslikhat chairman by a deputy who is a member of this standing committee of the maslikhat.

Paragraph 5. Counting commission of maslikhat

61. Maslikhat or the secretary of maslikhat shall have the right to form temporary commissions, including counting. The composition, tasks and terms of office of the counting commission shall be determined by maslikhat.

Maslikhat, by an open vote from among the deputies, shall elect in odd numbers the composition of the counting commission.

Maslikhat shall have the right to include employees of the maslikhat apparatus, state bodies and other organizations in this commission.

62. When holding an open vote, the counting commission organizes the voting process and summing up its results.

The Counting commission shall elect the chairman and secretary of the commission from its composition, its decisions are made by a majority of votes in an open vote.

Before the open voting starts, the maslikhat chairman shall indicate the number of motions to be put to a vote and read them out.

63. To elect the maslikhat chairman, a secret ballot may be held. By decision of the maslikhat chairman, secret voting may be held on other issues.

The time and place of secret voting, the procedure for its holding shall be established by the counting commission and announced by the chairman of the counting commission.

Ballots shall be issued immediately before voting, they are made under the control of the counting commission according to the form established by it in an amount equal to the number of deputies present at the meeting, and shall be signed by the chairman of the counting commission.

Each deputy shall be given one ballot, signed by the chairman of the counting commission. The total number of ballots should not exceed the number of the list of maslikhat deputies.

Ballots for secret voting shall be issued to the deputies of the maslikhat upon presentation by them of the deputy's certificate.

Unspecified ballots shall not be counted.

Ballots of an unidentified form shall be recognized as invalid, and when elected officials - also ballots in which more than one candidate for one position is marked. Surnames added in the ballot shall not be taken into account when counting votes. Ballots in which more than one draft decision shall be recognized as invalid.

They shall be recognized as valid, but shall not be taken into account when counting votes unfilled ballots and ballots in which the names of all candidates are not marked.

The ballot box must be opened by the counting commission after the end of the voting. It is forbidden to open the ballot box until the end of voting.

The counting commission shall draw up a minute on the results of secret voting, which is signed by all members of the counting commission.

If errors in the procedure and technique of the voting carried out by the decision of the maslikhat are detected, repeated voting is carried out.

A maslikhat MP who was absent at the time of voting is not entitled to vote later.

Paragraph 6. Deputy associations in maslikhats

64. Maslikhat deputies can create deputy associations in the form of factions of political parties and other public associations, deputy groups. The maslikhat chairman may not be a member of deputy associations. A deputy has the right to be a member of only one parliamentary faction.

65. Registration of deputy factions and groups shall be carried out at the maslikhat session, shall be carried out in an explicit manner and shall be exclusively informational in nature.

66. Members of parliamentary associations can:

1) make comments and proposals on the maslikhat agenda, the procedure for consideration and the substance of the issues under discussion;

2) express opinions on the candidacies of officials who are elected or appointed by the maslikhat;

3) propose amendments to the draft decisions of maslikhat;

4) request materials and documents necessary for the activities of the deputy association.

67. The faction of the political party in its activities interacts with the governing bodies of the political party, participates in the work of the public reception of the political party, and also unites at least three deputies of the maslikhat. The composition of the deputy group consists of at least five deputies of maslikhat.

Chapter 7. Rules of deputy ethics

68. Maslikhat MPs must:

1) respect each other and all other persons participating in the work of the maslikhat sessions, maslikhat commissions and its working bodies;

2) not use unreasonable accusations, gross, offensive expressions that harm the honor and dignity of maslikhat deputies and other persons in their speeches;

3) not call for illegal and violent actions;

4) not interfere with the normal operation of maslikhat, permanent commissions and other bodies of maslikhat;

5) not interrupt the speakers.

69. Speaking in the media during public events, commenting on the activities of state bodies, officials and citizens, the deputy should use only reliable, verified facts.

70. A deputy must not use for personal purposes the advantage of his deputy status in relations with state bodies and organizations, the media.

71. A deputy of maslikhat cannot disclose information that has become known to him during the exercise of deputy powers, if this information concerns issues considered at closed meetings of sessions, standing commissions of maslikhat and other bodies of maslikhat.

72. A deputy of maslikhat, who shall not have special powers to represent maslikhat, can enter into relations with state bodies and organizations only on his own behalf.

73. A deputy of maslikhat for failure to perform and (or) improper performance of his duties provided for in paragraph 2 of Article 21 of the Law, as well as for violation of the rules of deputy ethics established by the regulations of maslikhat, may be subject to penalties in the form of censure and (or) coercion to make a public apology.

Chapter 8. Advanced training of maslikhat deputies

74. Maslikhat deputies shall undergo advanced training. The frequency of advanced training of deputies of maslikhats shall be once every five years during the first two years of the elected deputy's powers.

75. Maslikhat deputies shall be sent for advanced training in the organization of education under the President of the Republic of Kazakhstan and their branches.

76. The duration of advanced training of maslikhats of the deputy shall be at least 40 academic hours.

77. Deputies who have successfully completed advanced training shall be issued a certificate confirming the completion of advanced training in paper or electronic form.

78. The maslikhat apparatus shall plan expenses for advanced training of maslikhat deputies in accordance with the budget legislation of the Republic of Kazakhstan.

Chapter 9. Organization of maslikhat apparatus operation

79. For information and analytical, organizational, legal and material and technical support of the activities of the maslikhat and its bodies, assistance to deputies in the exercise of their powers, the maslikhat apparatus shall be formed.

The maslikhat apparatus shall be a state institution maintained at the expense of the local budget.

The regulation on the maslikhat apparatus shall be approved by the maslikhat.

80. Maslikhat shall approve the structure of the maslikhat apparatus, determine the costs of its maintenance and material and technical support within the limit of the number and allocated funds established by the legislation of the Republic of Kazakhstan.

81. The activities of civil servants of the maslikhat apparatus shall be carried out in accordance with the legislation of the Republic of Kazakhstan.

With the expiration of the term of office of the maslikhat, in cases of early termination of the powers of the maslikhat and the election of a new composition of its deputies, the activities of civil servants of the maslikhat apparatus shall not stop.

© 2012. «Institute of legislation and legal information of the Republic of Kazakhstan» of the Ministry of Justice of the Republic of Kazakhstan