

On Introduction of Amendments and Supplements to the Constitutional Law of the Republic of Kazakhstan "On the President of the Republic of Kazakhstan"

Unofficial translation

Constitutional Law of the Republic of Kazakhstan dated June 19, 2007 N 265

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Article 1. To the Constitution Law of the Republic of Kazakhstan dated December 26, 1995 "The President of the Republic of Kazakhstan" (Bulletins of the Supreme Council of the Republic of Kazakhstan, 1995, N 24, p. 172 Bulletin of the Parliament of the Republic of Kazakhstan, 1999, N 10, p. 343, 2006, N 23, p. 137) the following amendments and supplements should be introduced:

1) In the Article 4:
item 1 should be worded as follows:

"1. The President of the Republic shall be elected for a term of five years.

Five-year term shall apply to a person who is elected as the President of the Republic on the presidential elections held in connection with the expiration of the seven-year term of office of the President, elected at the election of December 4, 2005. ";

item 4 should be supplemented with the second sentence as follows:

"This restriction shall not apply to the First President of the Republic of Kazakhstan";

2) item 2 of Article 5 shall be deleted;

3) In the Article 9:

sub-item 1) should be supplemented with the words "and the House";

sub-item 2) should be worded as follows:

"2) in compliance of the requirements established by item 4 of Article 51 of the Constitution, shall appoint fifteen deputies of the Senate with regard to the need for representation in the Senate of the national-cultural and other significant public interest. In the case of deprivation or termination of the appointed members of the Senate within a month shall appoint the deputies of the Senate instead of resigned";

sub-item 6) before the word "open" should be supplemented with the words "usually";

sub-item 7) and 8) should be worded as follows:

"7) in the period between sessions of the Parliament on its own initiative, at the suggestion of Presidents of the Chambers or no less than one-third of the total number of deputies of the Parliament may convene an extraordinary session of Parliament, where may be considered only the issues, which were the reason for its convening;

8) shall sign the law presented by the Senate of Parliament within one month, promulgate the law or return the law or its separate articles for a second discussion and voting, within one

month of signing the law, if the Parliament will confirm the earlier decision in compliance with the requirements set forth in subparagraph 2) of item 2 Article 54 of the Constitution; "

Should be supplemented with sub-item 9-1) as follows:

"9-1) in order of the legislative initiative shall introduce to the Mazhilis of the Parliament by his special message, the drafts of the legislative acts,";
in paragraph 12), the words "not less than two-thirds," should be excluded;

item 13) should be worded as follows:

"13) may dissolve Parliament and the Mazhilis of the Parliament in the manner prescribed by the Constitution";

4) Article 10:

sub-item 1) after the words "consent" should be supplemented with the word "Mazhilis";

sub-item 2) should be worded as follows:

"2) Pursuant to the Prime Minister to be deposited in ten days after his/her appointment, shall determine the structure of government, form, abolish and reorganize central executive bodies of the Republic, which is not part of the Government, appoint members of the Government appoints the Ministers of Foreign Affairs, Defense, Interior, Justice, dismisses the members of the Government";

sub-item 8) should be supplemented with the words "and the Prime Minister of the Republic";

sub-item 9) after the words "or if" should be supplemented with the words "the Mazhilis of the Parliament or";

5) Article 12 should be worded as follows:

Article 12. Powers of the President of the Republic in respect of courts and judges

The President of the Republic:

1) rely on the recommendation of the Supreme Judicial Council, shall propose to the Senate of the Parliament, the Chairperson and the judges of the Supreme Court of the Republic for electing to office and dismissing from office;

2) rely on the recommendation of the Supreme Judicial Council, shall appoint and dismiss the president and judges of other courts";

6) Article 14:

sub-item 1) shall be worded as follows:

"1) shall appoint a Chairman and two members of the Central Election Commission of the Republic of Kazakhstan";

in sub-item 3) the words "local representative bodies, members of the" should be substituted by the words "Maslikhats, members of other";

7) sub-item 1) of Article 15 after the word "consent" should be supplemented with the word "Senate";

8) In the Article 17:

sub-item 1) should be worded as follows:

"1) shall appoint akims of regions, cities and the capital of the Republic with the consent of Maslikhats of the region, city and the capital";
in sub-item 4) the words "two thirds" should be substituted by the word "majority";

9) In the Article 19:

In the sub-item 3) introduced the amendment in the official language, the text in Russian shall not be changed;

Sub-items 9), 10) and 11) should be worded as follows:

"9) shall form the Administration of the President; shall form, dissolve and reorganize other state bodies directly subordinated and accountable to the President of the Republic;

10) shall form the Security Council and other consultative and advisory bodies, as well as the Assembly of Peoples of Kazakhstan and the Supreme Judicial Council;

11) shall prematurely terminate the authority of Maslikhat";

10) in the item 1 of Article 23:

sub-item 1) should be worded as follows:

"1) by the Administration of the President and other state bodies directly subordinated and accountable to the President of the Republic";

in sub-item 3) the words "Attorney General of the Republic" shall be excluded;

11) item 4 of Article 25 after the word "radio," should be supplemented with the word "online";

12) item 3 of Article 26 should be supplemented with the words "or the Mazhilis of the Parliament";

13) Article 33 shall be worded as follows:

"Article 33. Consultative and advisory bodies, agencies and organization of the President of the Republic

1. In order to implement the constitutional powers of the President of the Republic and to ensure its activities the Security Council and other consultative and advisory bodies, as well as the Assembly of Peoples of Kazakhstan, the Supreme Judicial Council, other agencies and organizations under the President of the Republic shall be organized.

2. President of the Republic:

1) shall determine the composition of the Security Council and other consultative and advisory bodies, as well as the Assembly of Peoples of Kazakhstan, the Supreme Judicial Council, form the other institutions and organizations under the President of the Republic;

2) shall appoint leading officials of the consultative and advisory bodies, the Assembly of Peoples of Kazakhstan, the Supreme Judicial Council, other agencies and organizations under the President of the Republic;

3) shall approve the provision of the Security Council and other consultative and advisory bodies, the Assembly of Peoples of Kazakhstan, other institutions and organizations under the President of the Republic;

4) shall hear reports on a quarterly basis the Secretary of the Security Council and senior

officials of other consultative and advisory bodies on the work of these bodies, as well as reports of the Chairman of the Supreme Judicial Council.

3. The employees of the apparatuses of the consultative and advisory bodies under the President of the Republic, as well as apparatuses of the Assembly of the People of Kazakhstan and the Supreme Judicial Council shall be the members of the Presidential Administration".

Article 2. This Constitutional Law shall be enforced from the date of its publication.

P r e s i d e n t o f

the Republic of Kazakhstan