

## On Military Service and Status of Military Servants

### *Unofficial translation*

The Law of the Republic of Kazakhstan dated 16 February 2012 № 561-IV.

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Footnote. Through the whole text, the words "auls (villages)" are substituted respectively by the words "villages" by the Constitutional Law of the Republic of Kazakhstan dated 03.07.2013 № 121-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Footnote. Throughout the text, the words "in higher educational institutions," "of higher educational institutions," "of a higher educational institution," "of higher educational institutions" shall be replaced by the words "organization of higher education and (or) postgraduate education," "in organizations of higher and (or) postgraduate education," "organizations of higher and (or) postgraduate education," "organizations of higher and (or) postgraduate education" by the Law of the Republic of Kazakhstan dated 15.04.2022 № 114-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

This Law regulates public relations in the scope of performance of military service by citizens of the Republic of Kazakhstan and determines the basis of state policy on social security of military servants.

## Chapter 1. GENERAL PROVISIONS

### Article 1. Basic definitions used in this Law

The following basic definitions are used in this Law:

1) adjunct - a military of officers and sergeants studying at a foreign military educational institution implementing educational programs of postgraduate education;

1-1) individuals of civilian personnel (employees) - citizens of the Republic of Kazakhstan who are in public service or are in labor relations in the Armed Forces of the Republic of Kazakhstan, other troops and military formations (hereinafter referred to as the Armed Forces, other troops and military formations);

2) variable composition - a category of military personnel of the Armed Forces, other troops and military formations studying in military, special educational institutions that are not part of the staff of the Armed Forces, other troops and military formations;

3) military personnel serving on conscription - citizens of the Republic of Kazakhstan called up for military service in the Armed Forces, other troops and military formations for the period provided for by this Law;

4) deferral – transfer of the period of the citizens' calling to military service on the grounds, provided by this Law;

5) pre-conscripts are male nationals of the Republic of Kazakhstan undergoing training for military service prior to reaching conscription age;

6) conscripts are male nationals of the Republic of Kazakhstan who are registered with local military authorities and who are subject to conscription for fixed-term military service;

7) military rank – a rank of military differences, awarded to a military servant and draftee;

8) military card – single unlimited personal accounting military document of a citizen, determining his (her) accessory to military service and regard to military obligation;

9) staff of a military unit (institution) - a document determining the composition, organizational and staffing structure, the number of personnel and the number of fixed main weapons and military equipment in accordance with the cadaster of weapons and military equipment of the Armed Forces, other troops and military formations;

10) military registration – recording and analysis system of quantitative and qualitative data on conscripts, military servants and mobilization resources;

11) military trainings – measures, conducted by bodies of military administration on military education, acquisition and improvement of military knowledge of draftees with their calling to their military units for the purpose of increase of military battle and mobilization readiness of Armed Forces.

Military trainings are divided into:

training camps means military camps held for the purpose of training and retraining conscripts;

verifying trainings – type of military trainings, conducted for the purpose of verifying the readiness of military units, intended for performance of tasks in organizational and staff structure of wartime;

special trainings – type of military trainings, conducted for the purpose of performing measures on liquidation of emergency situations and their consequences and in other cases, determined by the President of the Republic of Kazakhstan;

12) the military intern – the serviceman studying in a military internship;

13) a military internship – the form of training of the military personnel on clinical specialties within basic higher medical education for receiving admission to clinical practice which is carried out by structural division of the highest military educational institution;

14) military department (military faculty) is a structural unit of a higher and/or postgraduate educational institution in the Republic of Kazakhstan that provides military training under reserve officer and/or reserve sergeant programmes and military-patriotic education for students;

15) military uniform – official uniform with badges of ranks (issue clothing) and equipment, approved by the President of the Republic of Kazakhstan, determining accessory of military servants to Armed Forces;

16) military service – special type of state service of military servants of Armed Forces, oriented to immediate ensuring of military security, linked with armed protection of sovereignty, territorial integrity and inviolability of borders of the Republic of Kazakhstan;

17) dismissal from military service – exclusion of a military servant from the lists of military unit (institution) with admission to stock or resignation on the grounds, provided by this Law;

18) contract on performance of military service – the agreement between the authorized body and a citizen of the Republic of Kazakhstan on performance of military service in voluntary basis, establishing the rights, obligations and responsibility of parties for the period of performing the military service by a citizen;

19) dismissal from military service - exclusion of a military personnel from the lists of a military unit (institution) with admission to the reserve or resignation on the grounds provided for by this Law;

20) military servants – citizens of the Republic of Kazakhstan being at military service in Armed Forces;

21) military position - a regular unit of the Armed Forces, other troops and military formations, which is entrusted with official powers, official and special duties to perform the functions of military service;

22) draftees – citizens of the Republic of Kazakhstan, being on military registration and in stock until the age of retirement to be on military registration;

23) military reserve (hereinafter referred to as the reserve) - military personnel of the age established by this Law, who are registered with local military administration bodies of districts, cities of regional significance, used for the purpose of understaffing, mobilization and replenishment of losses of the Armed Forces, other troops and military formations during the period of mobilization, military situation and in wartime;

24) military obligation – constitutional obligation of citizens of the Republic of Kazakhstan on protection of the Republic of Kazakhstan;

25) military educational institution - an educational organization subordinate to the Ministry of Defense, the Committee of National Security and the National Guard of the Republic of Kazakhstan and implementing educational programs at various levels;

25-1) higher-education teaching personnel of military educational institutions - military servants and members of civilian staff of the Armed Forces engaged in educational, scientific, methodological activities;

25-2) military training practice is a type of educational activity intended to reinforce theoretical knowledge and skills, and to acquire and develop practical skills under the relevant military training programme;

25-3) military resident physician – a military serviceman undergoing training as part of a residency programme under the oversight of a mentor from a healthcare institution;

26) basic military training is a mandatory course (academic discipline) covering the fundamentals of military affairs as part of preparation for military service and military-patriotic education for pre-conscription personnel in secondary, technical and vocational education institutions;

26-1) crisis situation training – activities conducted with military personnel serving in the reserve to participate in the containment and elimination of a crisis situation, as well as in other cases provided for by the laws of the Republic of Kazakhstan;

26-2) field-type payments are payments made from budgetary funds to military personnel (with the exclusion of military personnel serving fixed-term military service, students and cadets of military educational institutions, conscripts called up for military training, military personnel serving in the reserve) for the period of field trips, sea voyages, participation in exercises or ship voyages lasting more than one day;

27) a field day – classes in programs of combat, mobilization and expeditious training in field conditions and also performance of special field works for the benefit of Armed Forces, other troops and military formations;

28) the doctoral candidate – the serviceman studying in doctoral studies;

29) length of service is the duration of a person's service in the military, special state and law enforcement agencies, civil defence agencies, courier services, as well as in other cases envisaged by the laws of the Republic of Kazakhstan, calculated both in calendar and preferential terms;

30) general military education – compulsory education of citizens of the Republic of Kazakhstan of military education for the period of imposing martial law;

30-1) zhaz aibyn is a person enrolled in supplementary educational programmes for pre-conscription training;

30-2) zhaz sarbaz is a person who is being educated and trained under specialised general education programmes for in-depth pre-conscription training;

30-3) combat training exercises means activities based on combat training programmes involving military personnel serving in the reserve forces;

31) personnel - military personnel and persons of civilian personnel (employees);

32) cadets – military servants, not having a military rank of officer studying in educational centres, military faculties of educational institutes (hereinafter - military faculties), military educational institutions implementing the programs of secondary technical and professional, post-secondary and higher education;

33) military servants performing military service under the contract – citizens of the Republic of Kazakhstan, voluntarily entered into military service in Armed Forces for the term, determined by this Law;

34) cadet means a military serviceman attending a military or special educational institution offering higher education programmes, or a foreign military educational institution, upon completion thereof being awarded the first military rank of officer;

35) course training is a form of additional education for military personnel and conscripts aimed at acquiring, maintaining and improving military knowledge and skills in specific military specialities, undertaken for:

    military personnel in military educational institutions, training centres of military authorities, specialised institution of the Ministry of Defence of the Republic of Kazakhstan or educational institutions of foreign states under international agreements or invitations;

    persons liable for military service in military educational institutions, military departments (military faculties) at higher and/or postgraduate educational institutions of the Republic of Kazakhstan or specialised institution of the Ministry of Defence of the Republic of Kazakhstan;

    35-1) is excluded by the Law of the Republic of Kazakhstan dated 10.01.2025 № 156-VIII (shall be enforced upon expiry of ten calendar days after the date of its first official publication);

    35-2) common soldiers (fore mastmen) are servicemen who have been assigned the corresponding military ranks of enlisted personnel;

    36) active reserve – military servants, performing imposed operating tasks within intelligence activity;

    37) specialised institution of the Ministry of Defence of the Republic of Kazakhstan is an institution engaged in the training and retraining of nationals in military-technical and other specialities, as well as in the course training of military personnel and conscripts, including in the operation of vehicles, on a gratuitous or remunerative basis;

    38) the undergraduate – the serviceman studying in a magistracy;

    39) compulsory military service – military service of citizens of male sex, based on their calling to Armed Forces to military positions of private and non-commissioned personnel in the manner, determined by this Law;

    40) resignation – status of persons, dismissed from military service or excluded from military registration, attained the age of retirement of being in stock, or persons, condemned as unserviceable for military service with the exclusion from military registration;

    41) officers – military servants awarded by the relevant military ranks of officer personnel ;

    42) psychophysiological and polygraphological researches – the set of test measures, oriented to overall assessment of individual and psychological and psychophysiological qualities of military servants and citizens of the Republic of Kazakhstan, carrying out upon selection for performing military service in military intelligence bodies of the Ministry of Defence, as well as on positions, which is approved by the head of authorized body;

    42-1) military personnel serving in the reserve (hereinafter – military reservists) – citizens of the Republic of Kazakhstan who have voluntarily enlisted for military service in the reserve in the Armed Forces, other troops, and military formations;

    43) rotation – transfer of military servants on equal and other positions in Armed Forces;

44) excluded by Law of the Republic of Kazakhstan № 211-VIII of 16.07.2025 (shall come into force upon expiry of sixty calendar days after the day of its first official publication );

45) sergeants (foremen) - military personnel who are awarded the corresponding military ranks of sergeant personnel;

46) excluded by Law of the Republic of Kazakhstan № 211-VIII of 16.07.2025 (shall come into force upon expiry of sixty calendar days after the day of its first official publication );

47) going to sea - going out to the crews of ships, boats and ships, military personnel at sea to perform tasks;

48) authorized official - an official who has been granted the right to conclude a contract for military service or a contract for military service in the reserve in the manner determined by the Rules for Military Service;

49) the authorized body – state body, in structure of which the performance of military service is provided;

50) organizational and regular actions are the events held in Armed Forces, other troops and military formations on creation, elimination, reorganization, a re-deployment, resubmission, change of states of public institutions and their structural divisions and also for change of structure and number of staff of Armed Forces, other troops and military formations;

51) the uhlans – the person studying at the first or second year in the military educational institution implementing educational programs of technical and professional education on the basis of the main secondary education;

52) military position of non-staff personnel is a staff unit of the military department (military faculty) entrusted with official powers for military training and military-patriotic education of students.

