



On approval of the Uniform Rules for Affixing an Apostille

Unofficial translation

Joint Order No. 950 of the Acting Minister of Justice of the Republic of Kazakhstan of November 4, 2021, of the Minister of Internal Affairs of the Republic of Kazakhstan No. 702 of November 15, 2021, of the Minister of Finance of the Republic of Kazakhstan No. 1182 of November 16, 2021, of the Head of the Department for Court Support under the Supreme Court of the Republic of Kazakhstan (of the apparatus of the Supreme Court of the Republic of Kazakhstan) No. 30 of November 16, 2021, of the Minister of Culture and Sports No. 363 of November 24, 2021, of the Acting Prosecutor General of the Republic of Kazakhstan No. 155 of November 24, 2021, of the Minister of Education and Science № 574 of November 29, 2021, and the Minister of Defence of the Republic of Kazakhstan № 851 of December 8, 2021. Registered with the Ministry of Justice of the Republic of Kazakhstan on December 15, 2021 under № 25789

Unofficial translation

In obedience to paragraph 3 of Decree of the Government of the Republic of Kazakhstan No. 545 of April 24, 2001 "On Measures on Implementation of Provisions of the Convention Abolishing the Requirement of Legalisation for Foreign Public Documents (the Hague, October 5, 1961)", **WE HEREBY ORDER:**

1. That the Uniform Rules for Affixing the Apostille as set out in the Annex to this Joint Order shall be approved.

2. That Order of the Minister of Justice of the Republic of Kazakhstan No. 67 of June 4, 2001 "On Approval of the Uniform Rules on the Procedure and Conditions for Affixing an Apostille on Official Documents Issued by Public Authorities and Notaries of the Republic of Kazakhstan" shall be deemed to have lost force (recorded in the Register of State Registration of Regulatory Legal Acts under No. 1536).

3. That in compliance with the legislation of the Republic of Kazakhstan, the Department of Registration Service and Organisation of Legal Services of the Ministry of Justice of the Republic of Kazakhstan shall ensure:

- 1) the state registration hereof;
- 2) placement hereof on the official website of the Ministry of Justice of the Republic of Kazakhstan, the General Prosecutor's Office of the Republic of Kazakhstan, the Ministry of Education and Science of the Republic of Kazakhstan, the Department of Court Support under the Supreme Court of the Republic of Kazakhstan (apparatus of the Supreme Court of

the Republic of Kazakhstan), the Ministry of Finance of the Republic of Kazakhstan, the Ministry of Defence of the Republic of Kazakhstan, the Ministry of Culture and Sports of the Republic of Kazakhstan, the Ministry of Internal Affairs of the Republic of Kazakhstan.

4. The control of implementation hereof shall be vested in the Vice-Minister in charge of Justice, Education and Science, Finance, Culture and Sports, Internal Affairs, Deputy Prosecutor General of the Republic of Kazakhstan and Deputy Head of the Department for Court Support Activities under the Supreme Court of the Republic of Kazakhstan (Apparatus of the Supreme Court of the Republic of Kazakhstan).

5. This Joint Order shall enter into force ten calendar days after the date of its first official publication.

*Minister of Defence
of the Republic of Kazakhstan*

_____ *M. Bektanov*

*Minister of Internal Affairs
of the Republic of Kazakhstan*

_____ *Y. Turgumbayev*

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

_____ *A. Raimkulova*

*Acting
Prosecutor General
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_____ *B. Assylov*

*Minister of Education and Science
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_____ *A. Aimagambetov*

*Minister of Finance
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_____ *Y. Zhamaubayev*

*Head of the Department for
Court Support under the Supreme
Court of the Republic
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*(Apparatus of the Supreme
Court of the Republic of Kazakhstan)*
_____ *N. AKHMETZAKIROV*

*Acting Minister of Justice
of the Republic of Kazakhstan*

_____ *N. Pan*

Annex to Joint Order
of the Minister of Defence of the Republic
of Kazakhstan
No. 851 of December 8, 2021,
of the Minister of Education and Science
of the Republic of Kazakhstan
No. 574 of November 29, 2021,
of the Minister of Internal Affairs of the
Republic of Kazakhstan
No. 702 of November 15, 2021
of the Minister of Finance of the Republic
of Kazakhstan
No. 1182 of November 16, 2021
of the Minister of Culture and Sports of
the Republic of Kazakhstan
No. 363 of November 24, 2021
of the Head of the Department No. 30 of
November 16, 2021,
of the Acting Prosecutor General of the
Republic of Kazakhstan

Uniform Rules for Affixing an Apostille

Chapter 1. General provisions

1. These Uniform Rules for Affixing an Apostille (hereinafter referred to as the Rules) determine the procedure and conditions for affixing an apostille.

