

On the First President of the Republic of Kazakhstan - Leader of the Nation

Invalidated Unofficial translation

Constitutional Law of the Republic of Kazakhstan dated July 20, 2000 № 83-II.
Abrogated by the Constitutional Law of the Republic of Kazakhstan dated February 13, 2023 № 198-VII LRK.

Unofficial translation

Footnote. The Constitutional Law of the Republic of Kazakhstan No. 198-VII of 13.02.2023 has become invalid (effective from the date of its first official publication).

Footnote. The title, as amended by the Constitutional Act of the Republic of Kazakhstan dated 14.06.2010 № 289-IV (the procedure for entry into force see Art. 2); dated June 15, 2017 No. 75-VI (shall be enforced from the date of its first official publication).

Footnote. Throughout the text, the words "Leader of the Nation", "Leader of the Nation", "Leader of the Nation", "Leader of the Nation" are replaced by the word "Elbasy" in accordance with the Constitutional Law of the Republic of Kazakhstan dated 15.06.2017 No. 75-VI (introduced in effective from the date of its first official publication).

This Constitutional Law in order to ensure the continuity of the main directions of domestic and foreign policy of Kazakhstan, further socio-economic and democratic reforms in the country determines the political and legal status of the First President of the Republic of Kazakhstan as the founder of the newly independent state of Kazakhstan, the Leader of the Nation, who provided its unity, the protection of the Constitution, rights and freedoms of man and citizen.

Footnote. Preamble, as amended by the Constitutional Act of the Republic of Kazakhstan dated 14.06.2010 № 289-IV (the procedure for entry into force see Art. 2).

Footnote. Throughout the text, the words "First President of the Republic of Kazakhstan" should be supplemented by the words "- Leader of the Nation", "- leader of the Nation", "- leader of the Nation", "- the leader of the Nation" by the Constitutional Law of the Republic of Kazakhstan dated 14.06.2010 № 289-IV (the procedure for entry into force see Art. 2).

Article 1. Status and powers of the First President of the Republic of Kazakhstan - The Leader of the Nation

In the present Constitutional Law, together with the powers of the President of the Republic of Kazakhstan stipulated by the Constitution of the Republic of Kazakhstan,

the Constitutional Law "On the President of the Republic of Kazakhstan" and other laws of the Republic are determined by political and legal status of the First President of the Republic of Kazakhstan - The leader of the Nation, the prerogatives and guarantees of the First President of the Republic of Kazakhstan - Leader of the Nation after the termination of their exercise of the powers of the President of the Republic of Kazakhstan.

The first President of the Republic of Kazakhstan is the person who stands at the cradle of Kazakh statehood, who has made an outstanding contribution to the development of Kazakhstan as a sovereign democratic, secular, legal and social state is the Leader of the Nation.

The First President of the Republic of Kazakhstan - the Leader of the Nation, according to his status, has the title of "Halyk kaharmany" (People's Hero) with the award of a special distinction - the Golden Star and the Order of "Otan".

The restrictions of the right to be elected as the President of the Republic of Kazakhstan shall not apply for the First President of the Republic of Kazakhstan - The leader of the Nation.

The first President of the Republic of Kazakhstan - The Leader of the Nation because of his historical mission has the right for term of life term:

1) to refer to the people of Kazakhstan, state bodies and officials of the initiatives on major issues of state construction, domestic and foreign policy and national security, which are subject to mandatory review by the relevant government agencies and officials;

2) to address to the Parliament of the Republic of Kazakhstan and its Chambers, at the meetings of the Government when discussing important issues for the country; to be a member of the Constitutional Council of the Republic of Kazakhstan.

Emerging initiatives in key areas of domestic and foreign policies shall be coordinated with the first President of the Republic of Kazakhstan - The leader of the Nation.

Impeding the lawful activities of the First President of the Republic of Kazakhstan - The leader of the Nation, an affront or other violation of the honor and dignity of the First President of the Republic of Kazakhstan - The leader of the Nation, as well as the desecration of images of the First President of the Republic of Kazakhstan - The leader of the Nation is not allowed and will be prosecuted.