Footnote. The article 1 in the wording of the Law of the Republic of Kazakhstan dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication); as amended by the Law of the Republic of Kazakhstan dated 02.07.2018 № 165-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2018 № 171-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 10.06.2020 № 344-VI (shall enter into force upon the expiry of ten calendar days after the day of its first official publication); or 16.11.2020 № 375-VI (shall enter into force upon the expiry of ten calendar days after the day of its first official publication); dated 15.04.2022 № 114-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 19.04.2024 № 74-VIII (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 10.01.2025 № 156-VIII (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 18.03.2025 № 175-VIII (shall be

enforced upon expiry of sixty calendar days after the day of its first official publication); № 196-VIII of 24.06.2025 (shall come into effect upon expiry of ten calendar days after the date of its first official publication); № 203-VIII of 30.06.2025 (shall be enacted on 01.07.2025); № 211-VIII of 16.07.2025 (shall take effect upon expiration of sixty calendar days after the day of its first official publication).

## **Article 2. Legal basis of military service in Armed Forces**

1. The legal basis for military service in the Armed Forces, other troops and military formations shall be comprised of the Constitution of the Republic of Kazakhstan, the Labour Code of the Republic of Kazakhstan with the specific provisions set forth in this Law, the laws of the Republic of Kazakhstan governing the activities of law enforcement agencies, civil defence agencies, and other regulatory legal acts of the Republic of Kazakhstan.

2. International treaties ratified by the Republic of Kazakhstan shall have priority over this Law. The procedure and conditions for the operation on the territory of the Republic of Kazakhstan of international treaties to which the Republic of Kazakhstan is a party shall be determined by the legislation of the Republic of Kazakhstan.

**Footnote.** The article 2 with the amendments made by the Law of the Republic of Kazakhstan dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 10.01.2025 № 156-VIII (shall be enforced upon expiry of ten calendar days after the date of its first official publication); № 196-VIII of 24.06.2025 (shall come into effect upon expiration of ten calendar days after the day of its first official publication).

## **Article 3. Principles of military service and status of military servants**

Principles of military service and status of military servants are:

- 1) legality;
- 2) complete, sufficient and well-timed ensuring of military servants in recognition of conditions of performing the military service for performance of the assigned task;
- 3) protection of rights and freedom of military servant from criminal and other illegal infringements, its inviolability upon fulfillment of obligations of military service;
- 4) individual responsibility and succession;
- 5) independence from the activity of political parties and other public associations.

## **Article 4. Scope of application of this Law**

The effect of this Law shall apply to all military personnel of the Republic of Kazakhstan, including military personnel of the Republic of Kazakhstan serving as part of the united (coalition) armed forces, as well as peacekeeping forces in accordance with international treaties ratified by the Republic of Kazakhstan.

Force of this Law shall apply to political state employees in the part, not contradicting to the legislation of the Republic of Kazakhstan on state service.

Certain provisions and regulations of this Law on social security of military personnel shall apply to members of their families, persons dismissed from military service, as well as members of the families of military personnel who died, went missing during military service or who have a disability as a result of performing military service duties.

Status of citizens of the Republic of Kazakhstan dismissed from military service from Armed Forces and moved to other states for permanent residence shall be determined by international treaties of the Republic of Kazakhstan with the states, elected for permanent residence.

**Footnote.** The article 4 with the amendments made by the Law of the Republic of Kazakhstan dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 27.06.2022 № 129-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 18.03.2025 № 175-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication).

## **Article 5. Status of a military servant**

1. Status of a military servant includes general rights, freedoms and obligations of a military servant as a citizen of the Republic of Kazakhstan with withdrawals and restrictions, established by the Law, as well as his (her) rights, obligations and responsibility, conditioned by special aspects of military service.

Withdrawal and restrictions of rights and freedoms, special obligations and responsibility of military servants shall be compensated by additional rights and privileges, established by this Law.

Status of a military servant shall be acquired by citizens:  
called to military service (trainings) – from the date of issuance of order of the relevant head on departure from local body of military administration to the place of performing the military service (trainings);

entered into military service under the contract – from the date of issuance of order of a command officer (head) of military unit (institution) on enrollment to the lists of the unit's personnel;

those who have enrolled in military or special educational institutions offering technical and vocational, post-secondary and higher education programmes, unless they have previously served in the armed forces, – for military and special educational institutions, from the date of issue of the order of the head of the military or special educational institution on enrolment in the lists of teaching staff, with the exclusion of lancers, and in the case of admission to a foreign military educational institution, from the date of issue of the order of the head of the competent authority on referral for study;

the uhlans who finished the second year of training in the military educational institutions implementing educational programs of technical and professional education on the basis of the main secondary education – from the date of the publication of the order of the chief of military educational institution on training continuation, transfer to a third year and appointment to a military position of variable list of the cadet;

military reservists - from the date of issuance of an order by the commander (head) of a military unit (institution) on arrival for training or combat training sessions, or mobilization in crisis situations.

A civilian loses his status as a military serviceman on the day he is removed from the lists of the military unit (institution) due to dismissal from military service (completion of military training), as well as in the event of transfer to special state and law enforcement agencies of the Republic of Kazakhstan, or to service in civil defence agencies.

A military reservist loses the status of a serviceman from the day of issuance of an order by the commander (head) of a military unit (institution) on completion of combat training classes or training sessions, mobilization training in crisis situations, or from the day of exclusion from the lists of a military unit (institution) in connection with dismissal from military service in the reserve.

2. Upon fulfilling the duties of military service, the military servants are under protection of the state. They shall be subordinated only to persons who are their heads in accordance with general military charters, and no one else shall have the right to interfere in their service activity, with the exception of cases, provided by the Laws of the Republic of Kazakhstan.

3. Military servant shall be upon fulfilling the duties of military service in cases of:

1) fulfillment of official duties;  
2) participating in combat actions, performance of tasks in conditions of emergency or military situation as well as in conditions of armed conflicts;

3) participating in peace-keeping operations on maintenance of peace and safety;  
4) participating in anti-terrorist operations;  
5) participating in liquidation of emergency situations;  
6) field days (days in the sea) participating in training exercises or campaigns of ships;

7) being on the territory of a military unit (institution) during the working hours established by the daily routine or at another time if this is caused by official necessity;

8) being in official trip;  
9) movement to the place of service and back;  
10) being under treatment, movement to the place of treatment and back;  
11) performance of military trainings;  
12) being in captivity, hostageship or being interned;

13) rendering of assistance to law enforcement bodies on protection of rights and freedoms of a human and a citizen, protection of legal order and ensuring of public security;  
14) being in active reserve;

- 15) stays on professional development, retraining, retraining, study, an army training;
- 16) carrying out researches, stays on army and other tests.

The status of conscripted officers is determined by the status of servicemen undergoing military service under contract.

Military servant of compulsory military service shall be upon fulfilling the obligations of military service within the whole period of performance of compulsory military service, and a draftee – within the whole period of performance of military trainings.

Military reservists are considered to be on active duty during the periods they are present at a military unit (institution) for combat training classes or training sessions, as well as during mobilization training in crisis situations.

4. Command officers (heads) shall be prohibited to give the orders (commands) and mandates that do not have regard to fulfillment of obligations of military service or oriented to violation of the legislation of the Republic of Kazakhstan.

5. Military servants shall be issued by identity certificates of a military servant (military cards) and tags with personal numbers for satisfying their status in the manner, established by the authorized body.

6. In confirmation of their personality and powers official IDs of bodies of military investigation of the Ministry of Defence of the Republic of Kazakhstan are given by the serviceman of officers of bodies of military investigation of the Ministry of Defence of the Republic of Kazakhstan authorized to carry out operational search and intelligence activities.

The order of delivery, use and the description of the official ID are defined by the Minister of Defence of the Republic of Kazakhstan.

The official ID of the serviceman of body of military investigation of the Ministry of Defence of the Republic of Kazakhstan confirms its right for carrying and storage of weapons, special means, other powers conferred according to laws of the Republic of Kazakhstan.

7. Service certificates and badges are issued to military personnel of the military police, military prosecutor's office and military investigative bodies in order to perform legally prescribed tasks in confirmation of their identity and authority.

The procedure for issuing, using and describing the service certificate and badge are determined by the head of the authorized body.

The service certificate of military personnel of the military police, military prosecutor's office and military investigative bodies confirms their right to carry and store weapons, special equipment, and other powers granted to military personnel and employees in accordance with the laws of the Republic of Kazakhstan.

**Footnote. Article 5 as amended by the Law of the Republic of Kazakhstan dated 11.04.2014 № 189-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 13.11.2015 № 398-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication);**

dated 14.03.2023 № 206-VII (shall be enforced ten calendar days after the date of its first official publication); dated 18.03.2025 № 175-VIII ( shall be enforced upon expiry of sixty calendar days after the date of its first official publication); № 196-VIII of 24.06.2025 (shall take effect upon expiration of ten calendar days after the day of its first official publication).

## **Article 6. Rights of military servants**

1. Military servants shall enjoy all the rights and freedoms, provided by the Constitution and legislation of the Republic of Kazakhstan, in recognition of restrictions, determined by the Laws of the Republic of Kazakhstan.

Military servants shall have the rights to:

1) to ensure, at the expense of the state budget, monetary compensation based on the unified wage system for employees of the bodies of the Republic of Kazakhstan maintained at the expense of the state budget, as approved by the Government of the Republic of Kazakhstan in coordination with the President of the Republic of Kazakhstan, in the manner determined by the first heads of authorized bodies.