2. The following terms shall be used herein:

1) an apostille is a special stamp certifying the authenticity of the signature of the person signing the document and his or her authority, as well as the authenticity of the seal or stamp which is affixed to the document in paper or electronic form;

2) persons affixing the apostille - officials of the authorised public authorities who perform the functions of affixing the apostille;

3) the E-Apostille Information System (hereinafter the E-Apostille IS) is an information system designed to register documents and issue an apostille "stamp" electronically, providing a centralised record and a unified archive of apostilled documents;

4) a "star" is a thick paper that is sealed where the sheets of the document are bound and bears the stamp of the stamping authority that issued the apostille;

5) a document is identifiable information recorded on a tangible medium;

6) a book of registration of documents - registration of apostilled documents submitted on paper;

7) the Unified Electronic Document Archive Information System (hereinafter, the UEDA IS) is a unified system for automated recording of documents of the National Archive Fund of the Republic of Kazakhstan, with a function for information retrieval of documents;

8) authorized public authorities - public authorities affixing an apostille in pursuance of Decree No. 545 of the Government of the Republic of Kazakhstan dated April 24, 2001 "On the Measures to Implement the Provisions of the Convention Abolishing the Requirement of Legalization for Foreign Public Documents (The Hague, October 5, 1961)";

9) an electronic document - a document where the information is in electronic digital form and certified by means of an electronic digital signature;

10) electronic register - electronic list of apostilled documents;

11) E-Government Web Portal (hereinafter referred to as the Portal) - an information system providing a "one-stop access" to all consolidated government information, including the regulatory framework, and to public and other services provided in electronic form;

12) e-government gateway (hereinafter referred to as "E-Government Gateway") - an information system designed to integrate e-government informatisation objects with other informatisation objects;

13) an electronic digital signature (hereinafter referred to as EDS) - a set of electronic digital characters created by means of electronic digital signature and confirming the authenticity of an electronic document, its ownership and invariability of its content;

3. Documents required to be apostilled shall be accepted as official documents under Article 1 of the Convention Abolishing the Requirement of Legalisation for Foreign Public Documents, ratified by the Law of the Republic of Kazakhstan “On Accession of the Republic of Kazakhstan to the Convention Abolishing the Requirement of Legalisation for Foreign Public Documents” (hereinafter - the Convention).

4. An apostille may not be affixed to:

1) documents executed by embassies or consular offices of the Republic of Kazakhstan abroad;

2) administrative documents directly related to commercial or customs operations.

5. An apostille shall be in the form of a stamp - a square die as per Decree of the Government of the Republic of Kazakhstan No. 545 of April 24, 2001 “On Measures to Implement the Provisions of the Convention Abolishing the Requirement of Legalisation for Foreign Public Documents (The Hague, October 5, 1961)” (hereinafter - the Decree).

6. The following text shall appear outside the form of the apostille stamp below: “This apostille certifies only the authenticity of the signature, position/title of the signatory and the authenticity of the seal or stamp affixed to the document and does not certify the contents of the document it is affixed to”.

7. Official documents executed in the territory of States Parties to the Convention bearing an apostille under the terms of the Convention shall be recognised in the territory of the Republic of Kazakhstan without additional legalisation.

8. Under the Decree, authorised public authorities may delegate the power to affix the apostille on official documents to their territorial bodies.

Boxes in the stamp shall be completed only in the national language.

9. Authorised public authorities shall keep specimen signatures of the officials of their subordinate authorities and others from whom official documents are received for apostilisation.

10. Documents submitted for apostille shall be written clearly and legibly, the signatures of officials and stamps shall be legible.

11. Provision of public services in the field of apostillisation of official documents shall be performed pursuant to subordinate regulatory legal acts determining the procedure for provision of public services, approved as per sub-paragraph 1) of Article 10 of the Law of the Republic of Kazakhstan “On Public Services”.

Chapter 2. Procedures and terms for affixing an apostille in paper form

12. Apostille in paper form shall be affixed on originals of official documents emanating only from public authorities (institutions), officials or notaries of the Republic of Kazakhstan, as a party to the Convention.

Documents issued by public authorities (institutions) officials or notaries of other sovereign states (former union republics within the USSR) shall not be accepted in the territory of the Republic of Kazakhstan for affixing of apostille on originals.

