

On approval of the Rules and conditions for attestation of civil servants in the sphere of physical culture and sports

Unofficial translation

Order № 157 of the Minister Culture and Sport of the Republic of Kazakhstan dated June 10, 2016. Registered with the Ministry of Justice of the Republic of Kazakhstan on July 8, 2016 № 13894

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In accordance with paragraph 7 of Article 139 of the Labour Code of the Republic of Kazakhstan dated November 23, 2015 **I hereby ORDER:**

1. To approve the attached Rules and conditions for attestation of civil servants in the field of physical culture and sports.

2. To recognize as invalid:

1) the order of the Acting Minister of Tourism and Sport of the Republic of Kazakhstan dated March 5, 2011 No. 02-02-18/29 "On approval of the Rules for carrying out and conditions of attestation of civil servants in the field of physical culture and sport and also Rules of assignment of qualification categories to trainers, methodologists, instructors" (registered in the Register of state registration of regulatory legal acts for № 6864, published in the newspaper Kazakhstanskaya pravda dated June 14, 2011 № 187 (26608);

2) the order of the Chairman of the Agency of the Republic of Kazakhstan for sport and physical culture dated September 26, 2013 № 343 "On introduction of amendments in the order of the Acting Minister of Tourism and Sport of the Republic of Kazakhstan dated March 5, 2011 № 02-02-18/29 "On approval of the Rules of carrying out and conditions of attestation of civil servants in the field of physical culture and sports and also the Rules of assignment of qualification categories to trainers, methodologists, instructors" (registered in the Register of state registration of regulatory legal acts for № 8864, published in the newspaper Kazakhstanskaya pravda dated November 28, 2013 № 325 (27599).

3. The Committee for Sports and Physical Culture of the Ministry of Culture and Sports of the Republic of Kazakhstan shall, in accordance with the procedure established by law:

1) ensure the state registration of this order with the Ministry of Justice of the Republic of Kazakhstan;

2) within ten calendar days from the date of the state registration of this order, send copies of this order in paper and electronic form to the Republican State Enterprise on the right of economic management "Republican Legal Information Center of the Ministry of Justice of the Republic of Kazakhstan", certified by an electronic digital signature of the person authorized to sign this order for official publication, inclusion in the Reference Control Bank

of regulatory legal acts of the Republic of Kazakhstan, the State Register of regulatory legal acts of the Republic of Kazakhstan;

3) after official publication, post this order on the Internet resource of the Ministry of Culture and Sports of the Republic of Kazakhstan;

4) submit to the Department of Legal Service of the Ministry of Culture and Sports of the Republic of Kazakhstan information on the execution of measures provided for in subparagraphs 1), 2) and 3) of this paragraph, within ten working days from the date of execution of the event.

4. Control over execution of this order shall be entrusted to the supervising Vice-Minister of Culture and Sports of the Republic of Kazakhstan.

5. This order shall be enforced upon expiry of ten calendar days after the date of its first official publication.

*Minister of Culture and Sports
of the Republic of Kazakhstan*

A. Mukhamediuly

Approved
by order № 157 of the
Minister of Culture and Sports
of the Republic of Kazakhstan
dated June 10, 2016

Rules and conditions for attestation of civil servants in the field of physical culture and sports

Chapter 1. General provisions

1. These Rules and Conditions for attestation of civil servants in the field of physical culture and sports (hereinafter referred to as the Rules) shall define the procedure and conditions for attestation of civil servants in the field of physical culture and sports (hereinafter referred to as employees).

2. The attestation of employees shall be carried out in order to determine the level of training.

All employees shall be subject to attestation, except pregnant women who have provided a medical certificate of pregnancy.

Footnote. Paragraph 2 in the wording of the order of the Minister of Culture and Sport of the RK dated 17.05.2018 № 111 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

3. The main criterion for evaluation in attestation shall be the ability of employees to perform their functional duties.

4. Employees who shall be the first heads of republican organizations in the field of physical culture and sports and their deputies shall be certified by a certification commission under the authorized body in the field of physical culture and sports.

Employees being the first heads of regional, cities of republican significance, capital, district organizations in the field of physical culture and sports, and their deputies, shall be certified by attestation commissions under the corresponding local executive bodies of regions, cities of republican significance, capital, and districts.

Footnote. Paragraph 4 in the wording of the order of the Minister of Culture and Sport of the RK dated 19.09.2018 № 263 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

5. Employees shall be certified at the end of each next three years in the civil service, but not earlier than six months from the date of the position.