2) to provide, at the expense of the state budget, with clothing and other types of property in accordance with the norms approved by the first heads of authorized state bodies in coordination with the central authorized body for budget planning;

3) career advancement in recognition of qualification, abilities, fair fulfillment of own official duties;

3-1) to appeal against their decisions and actions (inaction) to higher officials, as well as to the court in the procedure prescribed by the Laws of the Republic of Kazakhstan;

4) in agreement with the designated official, enrol in military or special educational institutions, undergo course training, professional training, retraining and advanced training, as well as to enrol in non-military specialities (apart from conscripts, military officers and cadets) in educational institutions implementing technical and vocational, post-secondary, higher and postgraduate education programmes, pursuant to the order stipulated by the laws of the Republic of Kazakhstan;

5) protection of health and conditions of service, answering requirements of the safety technique and hygiene;

6) compensation for harm, inflicted to life and health or personal property upon fulfilling the obligations of military service in the manner, determined by the legislation of the Republic of Kazakhstan;

7) to provide housing during the period of military service in accordance with this Law;

8) for storage, carrying and use of special means, weapons in the performance of military service duties;

9) to familiarize themselves with the documents defining their rights, official and special duties;

- 10) to familiarize themselves with feedback on their official activities and other documents before entering them into a personal file, personal file materials (with the exception of special audit materials containing information constituting state secrets), as well as to introduce their written explanations, other documents and materials to the personal file;
- 11) to protect their personal data and their family members;
- 12) for medical support and resort treatment;
- 13) for pensions and social protection;
- 14) for proper organizational, technical and sanitary conditions, taking into account the peculiarities of military service;
- 15) for rest;
- 16) to engage in medical, pedagogical, scientific, or other creative activities.

Subparagraphs 1), 7), 13) (regarding pension payments for length of service), 15) (regarding the provision of annual labour leave), and 16) of part two of this paragraph shall not apply to military reservists.

2. Rules of bearing the weapon by military servants shall be determined by general military charters. In the measure of last resort, military servants shall have the right to apply weapon in person or being composed of subdivisions in cases of:

- 1) repelling armed attacks on protected military and civilian facilities, guard posts, premises and structures of military units (institutions);
- 2) suppression of an attempt of forcible acquisition of weapon and military equipment;
- 3) protection of military servants and civil persons from attack, threatening their life or health, as well as from the attack of animals, if it is impossible to protect them by other methods and facilities;
- 4) detention of a person, committed the crime, rendering armed resistance or caught during commission of a serious crime, as well as armed person, refusing to perform legal requirements on surrender of weapon, if it is impossible to overcome resistance, detain a criminal or take out the weapon by other methods and facilities;
- 5) release of hostages, taken protected objects, constructions and special (military) cargos;
- 6) suppression of the persons' escape from custody in respect of which the measure of restraint is the arrest; convicted to deprivation of freedom, as well as for suppression of attempts of their forcible release;
- 7) raise of alarm signal or call for help;
- 8) necessary defence and extreme necessity.

Application of weapon shall provide prevention on intention to apply it, with the exception of sudden armed attack, attack with the use of military equipment, transport facilities, marine and river vessels, as well as escape from custody with the weapon.

Upon application and use of weapon, the military servant shall be obliged to take all possible measures for ensuring safety of surrounding citizens, and in case of necessity to render emergency medical care to injured persons.

It shall be prohibited to apply weapon in respect of women and minor children, with the exception of their committing the act of terrorism, armed attack, rendering armed resistance by them or commission of grouped attack by them, constituting a threat to life of a military servant or other persons, if it is impossible to hold off the attack by other methods and facilities.

On each case of applying or use of weapon, the military servant shall report to command officer (head).

3. The Laws of the Republic of Kazakhstan and the acts of the President of Kazakhstan may provide the other rights to military servants.

**Footnote.** The article 6 with the amendments made by the of the Republic of Kazakhstan dated 04.07.2017 № 233-V (shall be enforced dated 01.01.2015); dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 29.06.2020 № 351-VI (shall enter into force on 01.07.2021); dated 15.04.2022 № 114-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 18.03.2025 № 175-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication); № 196-VIII of 24.06.2025 (shall be effective upon expiration of ten calendar days after the day of its first official publication).

## **Article 7. General obligations of military servants**

1. A military servant shall be obliged to:

1) comply with the Constitution and other regulatory legal acts of the Republic of Kazakhstan, as well as comply with requirements of the general military charters;

2) take a military oath in established manner;

3) carry out orders of command officers (heads) precisely and within the term;

3-1) to execute the decision of the head of authorized body on its rotation as it should be and the terms determined by Rules of passing of military service;

4) participate in the structure of military units and subdivisions of the Armed Forces, joint (allied) armed forces in accordance with international treaties in armed conflicts;

5) be disciplined, watchful and not to allow disclosure of state secrets;

6) comply with conditions of the contract on performance of military service;

7) wear military uniform upon fulfilling the obligations of military service in compliance with the rules of its wearing;

8) comply with requirements and perform normative standards on physical training, approved by heads of the authorized bodies;

9) be able to apply a weapon entrusted to him (her), armament and military equipment, ensure its safety and proper operation;

10) comply with the standards of official ethics established by the legislation of the Republic of Kazakhstan;

11) accept the restrictions established by the Laws of the Republic of Kazakhstan;

12) ensure the safety of military property;

13) submit a report in writing and immediately inform the commander (chief) in cases where the private interests of the military personnel overlap or conflict with his official powers;

14) prevent public speeches that harm the interests of military service;

15) immediately inform the commander (chief) in writing about:

intention to accept citizenship of a foreign state;

application for withdrawal from citizenship of the Republic of Kazakhstan;

the intention of the spouse (spouse) or his close relatives to accept the citizenship of a foreign state and (or) to submit by them an application to withdraw from citizenship of the Republic of Kazakhstan, if he has become aware of this;

16) in case of dismissal from military service for negative reasons, service inconsistency revealed by the results of certification, in connection with the termination of citizenship of the Republic of Kazakhstan, reimburse the state in the procedure determined by the first head of the authorized state body:

money spent on his training in a military, special educational institution, including in a foreign country, advanced training, course training, retraining in military-technical and other specialties;

money equivalent to the amount of the concluded agreement between the Republic of Kazakhstan and the country of study.

2. The official and special duties of officials of the Armed Forces, other troops and military formations shall be determined by the general military charters.

3. A serviceman undergoing military service under contract shall be required, within one month after entering military service, to transfer into trust management for the duration of their service any shares (equity interests in the charter capital) in commercial organizations and other assets they own that generate income. This excludes money, bonds, units of open-end and interval mutual investment funds lawfully belonging to them, as well as other property leased out under a property rental agreement. The trust management agreement must be notarized.

4. The Laws of the Republic of Kazakhstan and the acts of the President of Kazakhstan may provide the other rights to military servants.

**Footnote. The article 7 with the amendments made by the laws of the Republic of Kazakhstan dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 15.04.2022 № 114-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated**

18.03.2025 № 175-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication).

### **Article 7-1. General duties of persons liable for military service**

1. Persons liable for military service shall:
  - 1) observe the Constitution of the Republic of Kazakhstan and the legislation of the Republic of Kazakhstan;
  - 2) comply with military registration obligations;
  - 3) undergo military training or training courses for persons liable for military service in order to acquire, maintain and improve military knowledge and skills, including for the purpose of obtaining the next military rank;
  - 4) be disciplined and vigilant in the course of military training;
  - 5) ensure the safety of military property in the course of military training;
  - 6) not to allow public statements that harm the interests of military service during military training.
2. The official and special duties of conscripts called up for military training shall be established by general military regulations.
3. Other duties of conscripts may be established by laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan.

**Footnote. Chapter 1 has been supplemented by Article 7-1 under Law of the Republic of Kazakhstan № 211-VIII of 16.07.2025 (shall enter into force upon expiry of sixty calendar days after the day of its first official publication).**

### **Article 8. Restrictions of rights of military servants, linked with performance of military service**

Military servant shall not have the right to:

- 1) be a deputy of representative bodies and member of local self-government bodies, be in political parties, trade unions, religious associations, speak in favour of any political party;
- 2) to engage in other paid activities, except for medical, pedagogical, scientific, and other creative activities that do not interfere with the performance of military service duties;
- 3) engage in entrepreneurial activities, including participation in the management of a commercial organization, regardless of its organizational and legal form, except for cases when this is its official duties in accordance with the legislation of the Republic of Kazakhstan, and cases of acquisition and (or) the sale of shares of open and interval mutual investment funds, bonds in the organized securities market, shares of commercial organizations (common shares in the amount not exceeding five percent of the total number of voting shares of organizations) in the organized securities market;
- 4) be a representative on affairs of third parties, with the exception of cases, provided by the Laws;
- 5) use military property and other means of ensuring his (her) official activity, other state property and service information in non-service purposes;

- 6) organize and participate in strikes, picketings and other protest actions;
- 7) use his (her) official position with a mercenary motive, as well as by conspiracy with civil servants and other persons;
- 8) to hold the position which is in direct subordination of the position held by his close relatives (parents (parent), children, adoptive parents (adopters) adopted (adopted), full and half brothers and sisters, grandfathers, grandmothers, grandchildren), the spouse and (or) cousins-in-laws (full and half brothers and sisters, parents and children of the spouse and also to have in direct submission of close relatives, the spouse (spouse) and (or) cousins-in-laws;
- 9) refuse or evade a medical examination in medical organizations to establish the fact of use of a psychoactive substance and the state of intoxication in the direction of an authorized leader.

The refusal or evasion of passing of survey attracts dismissal from military service.

**Footnote.** The article 8 with the amendments made by the laws of the Republic of Kazakhstan dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 07.07.2020 № 361-VI (shall enter into force upon the expiry of ten calendar days after the day of its first official publication); dated 06.10.2020 № 365-VI (shall enter into force upon the expiry of ten calendar days after the day of its first official publication); dated 19.04.2024 № 74-VIII (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

## **Chapter 2. PREPARING CIVILIANS FOR MILITARY SERVICE, their military training and patriotic upbringing**

**Footnote.** The title of Chapter 2 as amended by Law of the Republic of Kazakhstan № 211-VIII of 16.07.2025 (shall come into force upon expiry of sixty calendar days after the day of its first official publication).