13. An apostille shall be affixed on the free end of the document or on its reverse side and shall be sealed with the stamp of the authorized public authority. For a document that exceeds one sheet, the sheets shall be bound, laced and sealed.

14. An apostille shall be affixed on a separate sheet of paper if it cannot be affixed to the document submitted.

If so, the sheets of the document and the apostille sheet shall be stapled together by means of thread of any colour (or a special fine cord or ribbon) and numbered and an appropriate notation made on the “star”.

The last sheet of the documents shall be sealed at the stapling point with a “star” on which the stamp shall be affixed. The stamp shall be affixed evenly to the “star” and the sheet of paper.

The number of sheets stapled shall be certified by the signature of the person affixing the apostille.

The apostille sheet shall be bound to the document in the manner indicated and if the document has a hard cover.

15. The text in the apostille shall be typed or clearly handwritten, no erasures shall be permitted. No alterations may be made to the text of the apostille or to the sequence of the lines in the stamp.

No apostille may be produced from a sheet of paper by photocopying the apostille stamp or otherwise for filing with the documents being certificated.

An apostille shall be stamped as an imprint. The apostille stamp may be produced digitally.

16. If the document is signed by more than one person, the apostille shall be witnessed by the signature of the superior officer.

17. Where the document does not provide for the signature of an official and his/her surname and the document originates from a public authority (institution), line 2 of the apostille stamp shall specify: “signature not provided” and in lines 3 and 4 the name of the authority issuing the document shall be written.

18. The documents submitted for apostille shall be registered in the Book of Registration of Documents (hereinafter referred to as the Book), under the form provided in Annex 1 hereto.

19. The Book shall be laced, the sheets shall be numbered and signed by the person affixing the apostille and stamped with the stamp of the competent public authority where the Book is held.

20. The record in the book shall be made upon presentation of the receipt for payment of the state duty and upon affixing of an apostille on the document.

21. No substitutions shall be permitted and amendments shall be certified by the signature of the apostille holder responsible for the Book.

Chapter 3. Procedures and conditions for affixing an apostille in electronic form

22. An electronic apostille shall be provided as a Portable Document Format (PDF) file containing the apostille along with an electronic or scanned copy of the official document signed with an EDS by an official of the authorized public authority or his/her deputy.

23. The document presented for apostille shall be submitted electronically or by scanning the original document (no scans from photocopies shall be permitted).

24. A document submitted for apostille must be exactly the same as the original by scanning it onto paper (no corrections or erasures of the text shall be permitted).

25. An official via E-Apostille IS or UEDA IS shall generate an electronic apostille on the electronic document to be apostilled and shall forward the result of a public service via an EDS signed by an authorised person to the applicant’s personal account on the portal.

26. An electronic apostille shall be issued via the portal by downloading the apostille using the security code provided by the competent public authority when submitting an application.

27. The address of the electronic page (link to the web page) of the public authority shall be given under the electronic apostille stamp.

28. The electronic register shall include an archive of all apostilles issued in both paper and electronic format.

29. For documents to be electronically apostilled, registration shall be made in the electronic register of documents in the form set out in Annex 2 hereto.

Annex 1
to the Uniform Rules
for Affixing an Apostille

Form

Book of registration of documents

		Surname, first name,		Name and content of t h e	Surname, first name a n d patronymic (if any) and position of the person		Signature of receipt of the document	Surname, first name,
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No.	Date of affixing of the apostille	patronymic (if any), residential address of the person applying for an apostille	Applicant's identity document number, date and issuing authority	document submitted for apostille, document number, date and issuing authority	signing the document and, in the case of unsigned documents, indication of the public authority which has affixed the seal or stamp	The country to which the document is sent	by the person who applied for the apostille or a document confirming the issue of the completed document	patronymic (if any) and position of the person affixing the apostille
1	2	3	4	5	6	7	8	9

Annex 2
to the Uniform Rules
for Affixing an Apostille

Form

Electronic register of documents

No.	Date of affixing of the apostille	Surname, first name, patronymic (if any), residential address of the person applying for an apostille	Applicant's identity document number, date and issuing authority	Name and content of the document submitted for apostille, document number, date and issuing authority	Surname, first name and patronymic (if any) and position of the person signing the document and, in the case of unsigned documents, indication of the public authority which has affixed the seal or stamp	The country to which the document is sent	Surname, first name, patronymic (if any) and position of the person affixing the apostille
1	2	3	4	5	6	7	8