The employees who have been on the educational holiday, a holiday non-paid (exceeding six months), in a maternity leave, by adoption (adoption) of newborn child (children), on care of the child before achievement of age of three years, shall be certified not earlier than six months after appearance at work.

Footnote. Paragraph 5 in the wording of the order of the Minister of Culture and Sport of the RK dated 17.05.2018 № 111 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Chapter 2. Procedure and conditions of attestation

6. The attestation of employees shall be carried out not later than six months from the date of the dates specified in paragraph 5 of these Rules.

7. The attestation shall include the following steps:

- 1) preparation for the attestation;
- 2) interview with the employee, conducted by the attestation commission;
- 3) making a decision by the attestation commission.

8. Preparation for the certification shall be organized by the human resources or the person performing the functions of the human resources (hereinafter referred to as the human resources) and shall include the following measures:

- 1) preparation of the necessary documents for employees subject to attestation;
- 2) development of attestation schedules;
- 3) determination of the composition of attestation commissions;

4) organization of explanatory work on the purposes and procedure of attestation of employees.

Footnote. Paragraph 8 in the wording of the order of the Minister of Culture and Sport of the RK dated 17.05.2018 № 111 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

9. The person authorized to appoint an employee shall, at the request of the human resource, shall approve:

- 1) list of employees subject to the attestation;

- 2) schedule of holding the attestation;
- 3) composition of the attestation commission;
- 4) a list of issues and answers for the interview concerning the functional duties of the employee.

Footnote. Paragraph 9 in the wording of the order of the Minister of Culture and Sport of the RK dated 17.05.2018 № 111 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

10. The human resources shall determine the employees to be certified once a half-year.

11. The human resources shall notify employees in writing of the date of attestation not later than thirty calendar days before the beginning of the attestation, and also shall request a performance characteristic.

12. The direct head of the employee subject to attestation shall draw up the performance characteristic and send it to the human resource not later than twenty-five calendar days before the meeting of the attestation commission.

Footnote. Paragraph 12 in the wording of the order of the Minister of Culture and Sport of the RK dated 17.05.2018 № 111 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

13. The performance characteristic shall contain a comprehensive and objective assessment of professional, business and personal qualities and results of the employee's performance.

14. The human resources shall consider an employee subject to attestation, with a performance characteristic submitted to him within a period not later than ten calendar days before the meeting of the attestation commission.

Footnote. Paragraph 14 in the wording of the order of the Minister of Culture and Sport of the RK dated 17.05.2018 № 111 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

15. Employees subject to attestation, if they disagree with the performance characteristics presented at them, submit to the human resources, prior to the meeting of the attestation commissions, personally prepared reports on the work done.

16. For the employee to be certified, the human resources shall draw up a attestation sheet in accordance with Annex 1 to these Rules.

Footnote. Paragraph 16 in the wording of the order of the Minister of Culture and Sport of the RK dated 17.05.2018 № 111 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

17. The human resources shall submit the documents specified in subparagraphs 1) and 2) of paragraph 9 of these Rules to the attestation commission within one working day prior to the meeting of the attestation commission.

Footnote. Paragraph 17 as amended in Kazakh language, the text in Russian language shall not be amended in accordance with the order of the Minister of Culture and Sport of the

RK dated 17.05.2018 № 111 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

18. In case of non-attendance of the employee subject to attestation at the meeting of the attestation commission for excuse for nonappearance (temporary non-working capacity or official business trip), consideration of his attestation shall be postponed to another working day (not later than two months from the date of employment), determined by the attestation commission. The attestation can be transferred no more than once.

19. During the interview, the members of the attestation commission shall ask approved questions in equal numbers for all employees undergoing attestation.

The interview progress shall be recorded using audio or video recording.

Footnote. Paragraph 19 in the wording of the order of the Minister of Culture and Sport of the RK dated 17.05.2018 № 111 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

20. Based on the results of the interview, the attestation commission shall make one of the following decisions:

- 1) corresponds to the position occupied;
- 2) subject to re-attestation;
- 3) does not correspond to the position held.

Footnote. Paragraph 20 in the wording of the order of the Minister of Culture and Sport of the RK dated 17.05.2018 № 111 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

21. Re-attestation shall be carried out three months from the date of the decision of the previous attestation commission in accordance with the procedure defined by these Rules.

The attestation commission, after re- attestation, shall make one of the following decisions

:

- 1) corresponds to the position occupied;
- 2) does not correspond to the position held.

Footnote. Paragraph 21 in the wording of the order of the Minister of Culture and Sport of the RK dated 17.05.2018 № 111 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

22. The decisions of the attestation commission shall be formalized by the protocol and entered into the attestation sheet.