### **Article 9. Training of citizens to military service**

1. Training of citizens to military service – the set of compulsory measures, conducted by the state bodies with citizens of preinduction and conscriptional ages for the purpose of their learning the basics of military service, as well as with draftees for the purpose of training and retraining on military technical and other military specialties for performance of military service.

2. Training civilians for military service shall encompass:

- 1) military training in educational institutions, which shall include:  
pre-conscription training in supplementary education programmes;  
in-depth pre-conscription training in specialised general education programmes;  
basic military training;  
military training under reserve officer and reserve sergeant programmes;

- 2) military training in military-technical and other specialities at specialised institutions of the Ministry of Defence of the Republic of Kazakhstan;
- 3) course training for persons liable for military service.

3. Preparation of citizens for military service shall be organized and provided by state bodies in accordance with the legislation of the Republic of Kazakhstan.

4. Heads of organizations shall be obliged to ensure possibility of performing the training to military service by prospective conscripts and conscripts.

Monitoring and analysis of the quality of military training in educational institutions shall be performed by the Ministry of Defence of the Republic of Kazakhstan with a view to ensuring compliance by educational institutions with the requirements of the legislation of the Republic of Kazakhstan regarding the preparation of civilians for military service and the development of proposals for improving the quality of military training in educational institutions.

5. The procedure for military-patriotic education of citizens shall be determined by the Government of the Republic of Kazakhstan.

6. Advanced training for those engaged in basic military, pre-conscription and in-depth pre-conscription training shall be conducted at the premises of institutions subordinate to the Ministry of Defence of the Republic of Kazakhstan, military educational institutions, as well as military departments (military faculties) of higher and/or postgraduate educational institutions pursuant to the rules of initial military training.

A document certifying completion of advanced training under the initial military training programme at institutions subordinate to the Ministry of Defence of the Republic of Kazakhstan, military educational institutions, as well as military departments (military faculties) of higher and/or postgraduate educational institutions, shall be considered when assigning a qualification category in the procedure established by the competent authority in the field of education.

The educational programme for the advanced training of civilians undergoing initial military, pre-conscription and in-depth pre-conscription training shall be developed in compliance with the procedure established by the competent authority in the field of education and approved by the Ministry of Defence of the Republic of Kazakhstan.

7. The Ministry of Defence of the Republic of Kazakhstan shall participate in the development and coordination of regulatory legal acts of the Republic of Kazakhstan governing supplementary education for children in terms of pre-conscription training, as well as those regulating the procedure for certification, assignment of qualification categories, professional development and pedagogical retraining in relation to teachers conducting initial military training, including as part of pre-conscription and in-depth pre-conscription training.

**Footnote. The article 9 with the amendments made by the laws of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 13.06.2017 № 69-VI (shall be enforced**

upon expiry of ten calendar days after the date of its first official publication); dated 10.06.2020 № 344-VI (shall enter into force upon the expiry of ten calendar days after the day of its first official publication); dated 15.04.2022 № 114-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); № 211-VIII of 16.07.2025 (shall be enacted upon expiration of sixty calendar days after the day of its first official publication).

## **Article 10. Basic military training**

1. Basic military training shall be conducted with citizens in educational organizations, implementing general education training programs of general secondary education and education training programs of technical and professional, post-secondary education.

Initial military training may be provided by civilians:

1) who have a higher (postgraduate) education in teaching in the relevant field, have completed military service or military training under the reserve officer programme at the military department (military faculty) of higher (postgraduate) education institutions;

2) who have completed military service in officer, senior or senior sergeant positions (excluding civilians dismissed from military service for negative reasons without the right to re-enlist in military service) and who have a higher (postgraduate) education.

The professional skills of civilians mentioned in sub-paragraph 2) of part two of this paragraph shall correspond to professional education in the field of basic military training, and they shall be entitled to conduct basic military training if they undergo pedagogical retraining pursuant to the rules of basic military training.

2. Civilians who are subject to conscription and have not undergone initial military training shall undergo such training while performing military service.

3. The procedure for organising and conducting initial military training, as well as for establishing the educational and material base for such training, shall be governed by the rules for initial military training.

**Footnote. The article 10 with the amendments made by the laws of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 13.11.2015 № 398-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication); № 211-VIII of 16.07.2025 (shall be effective upon expiration of sixty calendar days after the day of its first official publication).**

## **Article 11. In-depth pre-conscription training under specialised general education programmes**

1. In-depth pre-conscription training under specialised general education programmes shall be implemented in specialised educational institutions offering in-depth pre-conscription training.

2. The procedure for organising and undergoing in-depth pre-conscription training under specialised general education programmes shall be governed by the rules for in-depth pre-conscription training under specialised general education programmes.

3. The establishment, reorganisation and liquidation of specialised educational institutions offering in-depth pre-conscription training shall be coordinated with the Ministry of Defence of the Republic of Kazakhstan.

4. The procedure for appointing senior managers and teachers to specialised educational institutions offering in-depth pre-conscription training, dismissing them from their posts, and their qualification specifications shall be agreed with the Ministry of Defence of the Republic of Kazakhstan.

5. State certification of specialised educational institutions offering in-depth pre-conscription training is carried out with the participation of the Ministry of Defence of the Republic of Kazakhstan.

**Footnote. Article 11 as revised by Law of the Republic of Kazakhstan № 211-VIII of 16.07.2025 (shall enter into force on 01.01.2026).**

#### **Article 11-1. Pre-conscription training under supplementary education programmes**

1. Pre-enlistment training under supplementary education programmes shall be effected in primary and secondary, technical and vocational education institutions in classes, groups, etc. Pre-conscription training for young men may also be organised in extracurricular educational institutions for children and with the participation of military units (institutions).

2. The procedure for organising and undergoing pre-conscription training shall be governed by the rules for pre-conscription training under supplementary education programmes.

**Footnote. Chapter 2 has been supplemented with Article 11-1 pursuant to Law of the Republic of Kazakhstan № 211-VIII of 16 July 2025 (shall enter into force on 01.01.2026).**

#### **Article 12. Training of citizens on military and technical and other military specialties**

**Footnote. The article 12 in the wording of the laws of the Republic of Kazakhstan dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication).**

1. Training on military and technical and other military specialties shall be conducted in specialized organizations of the Ministry of Defence on a non-repayable basis in accordance with requirement of Armed Forces and on a remuneration basis with full or partial compensation of expenses for education.

Upon partial compensation of expenses for education at the expense of the Ministry of Defence, the conduct of instructional firings and ensuring of fuel and lubrication materials.

2. On a non-repayable basis, the citizens able-bodied for military service on health condition, at the age from seventeen years and six months up to twenty-six years, subject to call to compulsory military service after graduation or enrolled to mobilization reserve shall

be engaged in training on military technical and other military specialties. Allotment to training of junior specialists shall be formed by the authorized body.

3. On a remuneration basis, they shall be engaged in training on military technical and other military specialties:

    draftees able-bodied to military service on health condition, for performing the military service under the contract;

    citizens at the age from twenty-two and up to twenty-seven years, able-bodied or partially able-bodied to military service on health condition, as well as those having an deferment from calling to military service, for study through the training programs of trained reserve.

4. Adjustment and direction of citizens for study through the training programs of trained reserve in specialized organizations of the Ministry of Defence shall be carried out by local bodies of military administration.

5. Mobilization body of the Ministry of Defence shall bring the state order on training of trained reserve on the base of specialized organizations of the Ministry of Defence on training of trained reserve to local bodies of military administration on the basis of applications, represented by the administration of specialized organization of the Ministry of Defence.

6. Beginning of study of a citizen through the training program of trained reserve is the date of order's issuance of a head of specialized organization of the Ministry of Defence on training of trained reserve on his (her) enrollment.

The citizens who are trained in the specialized organizations of the Ministry of Defence during training do not acquire the status of the serviceman.

7. excluded by the Law of the Republic of Kazakhstan dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication);

8. excluded by the Law of the Republic of Kazakhstan dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication);

9. excluded by the Law of the Republic of Kazakhstan dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication);

10. excluded by the Law of the Republic of Kazakhstan dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication);

11. For the period of undergoing the lessons in specialized organization of the Ministry of Defence, the employers shall be obliged to provide educational leaves to workers undergoing education in mentioned organizations.

12. Work place (position) shall be preserved for citizens during the period of study through the training program of trained reserve. In this period they may not be dismissed at the initiative of an employer, with the exception of cases of liquidating a legal entity, as well as may not be expelled from educational organization at the initiative of a head of educational organization.

Footnote. The article 12 with the amendments made by the Law of the Republic of Kazakhstan dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

### **Article 13. Military training of citizens according to the programs of reserve officers and reserve sergeants in organizations of higher and (or) postgraduate education**

Footnote. Title as amended by the Law of the Republic of Kazakhstan dated 15.04.2022 № 114-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

1. Military training for candidates under the reserve officer programme shall be performed on a gratuitous and remunerative basis, while training under the reserve sergeant programme shall be performed on a remunerative basis at higher and/or postgraduate educational institutions in line with the Ministry of Defence's allocation based on the mobilisation needs of the Armed Forces, other troops and military formations, as well as the need to build up a military-trained reserve.

1-1. The procedure for military training of civilians under reserve officer and reserve sergeant programmes shall be governed by the legislation of the Republic of Kazakhstan.

Military training shall be conducted using the educational and material resources and technical facilities of military units (institutions) and military educational establishments.

2. Civilians who have completed a full course of military training under reserve officer and reserve sergeant programmes shall be awarded the military rank of 'reserve lieutenant' or 'reserve sergeant' respectively, pursuant to the procedure established by the Rules of Military Service.

3. To organise military training for civilians under reserve officer and reserve sergeant programmes, the Ministry of Defence shall develop and approve:

- 1) the regulations governing the activities of the military department (military faculty);
- 2) the list of military training programmes at the military department (military faculty);
- 3) the rules for organising the educational process at the military department (military faculty).

Footnote. Article 13 in the wording of the Law of the RK dated 10.06.2020 № 344-VI (shall enter into force upon the expiry of ten calendar days after the day of its first official publication); dated 15.04.2022 № 114-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); as amended by Law of the Republic of Kazakhstan № 211-VIII of 16.07.2025 (shall come into force sixty calendar days after the date of its first official publication).