Footnote. Article 1 as amended by the Constitutional Law of the Republic of Kazakhstan dated 14.06.2010 № 289-IV (the procedure for entry into force see Art. 2); as amended by the Constitutional Laws of the Republic of Kazakhstan dated 02.01.2012 No. 526-IV; dated December 22, 2017 No. 119-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated

07.02.2022 No. 105-VII (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Article 2. The establishment of the Order and the annual Peace Prize and the progress of the First President of the Republic of Kazakhstan - The leader of the Nation

The parliament of the Republic of Kazakhstan in commemoration of special merits of the First President of the Republic of Kazakhstan - the Leader of the Nation before the Fatherland establishes:

1) the state award - the Order of "Kazakhstan Respublikasynyn Tunghysh Presidenti - Yelbassy Nursultan Nazarbayev", which shall be rewarded for special services of the citizens of the state and community activities;

2) The annual State Prize for peace and progress of the First President of the Republic of Kazakhstan - The leader of the Nation, which is awarded by the President of the Republic of Kazakhstan for the development of democracy and social progress for the consolidation of peace and friendship between people.

Footnote. Article 2 as amended by the Constitutional Law of the Republic of Kazakhstan dated 14.06.2010 № 289-IV (the procedure for entry into force see Art. 2).

Article 3. Immunity of the First President of the Republic of Kazakhstan - Elbasy

The first President of the Republic of Kazakhstan - Elbasy has immunity. He cannot be held liable for actions committed during the period of his exercising the powers of the President of the Republic of Kazakhstan, and after their termination - related to the exercise of his status as the First President of the Republic of Kazakhstan - Elbasy . He may not be detained, arrested and kept in custody, searched, interrogated or personally searched.

Inviolability extends to all property owned by the right of private property to the First President of the Republic of Kazakhstan - Elbasy and members of his family living with him, as well as to the residential and office premises used by them, official vehicles, means of communication, correspondence, documents belonging to them. Immunity also applies to property owned by the fund of the First President of the Republic of Kazakhstan - Elbasy and other legal entities established by him .

No restrictions may be imposed on property owned by the right of private ownership of the First President of the Republic of Kazakhstan - Elbasy and members of his family living with him, as well as on the property of legal entities established by him .

Bank secrecy and inviolability of bank accounts of the First President of the Republic of Kazakhstan - Elbasy and members of his family living with him are guaranteed.

Footnote. Article 3 as amended by the Constitutional Law of the Republic of Kazakhstan dated 04.07.2014 No. 232-V (shall be enforced from 01.01.2015); as amended by the Constitutional Law of the Republic of Kazakhstan dated June 15, 2017 No. 75-VI (shall be enforced from the date of its first official publication).

Article 4. Ensuring of the activities

For ensuring activity of the First President of the Republic of Kazakhstan - the Leader of the Nation who has stopped execution of the powers, and realization of his status, the office shall be allocated, the Office of the First President of the Republic of Kazakhstan - the Leader of the Nation who bears responsibility for execution of the duties only before him.

The structure and staffing of the Office of the First President of the Republic of Kazakhstan - Elbasy , maintained at the expense of the republican budget, are established by the First President of the Republic of Kazakhstan - Elbasy . The employees of the Office of the First President of the Republic of Kazakhstan - Elbasy are subject to the legislation on civil service.

To accommodate the Office of the First President of the Republic of Kazakhstan - Elbasy , a separate office space is provided, equipped with office equipment (including personal computers connected both to the general network and to all available legal bases and state information systems, copiers, fax machines) , means of communication, including government communications, the necessary office furniture, and it is also provided with transport services.

Footnote. Article 4 as amended by the Constitutional Law of the Republic of Kazakhstan dated 14.06.2010 № 289-IV (the procedure for entry into force see Art. 2); dated 03.07.2013 No. 121-V (shall be enforced ten calendar days after its first official publication).

Article 5. Ensuring communication

The First President of the Republic of Kazakhstan - Elbasy has the right for life free of charge to use presidential, governmental and other types of communications on the territory of the Republic of Kazakhstan, which are available to local executive bodies, state bodies and organizations, as well as the right to receive extraordinary communication services. All types of postal and telegraphic items of the First President of the Republic of Kazakhstan - Elbasy , who has ceased to exercise his powers, are forwarded (transferred), processed and delivered in the category of government ones.

Footnote. Article 5 as amended by the Constitutional Law of the Republic of Kazakhstan dated June 15, 2017 No. 75-VI (shall be enforced from the date of its first official publication).

Article 6. Protection of the First President of the Republic of Kazakhstan - the Leader of the Nation

The protection of the First President of the Republic of Kazakhstan - Elbasy is entrusted to the relevant division of the State Security Service of the Republic of Kazakhstan.

To the first President of the Republic of Kazakhstan - to the Leader of the Nation, the state protection in places of his continuous or temporary stay shall be provided during his life.

The state protection shall be provided also to members of the family of the First President of the Republic of Kazakhstan - the Leader of the Nation who has stopped execution of the powers, living together with him or those who are accompanying him.