23. From the date of signing the protocol within three working days the human resources shall consider the employee with attestation sheet.

The decisions of the attestation commission shall be approved by the head of the organization within one month.

Footnote. Paragraph 23 in the wording of the order of the Minister of Culture and Sport of the RK dated 17.05.2018 № 111 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

24. The attestation sheet of the employee, the performance characteristic on it shall be stored in the personal file.

Chapter 3. Attestation commission

25. The attestation commission shall be established by the head of the human resources and shall consist of the members and the secretary of the commission. A chairman shall be appointed from among the members of the attestation commission. The secretary of the attestation commission shall appoint an employee of the human resources.

Footnote. Paragraph 25 in the wording of the order of the Minister of Culture and Sport of the RK dated 17.05.2018 № 111 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

26. The Chairman of the attestation commission shall direct activities, chair meetings, plan work, carry out general control, be responsible for activities and decisions taken.

27. The Secretary of the attestation commission shall prepare the relevant materials for the meeting of the commission and shall draw up a protocol after its holding. The Secretary shall perform technical maintenance and ensure the functioning of the attestation commission.

28. A meeting of the attestation commission shall be recognized as valid if at least two thirds of its composition were present.

Replacement of missing members of the attestation commission shall not be allowed.

29. The decision of the attestation commission shall be taken by open vote. The employee, being a member of the attestation commission, shall not participate in voting about himself.

30. The results of voting shall be determined by the majority of votes of the members of the attestation commission on the basis of the results of each member of the attestation commission filling in the evaluation sheet for the civil servant to be certified, in accordance with Annex 2 to these Rules. If votes are equal, the vote of the chairman of the certification commission shall be decisive.

Footnote. Paragraph 30 in the wording of the order of the Minister of Culture and Sport of the RK dated 17.05.2018 № 111 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

31. Members of the attestation commission shall be entitled to a dissenting opinion, which, if expressed, shall be in writing (in an arbitrary form) and attached to the protocol.

32. Members of the attestation commission shall be certified on general grounds.

33. All disputes related to the decision of the attestation commission shall be resolved in accordance with the procedure established by the legislation of the Republic of Kazakhstan.

Footnote. Annex 1 in the wording of the order of the Minister of Culture and Sport of the RK dated 17.05.2018 № 111 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

form

Attestation sheet for civil servant subject to attestation

Type of attestation: regular | _ | repeated | _ | (necessary to mark with X sign)

1. Surname, first name, patronymic name (if any) _____

2. Date of birth of " ___ " _____

3. Data on education, on professional development, training, _____

retraining (when and what educational institution graduated, specialty

and education qualifications, training documents,

training, retraining, academic degree and academic title, date of their assignment)

4. Position held and date of appointment _____

5. Total length of service _____

6. Total service experience of the employee in state and/or civil positions

7. Comments and suggestions made by members of the attestation commission:

8. The meeting was attended by _____ members of the attestation commission.

9. Evaluation of civil servant activity based on voting results:

1) corresponds to the position held (number of votes) _____;

2) to be re-certified (number of votes) _____; *

3) does not correspond to the position held (number of votes). _____

10. Recommendations of the attestation commission (indicating their reasons are given)

11. Notes _____

Chairman of the attestation commission: _____

(signature)

Secretary of the attestation commission: _____

—
(signature)

Members of the attestation commission: _____

(signature)

(signature)

(signature)

(signature)

Date of attestation " ____ " _____

Decision of the head of the organization on the results of attestation

The attestation sheet was read by: _____

(civil servant's signature and date)

Place for the seal of the organization

* shall not be sealed under re-attestation

Annex 2 to Rules
and conditions for attestation
of civil servants in the field of physical
culture and sports

Footnote. Rules as added in Annex 2 according to the order of the Minister of Culture and Sport of the RK dated 17.05.2018 № 111 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Form

Evaluation sheet for civil servant subject to be certified (filled in by a member of the attestation commission)

Type of attestation: regular - | _ |;

repeated - | _ | (necessary to mark with X sign)

1. Surname, first name, patronymic name (if any) _____

2. Occupied position and date of assignment _____

3. Assessment certified _____

(excellent, good, satisfactory, unsatisfactory)

4. Decision of the member of the attestation commission (one of the listed: corresponds to the position; is subject to repeated attestation *; does not correspond to occupied position)

:

5. Grounds for the decision by the member of the attestation commission:

Member of the attestation commission _____

(signature)

Secretary of the attestation commission _____

(signature)

Date of attestation _____ " ____ "

* * shall not be performed under re-attestation