### **Article 13-1. Course training for persons liable for military service**

1. Training courses for conscripts shall be offered on a fee-paying basis pursuant to the Ministry of Defence's directive based on mobilisation requirements and the need to build up a reserve of military-trained personnel.

2. Conscripts who have completed a full course of military training under conscript training programmes shall be assigned the next military rank in the order specified by the rules of military service.

3. The course of training for conscripts shall be governed by the rules for training conscripts approved by the Ministry of Defence.

**Footnote.** Chapter 2 has been supplemented with Article 13-1 pursuant to Law of the Republic of Kazakhstan № 211-VIII of 16.07.2025 (shall become effective sixty calendar days after the date of its first official publication).

#### **Article 14. General military training of citizens**

1. For the purpose of attracting a population to measures of civil defence and training of required contingent for bringing up to strength of Armed Forces in war time, the general military training shall be conducted as follows:

1) men – at the age from sixteen up to sixty years included;

2) women not having children or having children over ten years, - at the age from eighteen up to forty-five years included.

General military training of citizens shall be carried out by local bodies of military administration at the place of work, education and residence of citizens.

2. Program of general military training shall be approved by the Defence Ministry of the Republic of Kazakhstan.

3. Ministry of Defence shall develop the program and carry out control of measures on general military training of citizens.

**Footnote.** The article 14 with the amendments made by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

#### **Article 14-1. Military training and patriotic upbringing**

1. Military training and patriotic upbringing means the systematic, purposeful, and coordinated activities of military-patriotic education entities aimed at fostering Kazakhstani patriotism, a sense of belonging to a single nation, spiritual and moral values, readiness to fulfil their constitutional duty to defend the Republic of Kazakhstan, and the development of the necessary knowledge and skills associated with this.

2. The system of military training and patriotic upbringing shall reflect a collection of interconnected tools, methods, documents, activities, and entities involved in military-patriotic education, ensuring the continuity of military training and patriotic upbringing for civilians.

The system of military training and patriotic upbringing shall involve the coordination and determination of the activities of entities engaged in military training and patriotic upbringing, as well as the scientific and methodological support of such activities.

3. The entities responsible for military training and patriotic upbringing shall be public authorities, local government bodies and organisations of the Republic of Kazakhstan involved in the military training and patriotic upbringing of civilians.

The activities of entities involved in military training and patriotic upbringing in the Republic of Kazakhstan shall be regulated by coordination councils for military training and patriotic upbringing, which shall be established under:

the Ministry of Defence – the republican one;

local executive bodies of regions, cities of national importance, and the capital – the territorial one.

Coordination councils for military training and patriotic upbringing shall be consultative and advisory bodies.

The main objectives of the coordination councils for military training and patriotic upbringing shall include:

1) implementation of coordinated actions and increasing the efficiency of the activities of entities involved in military training and patriotic upbringing;

2) exchange of information, study and dissemination of positive experience in matters of military training and patriotic upbringing;

3) developing proposals and recommendations for improving the activities of entities involved in military training and patriotic upbringing.

The composition, powers and procedures of coordination councils for military training and patriotic upbringing shall be governed by regulations approved by the Ministry of Defence, local executive bodies of regions, cities of national importance and the capital, respectively.

The standard regulations on territorial coordination councils for military training and patriotic upbringing shall be developed and approved by the Ministry of Defence.

4. Military training and patriotic upbringing shall be funded from budgetary funds and extrabudgetary sources not prohibited by the laws of the Republic of Kazakhstan, excluding funding granted by foreign legal entities and individuals, foreign states and international institutions.

**Footnote.** Chapter 2 has been supplemented with Article 14-1 under the Law of the Republic of Kazakhstan № 211-VIII of 16.07.2025 (shall take effect sixty calendar days after the date of its first official publication).

### **Chapter 3. MILITARY REGISTRATION**

**Footnote.** The title of Chapter 3 as revised by Law of the Republic of Kazakhstan № 211-VIII of 16.07.2025 (shall enter into force sixty calendar days after the date of its first official publication).

#### **Article 15. Military registration**

1. Citizens shall be subject to military registration, with the exception of:
  - 1) women who shall not have a military accounting specialty;
  - 2) persons dismissed from military service or excluded from military service upon reaching the maximum age of being in reserve or recognized as unfit for military service with the exception of military service;
  - 3) persons serving a sentence of imprisonment;
  - 4) persons permanently residing outside the Republic of Kazakhstan;
  - 5) employees, as well as cadets and students of military, special educational institutions of law enforcement and special public authorities of the Republic of Kazakhstan, civil defence authorities.

2. Military registration shall be organized and provided by local executive bodies.

Military registration of military personnel and conscripts shall be carried out at their place of residence or place of temporary stay (residence) by local military administration bodies, and in settlements where they don't exist, military registration shall be provided by akims of settlements, villages, rural districts.

3. Rules of military registration of draftees and conscripts shall be approved by the Government of the Republic of Kazakhstan.

4. Military servants, performing the military service in Armed Forces shall be subject to registration in the relevant bodies of military administration (managing bodies), military units (units) and institutions in the manner, established by the authorized body.

**Footnote.** The article 15 with the amendments made by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 15.04.2022 № 114-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); № 196-VIII of 24.06.2025 (shall come into force upon expiration of ten calendar days after the day of its first official publication).

## **Article 16. Registration of civilians with local military authorities**

1. Registration of civilians with local military authorities means military registration activities undertaken by local military authorities for the initial registration of civilians for military service.

2. The following shall be subject to registration with local military authorities:

- 1) male civilians upon reaching the age of seventeen;
- 2) male civilians who have not previously been registered for military service;
- 3) persons who have acquired citizenship of the Republic of Kazakhstan, save for persons referred to in paragraph 1 of Article 15 of this Law;
- 4) female civilians with a military registration speciality.

3. Assignment of civilians to local military authorities shall be effected pursuant to the rules governing military registration of persons liable for military service and conscripts.

Footnote. Article 16 as revised by Law of the Republic of Kazakhstan № 211-VIII of 16.07.2025 (shall enter into force upon expiration of sixty calendar days after the date of its first official publication).

## **Article 17. Obligations of officials, public authorities and entities regarding compliance with the Rules for Military Registration of Conscripts and Draftees**

Footnote. The heading of Article 17, as amended by Law of the Republic of Kazakhstan № 211-VIII of 16.07.2025 (shall take effect sixty calendar days after the date of its first official publication).

1. Akims of regions, village, rural district, as well as heads of organizations, in which draftees and conscripts work within their competence shall:

1) notify draftees and conscripts on their call to local bodies of military administration;

2) Is excluded by the Law of the Republic of Kazakhstan dated 08.01.2013 № 64-V (shall be enforced from 01.01.2013);

3) represent the documents, confirming quantitative and qualitative composition of draftees, conscripts and prospective conscripts to the relevant local bodies of military administration of districts (cities of oblast significance);

4) ensure the delivery of civilians from other localities to conscription (assembly) points in regions, cities of national importance, the capital, districts, and cities of regional importance in the course of conscripting civilians for military service.

2. Is excluded by the Law of the Republic of Kazakhstan dated 06.04.2024 № 71-VIII ( shall be enforced upon expiry of sixty calendar days after the date of its first official publication).

3. Internal affairs bodies shall be obliged to carry out detection of persons within their competence, evading from performance of military obligation.

4. Details on conscripts and draftees regarding changes to their surname, first name, patronymic (if specified in their identity document), date and place of birth, place of work (study); education; family composition; driving licence status; location within the Republic of Kazakhstan; on the registration of death; persons recognised as persons with disabilities; persons undergoing inpatient treatment and under dynamic observation; on the registration and deregistration of persons at their place of residence; on the presence or absence of a criminal offence committed by a person; in respect of whom an inquiry or preliminary investigation is being conducted; in respect of whom criminal cases are being heard by the court, as well as on sentences that have come into legal force in respect thereof, local military administration bodies of the district (city of regional importance) shall receive from the information systems of the competent authorities engaged in activities in the specified areas, by ensuring the interaction of information systems of public authorities.

In the absence of interaction between state information systems, information shall be sent to the local military administration bodies of the district (city of regional significance) within three working days.

5. Inquiry and preliminary investigation bodies shall be obliged to inform local bodies of military administration of districts (cities of oblast significance) on draftees and conscripts in respect of whom the inquiry and preliminary investigation are carried out, and courts – on draftees and conscripts in respect of which the court considers the criminal cases, as well as verdicts entered into force in their regard within seven business days.

6. As excluded by the Law of the Republic of Kazakhstan dated 14.07.2022 № 141-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

7. Excluded by Law of the Republic of Kazakhstan № 211-VIII of 16.07.2025 (shall be enforced sixty calendar days after the date of its first official publication).

8. As excluded by the Law of the Republic of Kazakhstan dated 14.07.2022 № 141-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

9. Is excluded by the Law of the Republic of Kazakhstan dated 08.01.2013 № 63-V (shall be enforced from 01.01.2013).

10. As excluded by the Law of the Republic of Kazakhstan dated 14.07.2022 № 141-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

Footnote. Article 17 as amended by the Law of the Republic of Kazakhstan dated 08.01.2013 № 64-V (shall be enforced from 01.01.2013); dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 27.06.2022 № 129-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 14.07.2022 № 141-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 06.04.2024 № 71-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication); № 211-VIII of 16.07.2025 (shall be enforced sixty calendar days after the date of its first official publication).

#### **Chapter 4. PERFORMANCE OF MILITARY SERVICE Article 18. Content of military service**

1. Military service shall include:

- 1) military service upon call;
- 2) military service under the contract;
- 3) military service in the reserves.

During periods of mobilization, martial law, or wartime, military reservists shall be transferred to military service under contract.

Military service upon call shall include:

- 1) urgent military service of ordinary and sergeants;
- 2) military service of officers called in accordance with Article 32 of this Law;

3) military service upon mobilization, military situation, war time and upon performance of military trainings.

Military service under contract shall include:

1) military service of military personnel serving under a contract in military positions of ordinary, sergeant and officer personnel;

2) military service and training of cadets, cadet officers, adjuncts, master's and doctoral students, military interns, military resident physicians of military specialised educational institutions.

