

On Introduction of Amendments and Supplements to some Constitutional Laws of the Republic of Kazakhstan concerning legislation improvement in the sphere of ensuring activity of the First President of the Republic of Kazakhstan - the Leader of the Nation

Unofficial translation

Constitutional Law of the Republic of Kazakhstan dated June 14, 2010 N 289-IV

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Article 1. The amendments and supplements to the following Constitutional Laws of the Republic of Kazakhstan should be introduced as follows:

1. To the Constitutional Law of the Republic of Kazakhstan dated September 28, 1995 "On elections in the Republic of Kazakhstan" (Bulletins of the Supreme Council of the Republic of Kazakhstan, 1995, N 17-18, Art. 114, Bulletins of the Parliament of the Republic of Kazakhstan, 1997, N 12, Art. 192, 1998, N 7-8, Art. 71; N 22, Art. 290, 1999, N 10, Art. 340; N 15, Art. 593, 2004, N 7, p. 45, 2005, N 7-8, Art. 17 2006, N 23, p. 138, 2007, N 12, Art. 85, 2009, N 2-3, Art. 5):

the second part of item 3 of Article 53, after the words "First President of the Republic of Kazakhstan" should be supplemented with the words "- Leader of the Nation."

2. The Constitutional Law of the Republic of Kazakhstan dated December 26, 1995 "On the President of the Republic of Kazakhstan" (The Bulletins of the Supreme Council of the Republic of Kazakhstan, 1995, N 24, art. 172 The Bulletins of the Parliament of the Republic of Kazakhstan, 1999, N 10, art. 343; 2006, N 23, p. 137, 2007, N 12, art. 82):

the second sentence of item 4 of Article 4, after the words "First President of the Republic of Kazakhstan" should be supplemented with the words "- Leader of the Nation."

3. In the Constitutional Law of the Republic of Kazakhstan dated July 20, 2000 "On the First President of the Republic of Kazakhstan" (The Bulletins of the Parliament of the Republic of Kazakhstan, 2000, N 10, art. 232):

1) the title, after the word "Kazakhstan", should be supplemented with the words "Leader of the Nation";

2) in the preamble, the words "as one of the founders of the new independent states of Kazakhstan, the leader of the People of Kazakhstan" should be substituted with the words "Kazakhstan as a founder of the newly independent states of Kazakhstan, the Leader of the Nation";

3) then throughout the text after the words "of the First President of the Republic of Kazakhstan", "to the First President of the Republic of Kazakhstan", "the First President of the Republic of Kazakhstan", "by the First President of the Republic of Kazakhstan" should be supplemented by the words "- of the Leader of the Nation", "- to the Leader of the Nation"

"- The Leader of the Nation", "- by the Leader of the Nation";

4) Article 1 should be worded as follows:

"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 shall determine the 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 his 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 and 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.

For the First President of the Republic of Kazakhstan - The leader of the Nation, restrictions on the right to be elected as a President of the Republic of Kazakhstan shall not be applied.

The First President of the Republic of Kazakhstan - The leader of the Nation because of his historical mission shall have the right for life:

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 the Parliament of the Republic of Kazakhstan and its Chambers, at the meetings of the Government in the process of the discussion of important issues for the country, led by the Assembly of Peoples of Kazakhstan, a member of the Constitutional Council, the Security 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 shall not be allowed and shall be prosecuted";

5) sub-item 1) of Article 2, after the word "Presidenti" should be supplemented with the word - "Yelbassy";

6) Article 3 should be worded as follows:

Article 3. The immunity of 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 shall have the immunity. He cannot be held liable for acts committed in performance of office of the President of the Republic of Kazakhstan, and after their termination - related to the implementation of his status as the First President of the Republic of Kazakhstan - The leader of the Nation. He cannot be subjected to detention, arrest, search, interrogation, or a personal search.

The immunity shall extend to all property belonging to the right of private ownership of the First President of the Republic of Kazakhstan - The leader of the Nation and the members of his family, living together with him, as well as the use of residential and office space, business transportation, communications, correspondence, documents belonging to them.

On property owned by the right of private ownership of the First President of the Republic of Kazakhstan - The leader of the Nation and the members of his family, living together with him, cannot be imposed which whatever limitations.

Banking secrecy and integrity of the bank accounts 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 guaranteed;

7) The first part of Article 4, after the words "The Office of the First President of the Republic of Kazakhstan" should be supplemented with the words "- Leader of the Nation, which is responsible for the execution of their duties only to him";

8) Article 9 should be worded as follows:

"Article 9. Foundation, museums, busts, a personal archive and personal library

During the execution of the first President of the Republic of Kazakhstan - The leader of the Nation, the power of the President of the Republic of Kazakhstan, and he shall form the fund, private library and a personal archive of the First President of the Republic of Kazakhstan - The leader of the Nation.

After the termination of his office the President of the Republic of Kazakhstan, the personal library and personal archive shall become the property of the First President of the Republic of Kazakhstan - The leader of the Nation.

At the home of the First President of the Republic of Kazakhstan - The leader of the Nation and the capital of the Republic of Kazakhstan shall be created museum and established the busts of the First President of the Republic of Kazakhstan - The leader of the Nation. ";

9) In Article 10, the words "constitutional authority" should be substituted with the words "office of the President of the Republic of Kazakhstan";

10) Article 12 should be worded as follows:

"Article 12. Sources of funding and other issues of Ensuring activity of the First President of the Republic of Kazakhstan - The leader of the Nation

Financing costs as provided by this Constitutional Law, including the completion and maintenance fund and the protection of its premises, storage of personal libraries and personal archives of the First President of the Republic of Kazakhstan - The leader of the Nation, at the

expense of the national budget.

Housing, health, spa, transportation and other services of the First President of the Republic of Kazakhstan - The leader of the Nation and his family members living with him, shall be provided by the authorized state bodies".

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

The current constitutional law is attached by the signatures of the President of the Senate - Tokayev K.K., Chairman of the Mazhilis of the Parliament - Mukhamedzhanov U.B., the Prime Minister - Massimov K.K., which indicates the legal correctness of this Constitutional Law and the legal responsibility of these officials for its legitimacy.