Footnote. Article 6 as amended by the Constitutional Laws of the Republic of Kazakhstan dated 04.07.2014 No. 232-V (shall be enforced from 01.01.2015); dated June 15, 2017 No. 75-VI (shall be enforced from the date of its first official publication).

Article 7. Housing

To the first President of the Republic of Kazakhstan - the Leader of the Nation who has stopped execution of the powers, the office apartment and the state giving shall be transferred to the possession with necessary state service.

Article 8. Providing with transport

To the First President of the Republic of Kazakhstan - the Leader of the Nation who has stopped execution of the powers, the personal car with drivers, and to members of his family in common living with him a right for use of office motor transport shall be provided for term of life.

The first President of the Republic of Kazakhstan - the Leader of the Nation has the right of free journey about the country and using halls for officials and delegations for term of life.

Article 9. Fund, museums, busts, personal archive and personal library

In execution by the First President of the Republic of Kazakhstan - the Leader of the Nation of powers of the President of the Republic of Kazakhstan, a fund is created and formed by him, a private library and personal archive of the First President of the Republic of Kazakhstan - the Leader of the Nation. U941502, P940298, N990052

The personal library and personal archive of the First President of the Republic of Kazakhstan - Elbasy are a national treasure and are owned by the state.

In the homeland of the First President of the Republic of Kazakhstan - the Leader of the Nation and in the capital of the Republic of Kazakhstan, there shall be created the museums and the busts of the First President of the Republic of Kazakhstan shall be established - the Leader of the Nation.

Footnote. Article 9 as amended by the Constitutional Law of the Republic of Kazakhstan dated 14.06.2010 № 289-IV (the procedure for entry into force see Art. 2); as amended by the Constitutional Law of the Republic of Kazakhstan dated 03.07.2013 No. 121-V (shall be enforced ten calendar days after its first official publication).

Article 10. Medical and sanatorium providing

To the first President of the Republic of Kazakhstan - the Leader of the Nation who has stopped execution of the powers, and members of his family living together with him shall remain the right for free medical care and sanatorium treatment in that volume and in thoses which were provided to them at date of the termination by the First President of the Republic of Kazakhstan - the Leader of the Nation of execution of powers of the President of the Republic of Kazakhstan for term of life.

Footnote. Article 10 as amended by the Constitutional Law of the Republic of Kazakhstan dated 14.06.2010 № 289-IV (the procedure for entry into force see Art. 2).

Article 11. Provision of pensions and insurance

The first President of the Republic of Kazakhstan - the Leader of the Nation, terminating execution of his powers, irrespective of age, shall have the right to receive monthly pension at a rate of 80 percent of a monthly official salary of the President of the Republic of Kazakhstan. Thus, the pension of the First President of the Republic of Kazakhstan - the Leader of the Nation shall raise according to the growth of an official salary of the President of the Republic of Kazakhstan.

Life and health of the First President of the Republic of Kazakhstan - the Leader of the Nation who has terminated execution of his powers, shall be a subject to obligatory state insurance at the expense of funds of the republican budget for the sum equal to an annual official salary of the President of the Republic of Kazakhstan.

A monthly allowance equal to the 10-fold minimum size of an old-age pension, established by the legislation of the Republic of Kazakhstan on their death-day, shall be granted for each member of the family of the First President of the Republic of Kazakhstan - the Leader of the Nation.

Along with the guarantees specified by the present Constitutional Law, the legislation of the Republic may pursue other guarantees to the First President of the Republic of Kazakhstan - the Leader of the Nation who has stopped execution of the powers, and members of his family.

Article 12. Sources of financing and other questions of support of the First President of the Republic of Kazakhstan - the Leader of the Nation

Financing of the expenses, specified by the present Constitutional law, including the expenses for replenishment and maintenance of fund and protection of its rooms, storage of a private library and personal archive of the First President of the Republic of Kazakhstan - the Leader of the Nation shall be carried out at the expense of means of the republican budget.

Housing, medical, sanatorium, transport and other care of the First President of the Republic of Kazakhstan - the Leader of the Nation and the members of his family, living together with him, shall be provided with authorized state authorities.

Footnote. Article 12 as amended by the Constitutional Law of the Republic of Kazakhstan dated 14.06.2010 № 289-IV (the procedure for entry into force see Art. 2).

Article 13. The procedure for entry into force of the present Constitutional Law

The present Constitutional law shall be enforced from the date of its official publication, except for standards of articles 2 and 9 which shall be installed since January 1, 2001.

The President of
the Republic of Kazakhstan