2. Citizens called for military trainings shall fulfill obligations of military service.

3. The training period for civilians who have completed a full course of study in special educational institutions of law enforcement and special government agencies, the competent authority in the field of civil protection, or in educational institutions of foreign countries shall be equivalent to military service upon referral of these government agencies.

In case of expulsion, the civilians mentioned in the first part of this paragraph who have not previously completed military service shall be called up for military service under the established procedure, and the persons stated in the sixth paragraph of sub-paragraph 4) of paragraph 1 of Article 38 of this Law shall have the right to enter military service under a contract.

4. Military servants shall take the military oath of fealty to people of the Republic of Kazakhstan.

Those liable for military service who have not previously taken the military oath, shall take it upon conscription (upon completion of the military training course) and upon mobilization.

Students of military departments (military faculties) shall take the military oath on the eve of the Native Land's Protector Day as per the Rules of Military Training for Reserve Officers and Reserve Sergeants.

Conscripts who undergo training on a paid basis in military-technical and other specialties in specialized institutions of the Ministry of Defense shall take the military oath upon completion of their training as per the Rules of Training in Military-Technical and Other Specialties.

5. Citizens shall be provided by deferral or be released from military service in cases and manner determined by this Law.

**Footnote.** The article 18 with the amendments made by the Law of the Republic of Kazakhstan dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 10.06.2020 № 344-VI (shall enter into force upon the expiry of ten calendar days after the day of its first official publication); dated 15.04.2022 № 114-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 19.04.2024 № 74-VIII (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 18.03.2025 № 175-VIII

(shall be enforced upon expiry of sixty calendar days after the date of its first official publication); № 196-VIII of 24.06.2025 (shall take effect upon expiration of ten calendar days after the day of its first official publication № 211-VIII of 16.07.2025 (shall be put into effect upon expiration of sixty calendar days after the day of its first official publication).

## **Article 19. Composition of military servants and military servants. Military ranks**

1. Military servants and draftees shall be divided into compositions:

- 1) private;
- 2) sergeant;
- 3) officer.

2. The following military ranks shall be established in Armed Forces:

troops ship-borne

1) enlisted personnel

private seaman

private first class senior seaman

2) sergeant personnel

junior non-commissioned personnel

junior sergeant petty officer II class

sergeant petty officer I class

senior sergeant chief petty officer

senior non-commissioned personnel

sergeant III class petty officer III class

sergeant II class petty officer II class

sergeant I class petty officer I class

supreme non-commissioned personnel

staff sergeant staff petty officer

master sergeant master petty officer

3) officer personnel

junior officer personnel

lieutenant lieutenant

senior lieutenant senior lieutenant

captain captain-lieutenant

senior officer personnel

major captain III rank

half colonel captain II rank

colonel captain I rank

supreme officer personnel

general-major real admiral

general-lieutenant vice admiral

general-colonel admiral

general of the army

3. Military ranks of officers having medical or legal specialties shall be added by the words “of medical service”, “of justice” respectively.

4. Military ranks of supreme officer aviation personnel (flying engineering, having engineering and aviation training) shall be added by the word “of aviation”.

5. Military ranks of citizens being in stock shall be added by the word “retired”, and those being resigned – “resigned”.

**Footnote. The article 19 with the amendments made by the Law of the Republic of Kazakhstan dated 11.07.2017 № 91-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 15.04.2022 № 114-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

## **Article 20. Procedure for awarding, reduction, deprivation of military rank and restoration in military rank**

The assignment, including early assignment, reduction, restoration, and deprivation of military ranks to military personnel and those liable for military service, including senior officers, shall be carried out in accordance with the Rules for military service.

Military rank of a person deprived of military rank, with the exception of supreme officer personnel shall be restored exclusively in cases of rendering of acquitting judgement by court or adoption of decision on termination of criminal act on rehabilitating grounds. Military rank of a person, deprived of military rank of supreme officer personnel shall be restored under decision of the Republic of Kazakhstan.

Terms for length of service in military ranks shall be established:

1) sergeant personnel:

junior sergeants – one year;

sergeants – two years;

senior sergeants and sergeants III class – four years;

sergeants II class – five years,

sergeants I class – six years;

2) officer personnel:

lieutenants - two years, and with a period of study in a military, special educational institution five years - one year;

senior lieutenants – three years;

captains (captain-lieutenants) – four years;

majors (captains III rank) – seven years;

half colonels (captains II rank) – seven years.

Ordinary, senior sergeants, colonels (captains of the first rank) and senior officers shall not be established terms of service in military ranks.

Employees of law enforcement and special public authorities, civil protection bodies who have entered military service in the Armed Forces, other troops and military formations in the order of transfer, shall be awarded a military rank upon recertification, determined by the first head of the competent authority, not lower than the existing special rank.

Note.

1. The term of service in the military rank of "lieutenant", envisaged in the second paragraph of sub-paragraph 2) of part four of this article, shall be reduced to one year if the serviceman:

while being a cadet, studied at one or more military educational institutions that implement higher education programs for five years or more;

upon completion of the military educational institution of the Republic of Kazakhstan, which implements educational programs for technical and vocational or post-secondary education, entered a foreign higher military educational institution and, as a cadet, studied for four or more years.

2. When a serviceman, as a cadet, studied at one or more military educational institutions implementing educational programs of higher education for six years or upon completion of a military educational institution of the Republic of Kazakhstan implementing educational programs of technical and vocational or post-secondary education, has entered a foreign higher military educational institution and, as a cadet, has studied for five years, then the term of service in the military rank of "senior lieutenant" stated in the third indent of sub-paragraph 2) of part four of this article shall also be shortened and shall amount to two years.

**Footnote.** The article 20 with the amendments made by the Law of the Republic of Kazakhstan dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 15.04.2022 № 114-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 10.01.2025 № 156-VIII (shall be enforced upon expiry of ten calendar days after the date of its first official publication); № 196-VIII of 24.06.2025 (shall come into effect upon expiration of ten calendar days after the day of its first official publication); № 211-VIII of 16.07.2025 (shall come into force upon expiration of sixty calendar days after the day of its first official publication).

## **Article 21. Military positions**

1. Military position shall be determined proceeding from main tasks and functions assigned to the Armed Forces.

2. List of military positions and military ranks relevant to them in Armed Forces shall be approved by the President of the Republic of Kazakhstan.

3. Military offices shall be divided into the positions:

1) private personnel;

- 2) non-commissioned personnel;
- 3) officer personnel;
- 4) supreme officer personnel.

4. Recruitment, appointment to military positions, transfer, dismissal from military positions, transfer to state, special state and law enforcement agencies, service in civil protection bodies and dismissal of military personnel shall be made under the Rules of Military Service.

In relation to military personnel and persons of civilian personnel (employees) appointed to positions, the list of which has been approved by the first head of the authorized state body, a verification shall be carried out using psychophysiological and polygraphological research in the procedure determined by the first head of the authorized state body.

4-1. A civilian of the Republic of Kazakhstan and a serviceman enrolled in a military, special educational institution implementing educational programs of technical and vocational higher education (military faculty) shall be appointed to the military post of cadet and a military student, respectively.

A contract serviceman enrolled in a military educational institution under a postgraduate education program shall be released from the previously held military position and appointed to a military position as a Master's student, Doctoral student, military resident doctor, or adjunct.

4-2. The uhlans transferred to a third year of training and also the citizen on the basis of the general secondary education or the serviceman enlisted in the military educational institutions implementing educational programs of technical and professional, higher education are appointed to a military position of variable list of the cadet or cadet or military intern of Armed Forces respectively.

A military serviceman who is undergoing military service under a contract, enrolled in a military educational institution that implements postgraduate educational programs, shall be discharged from his previously held military position and appointed to a military position of a non-permanent personnel of a master's or doctoral student, doctoral student, military resident physician, or adjunct of the Armed Forces, other troops, and military formations, excluding of distance learning students.

4-3. A military serviceman of the Armed Forces shall be appointed to a non-staff military position as per the rules of military service.

5. Military servant shall perform military service not in military positions in cases of:

- 1) being at the disposal of commander (head) upon his (her) appointment to other position – no more than two months;
- 2) being at the disposal of commander (head) due to conducting staffing measures – no more than three months;
- 3) being at the disposal of commander (head) due to initiation of criminal case in respect of a military servant – until rendering of decision on criminal case;

4) attachment to state bodies, international and other organizations for the purpose of performing the works in the interests of defence and security of the state in accordance with the Rules of performing the military service;

5) being at the disposal of commander (head) due to appointment to position in Defense Attaché Office of the Republic of Kazakhstan – until receipt of permitting documents for leaving beyond the boundaries of the Republic of Kazakhstan;

6) being under the head of the authorized body when staying with the spouse - a military personnel or an employee of law enforcement or special state bodies of the Republic of Kazakhstan, sent (directed) to serve, study abroad;

7) excluded by the Law of the Republic of Kazakhstan dated 13.06.2017 № 69-VI (shall be enforced upon the expiry of ten calendar days after day of its first official publication);

8) stays at the disposal of the first head of authorized body of the military personnel who gave the first military rank of officers "lieutenant" in connection with the termination of the highest military educational institution of the foreign state which program of training according to the legislation of the country of training provides an army training, – before the end of an army training;

9) stays at the disposal of the commander (chief) of the military personnel directed and who came to the organizations of education implementing educational programs of postgraduate education for full-time courses – for the period of training;

10) stays at the disposal of the first head of authorized body during military collecting – for the period of passing of collecting.

6. Stay terms at military positions are defined by Rules of passing of military service.

7. During the period of the state, the order shall not count the periods of the military personnel's stay in the annual main vacations, for treatment in military medical (medical) subdivisions, and in case of their absence at the place of military service or the absence of the corresponding departments in them - in medical organizations.

Footnote. The article 21 with the amendments made by the Law of the Republic of Kazakhstan dated 04.07.2014 № 233-V (shall be enforced dated 01.01.2015) dated 13.11.2015 № 398-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 08.01.2021 № 410-VI (shall enter into force upon the expiry of ten calendar days after the day of its first official publication); dated 15.04.2022 № 114-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 19.04.2024 № 74-VIII (shall be enforced upon expiry of ten calendar days after the date of its first official publication); № 196-VIII of 24.06.2025 (shall be effective upon expiration of ten calendar days after the day of its first official publication); № 211-VIII of 16.07.2025 (shall be enacted upon expiration of sixty calendar days after the day of its first official publication).

## **Article 22. Rotation**

1. Rotation of military servants shall be carried out for the purpose of needs of the service or ensuing of more effective use of their professional potential.

2. Rotation of military servants shall be carried out under decision of a head of authorized body in the manner and terms, determined by the Rules of performing the military service.

3. Rotation related to moving to another area shall not be subject to persons who have a spouse (spouse), who (who) have a disability, have (are guardians) children with disabilities, including adopted (adopted), or whose dependents are elderly parents. These circumstances must be confirmed by an act in the procedure determined by the Rules for military service.

**Footnote.** The article 22 with the amendments made by the Laws of the Republic of Kazakhstan dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 27.06.2022 № 129-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

## **Article 22-1. Attestation of military servants**

1. Certification of military personnel of the Armed Forces, other troops, and military formations performing military service under contract shall be determined by the Rules for military service.

Military personnel of the Armed Forces and bodies of the military prosecutor's office shall undergo a polygraphological examination during certification by decision of the head of the authorized state body in the procedure and terms determined by the Rules for military service.

2. Extraordinary certification of military personnel of the Armed Forces, other troops, and military formations serving under contract shall be carried out by decision of the President of the Republic of Kazakhstan, determining its procedure, terms, and categories of military personnel to be certified.

Following the results of unscheduled attestation, the attestation commission shall adopt one of the following decisions:

- 1) conforms to held position and recommended for nomination to superior position;
- 2) conforms to held position;
- 3) not conforms to held position and recommended to reduction in position;
- 4) not conforms to held position and recommended to rotation;
- 5) not conforms to held position and recommended to dismissal.

In case of passing normative standards on determining professional suitability and receiving the grade upon testing lower than threshold value, attestation commission shall take one of the following decisions provided by subparagraphs 3), 4) and 5) of this paragraph.

Military servants that didn't attend the meeting of attestation commission for two times without reasonable excuse shall be recommended to dismissal in the manner established by this Law.

Military servants that didn't undergo unscheduled attestation and (or) refused to continue military service in other, as well as inferior positions shall be subject to dismissal in the manner established by this Law.

Footnote. Chapter 4 is supplemented by Article 22-1 in accordance with the Law of the Republic of Kazakhstan dated 16.01.2013 № 71-V (shall be enforced from 01.01.2013); with the amendments made by the Laws of the Republic of Kazakhstan dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 15.04.2022 № 114-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 18.03.2025 № 175-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication).

### **Article 23. Military uniform and rank badges of military servants**

1. Military uniform and rank badges of Armed Forces shall be approved by the President of the Republic of Kazakhstan.

Military personnel shall be provided with ceremonial, everyday, field, and special uniforms, as well as items of special equipment, with the exception of military reservists, who are provided with field uniforms.

Rules of wearing military uniform and rank badges of Armed Forces shall be established by the Ministry of Defence of the Republic of Kazakhstan, and special aspects of wearing separate items of military uniform and rank badges shall be established by the chief executive officers of authorized bodies.

Military personnel who have served in the Armed Forces, other troops and military formations for twenty-five years or more on a calendar basis, upon dismissal to the reserve or resignation, shall be allowed to wear military uniforms, with the exception of persons dismissed from military service on the grounds provided for in subparagraphs 9) and 11) of paragraph 1 of Article 26 of this Law.

When implementing the professional activity of a teacher, civilians mentioned in the second part of paragraph 1 of Article 10 of this Law, shall be also allowed to wear military uniforms with the specifics of wearing certain items of military uniforms and insignia under the procedure determined by the rules of initial military training.

2. Wearing of military uniform by persons that do not have the right to it shall be prohibited and shall entail responsibility established by the Law.

Footnote. The article 23 with the amendments made by the Laws of the Republic of Kazakhstan dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 15.04.2022 № 114-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 18.03.2025 № 175-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication); № 211-VIII of 16.07.2025 (shall take effect upon expiration of sixty calendar days after the day of its first official publication).

## **Article 24. Terms of military service. Years of service**

1. Terms of military service in chronological order shall be established:
  - 1) for military servants of compulsory service – twelve months;
  - 2) for officers performing military service upon call – twenty four months;
  - 3) military servants performing military service under contract – for the terms mentioned in contract on performance of military service;
  - 4) for military reservists – during the periods of participation in combat training classes or training sessions, mobilization training in crisis situations.

2. Years of service shall be calculated in the manner established by the legislation of the Republic of Kazakhstan for the purposes of calculating the length of military service having the right for pension. Calculation of years of service of military servants shall be performed in the manner determined by the Government of the Republic of Kazakhstan.

Time for performing military service not in military positions shall be counted to years of service. Years of service shall be counted to general labour experience and public service period.

Military-servants women left abroad due to following performance of military service (entering to study) of husband-military servant, the stay period abroad shall be counted to years of service.

Prior to entering military service in the Armed Forces, other troops and military formations who served in law enforcement and special state bodies, civil protection bodies, the length of service shall be determined with due regard for the time they worked in law enforcement and special state bodies, civil protection bodies in positions envisaging the assignment of military or special ranks, class ranks.

The length of public service, including law enforcement service, service in civil protection bodies shall include the time during which a civil servant, an employee of a law enforcement agency and a civil protection body have been temporarily appointed to a military position in a public authority, the structure thereof envisages military service, as well as the time of their transfer from one public authority to another government agency.

For the persons which arrived on public service, time of passing of military service and the period of appointment to a military position are set off in an experience of public service.

Military service shall be considered continuous if no more than three months have passed from the date of dismissal of military personnel from military service, an employee from service from law enforcement and special state bodies, the state courier service of the Republic of Kazakhstan and until the day of his admission to military service, provided that he has no labor relations with other individuals and legal entities during the specified period. In this case, the specified period is not counted when calculating the length of service for determining the official salary and (or) length of service for assigning pension payments for the length of service.

Footnote. The article 24 with the amendments made by the Laws of the Republic of Kazakhstan dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 11.07.2017 № 91-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 15.04.2022 № 114-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 18.03.2025 № 175-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication); № 196-VIII of 24.06.2025 ( shall be enacted upon expiration of ten calendar days after the day of its first official publication).

## **Article 25. Ages of retirement of military servants at military service**

1. Ages of retirement of military servants at military service shall be established:

- 1) military personnel of ordinary and junior sergeants - forty-five years;
- 2) military servants of senior non-commissioned personnel and officer personnel up to half colonel (captain II rank) included – forty seven years;
- 2-1) to lieutenant colonels – forty eight years;
- 3) military servants of superior non-commissioned personnel and colonels (captains I rank) – fifty five years;
- 4) general-majors (real admirals), general-lieutenants (vice admirals) – sixty years;
- 5) general-colonel, admirals and generals of the army – sixty three years.

1-1. The maximum ages for military service in the reserve are:

- 1) privates and sergeants – fifty years;
- 2) officers - sixty years.

2. Military personnel who have reached the maximum age of their condition in military service shall be subject to dismissal from military service to the reserve or resignation in the procedure established by the Rules for military service.

Military personnel with high professional training, experience in his position, and fit for health reasons for military service, who has reached the age limit of his condition in military service, according to his report, the first head of the authorized state body can extend the term of military service by concluding a new contract with him on military service for up to five years.

The decision to extend the period of military service shall not exclude the possibility of dismissal of military personnel from the Armed Forces, other troops and military formations on the grounds provided for by this Law.

Military personnel appointed to the post by the President of the Republic of Kazakhstan and who has reached the age limit for military service, if he is fit for health reasons for military service on the basis of a report submitted by him, the term of military service can be extended by the President of the Republic of Kazakhstan to five years.

3. During the period of mobilization, military situation and in wartime, the age limit for military personnel in military service shall be increased in accordance with the age limit for staying in reserve. At the same time, contracts concluded with them for military service shall be recognized as valid until the end of the mobilization period, military situation and wartime.

**Footnote.** The article 25 with the amendments made by the Laws of the Republic of Kazakhstan dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 15.04.2022 № 114-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); from 18.03.2025 № 175-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication).

## **Article 26. Dismissal from military service**

1. Dismissal of a military personnel from military service shall be carried out on the following grounds:

- 1) upon reaching the maximum age of the state in military service;
- 2) after the expiration of military service on conscription;
- 3) after the expiration of the contract on military service;
- 4) for health reasons in connection with the conclusion of the military medical commission on recognition as not fit or limited to military service;
- 5) in connection with the reduction in the staff of a military unit (institution) if it is impossible to appoint to other equivalent military positions and the refusal of a military personnel to be appointed to a lower military position;
- 6) due to the transfer to the civil service or to state institutions, excluding for transfer to law enforcement or special public authorities of the Republic of Kazakhstan, to service in civil protection bodies;
- 7) in connection with the termination of citizenship of the Republic of Kazakhstan;
- 8) due to the impossibility of further military service based on the results of a special audit of the authorized state body;
- 9) on official nonconformity revealed as a result of certification;
- 10) in connection with expulsion from a military or special educational institution, except for cases of expulsion of graduates of military educational institutions implementing technical and vocational education programs, as well as military interns, military resident doctors, Master's students, Doctoral students, and adjuncts;
- 11) for negative reasons;
- 12) in connection with the abolition of the state of emergency for persons who served the prescribed period.

2. Dismissal of a military personnel from military service for negative reasons shall be carried out in cases of:

- 1) entry into force of a court conviction for committing a crime;

2) exemption from criminal liability for the commission of a crime on the basis of paragraphs 3), 4), 9), 10) and 12) of the first part of Article 35 or Article 36 of the Criminal Procedure Code of the Republic of Kazakhstan;

3) establishing in the performance of military service duties the fact of use of a psychoactive substance or a state of intoxication, confirmed by the results of a medical examination conducted in a medical organization, as well as refusal or evasion of its service;

4) establishing the fact of non-medical use of narcotic drugs, psychotropic substances, their analogues during off-duty hours, confirmed by the results of a medical examination conducted in a medical organization;

5) systematic (two or more times) violation of the terms of the contract on military service;

6) failure to provide or distort the information specified in paragraph 2 of Article 38 of this Law, regardless of the date of commission;

7) deprivation of military rank in accordance with the procedure established by the legislation of the Republic of Kazakhstan;

8) absence of a military personnel of a special state body or internal affairs body of the Republic of Kazakhstan in service without a valid reason for three or more hours at once;

9) violation of the established requirements for ensuring the secrecy regime, which resulted in the disclosure or loss of information constituting state secrets, secret carriers;

10) defined by the labor legislation of the Republic of Kazakhstan and the Law of the Republic of Kazakhstan "On combating corruption";

11) committing an offense that discredits military service.

12) when driving a vehicle in a state of alcoholic and (or) narcotic, and (or) substance abuse intoxication.

Offences that discredit military service shall be the actions of a military personnel, including those not related to the performance of the duties of military service, but clearly undermining the authority of military service in the eyes of citizens, namely:

the use of official position for personal selfish purposes;

engaging in any business activity, including commercial mediation, except where it is their official and special duties in accordance with the legislation of the Republic of Kazakhstan;

performance of works and provision of services using the official position and receiving remuneration for this;

the commission of guilty actions by military personnel directly serving budget funds or state property, if these actions give grounds for the loss of confidence in him by an authorized official;

the appearance of a military personnel in military uniform in a public place in a state of alcoholic or other intoxication caused by non-medical use of narcotic drugs, psychotropic substances, their analogues, insulting human dignity and public morality;

participation in gambling of monetary or other property nature and (or) betting on money, things and other valuables.

3. Military personnel serving in military service under a contract shall have the right to early dismissal from military service:

1) in the event of a significant and (or) systematic (two or more times) violation of the terms of the contract on military service;

2) for family reasons with:

the impossibility of living of a member of his family for medical reasons in the area in which he shall undergo military service, and in the absence of the possibility of his transfer to a new place of military service;

changing the place of military service of the spouse - military personnel (spouse - military personnel) related to the need to move the family to another settlement;

the need for constant care of the spouse, close relatives who shall be in need of health in accordance with the conclusion of the medical organization at their place of residence in constant care or who are persons with disabilities of the first or second group, or persons who have reached the generally established retirement age established by the legislation of the Republic of Kazakhstan or have not reached eighteen years, in the absence of other persons obliged by the Law to support these citizens;

the need to care for a child (children) who has not reached (not reached) eighteen years old, whom (whom) the military personnel bring up without a mother (father);

3) in case of election or appointment to the representative bodies of the Republic of Kazakhstan;

4) in case of election or appointment to the post of judge.

4. Military personnel shall retire from military service on the grounds provided for in sub-paragraphs 2), 4) and 7) of paragraph 1, sub-paragraphs 1) and 2) of paragraph 2, and sub-paragraphs 3) and 4) of paragraph 3 of this Article.

4-1. Discharge of a military reservist from military service shall be carried out on the grounds provided for in subparagraphs 1), 3), 4), 5), 7), 8), and 11) of paragraph 1; subparagraphs 1), 2), 3), 4), 5), 9), 10), and 11) (excluding cases of engaging in entrepreneurial and/or professional activities) of the first part of paragraph 2; paragraph 3 of this Article; as well as in cases of failure to submit or distortion of information specified in paragraph 2 of Article 40-2 of this Law, regardless of the date of the offense.

5. Military personnel of military service shall have the right to early dismissal in cases:

1) the right to reprieve due to a change in marital status, with the exception of individuals who applied for a refusal to reprieve in accordance with paragraph 9 of Article 35 of this Law or for exemption from conscription;

2) leaving for permanent residence as part of a family abroad or for reunification with a family permanently residing outside the Republic of Kazakhstan, in the presence of

supporting documents granting the right to leave in accordance with the Laws of the Republic of Kazakhstan.

6. Military personnel serving in military service upon conscription of officers shall have the right to early dismissal from military service in the presence of the circumstances provided for by subparagraphs 1) and 2) of paragraph 2 of Article 35 of this Law.

7. The deceased (dead) military personnel shall be excluded from the lists of the military unit (institution) from the day after the documented date of death (death), and the military personnel, recognized by the court as missing or declared dead, from the day the court decision shall enter into force.

8. Discharge from military service of a serviceman who has completed the established term of service shall be suspended in the event of the declaration of a state of emergency, martial law, or a crisis situation for the duration of such period.

In this case, the contract for military service concluded with the serviceman shall remain in effect throughout the period of the state of emergency, martial law, or crisis situation.

9. Military personnel undergoing military service under a contract, upon dismissal from military service upon reaching the age limit of his condition in military service, for health reasons or in connection with a reduction in the staff of a military unit (institution), a weekend (one-time) allowance shall be paid in the amount that has the length of service:

- less than 10 calendar years, - three-month cash content;
- from 10 to 15 calendar years, - four-month cash content;
- from 15 to 20 calendar years, - five-month cash content;
- from 20 to 25 calendar years, - six-month cash content;
- from 25 to 30 calendar years, - seven-month cash content;
- over 30 calendar years, - eight-month cash content.

Upon re-admission to military service under a contract, the amount of the severance (lump sum) allowance shall be established considering the previously paid severance (lump sum) allowance, excluding in cases where this severance (lump sum) allowance has not been paid earlier upon discharge from military service or from service from civil protection, law enforcement and special public authorities of the Republic of Kazakhstan.

Or for health reasons the severance pay is paid to the military personnel of conscription military service at dismissal from military service after the term of military service at a rate of one monthly settlement indicator, and to the specified military personnel from among orphan children and children without parental support, – at a rate of five monthly settlement indicators.

To the military personnel who shall be awarded the order (awards) of the Republic of Kazakhstan or the former Union of Soviet Socialist Republics for participation in fighting, anti-terrorist and (or) peacekeeping operations, the amount of a severance pay increases by two salaries of monetary pay.

To the military personnel of officers passing military service under the contract and dismissed from military service on reaching age limit of a state on military service, for health reasons or in connection with reduction of the staff of military unit (establishment) in the absence of the right for pension long-service bonuses along with payment of a severance (single) pay within one year from the date of dismissal from military service the payment of a salary for a military rank remains.

At the same time if during the specified term salaries on a military rank the military personnel raise, the sizes of these salaries paid to the military personnel of officers dismissed from military service respectively increase.

10. Military servicemen of ordinary and non-commissioned personnel who have entered military service under a contract under paragraph 6 of Article 37 of this Law, who have served in conjunction with military service for less than twelve months and have been discharged from military service, shall be sent to military units (institutions) as per the established procedure to complete the remaining term of military service, but not less than for three months.

Civilians who have not previously completed military service, military training at the military department (military faculty) or in specialized institutions of the Ministry of Defence, who first entered military service under a contract, who have served for less than twelve months and have been discharged from military service shall be sent to local military authorities for military registration and conscription as per the established procedure.

Military students and cadets who have not previously completed military service and who have been discharged from military or special educational institutions under the age of twenty-six shall be sent to local military administration bodies for military registration and conscription under the established procedure, and the persons mentioned in the sixth indent of sub-paragraph 4) of paragraph 1 of Article 38 of this Law, shall have the right to enter military service under a contract.

The cadet expelled from military, special educational institution for poor progress, indiscipline, on the initiative, as a result of dismissal from military service for negative motives, in connection with the termination of citizenship of the Republic of Kazakhstan and also the contract on passing of military service which refused to sign, shall be obliged to compensate to the state the money corresponding to costs of providing with food, payment of a grant and journey during his training in military, special educational institution except for expenses of the first year of training.

The enforcement proceedings instituted under the judicial acts which took till January 1, 2018 legal effect concerning collecting in income of the state of money from the deducted cadets and cadets stop in the order established by the Law of the Republic of Kazakhstan "About Enforcement Proceeding and the Status of Bailiffs".

Recovery suits in income of the state of the money provided by a part of the fourth of the present point move on the cadets and cadets deducted after January 1, 2018.

Restoration in military, special educational institution or revenues to military service under the contract is the basis for suspension of collecting the money spent for training for training and (or) passing of military service under the contract. After ten years of military service (for flight personnel – fifteen years) under the contract in calendar calculation without the training period in military, special educational institution the collecting the money spent for training stops.

A soldier who graduated from a military, special educational institution, in case of dismissal from military service for negative reasons, in connection with the termination of citizenship of the Republic of Kazakhstan or due to official non-compliance, revealed by the results of certification, is obliged to reimburse the state for money corresponding to the costs of providing food, the payment of scholarships and travel of cadets and cadets during their training in the military, special educational institution, with the exception of the costs of the first year of study, proportionally for each full underserved month before the end of the contract for military service.

Graduate of a military, special educational institution implementing technical and professional education programs (on the basis of basic secondary education), in cases of non-admission to a military, special educational institution implementing higher education programs, and refusal to further military service is sent to military units (institutions) for the remaining period of military service, but for at least three months, without reimbursement of the money spent on his training.

The procedure for reimbursing the state for money spent on training a military man in military, special educational institutions is determined by the first head of the authorized state body, in the structure of which there is a military, special educational institution.

When a serviceman of the Armed Forces, other troops and military formations, or an employee of law enforcement or special public authorities of the Republic of Kazakhstan, civil protection bodies who graduated from a military or special educational institution and has not served ten years after graduation (for flight personnel – fifteen years) is dismissed for negative reasons, due to termination of citizenship of the Republic of Kazakhstan or due to an official discrepancy revealed by the results of certification, within one month, public authorities shall be required to notify the public authority the structure thereof includes a military, special educational institution.

11. A military personnel who shall undergo military service under a contract in military positions of ordinary and sergeant personnel, who has exercised the right provided for by Article 47 of this Law, upon dismissal from military service for negative reasons, in connection with the termination of citizenship of the Republic of Kazakhstan or due to official inconsistency revealed by the results of certification, shall be obliged to reimburse the money spent on his training in organizations of higher and (or) postgraduate education.

12. A military personnel of military service shall be subject to dismissal before the expiration of the term of military service in the event of a postponement of his conscription in

connection with the introduction of a state of emergency in the procedure prescribed by the legislation of the Republic of Kazakhstan.

13. Individuals dismissed from military service shall have the right to appeal the decision on dismissal in the procedure prescribed by the Laws of the Republic of Kazakhstan.

**Footnote.** Article 26 – in the wording of the Law of the Republic of Kazakhstan dated 15.04.2022 № 114-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); as amended by the Law of the Republic of Kazakhstan dated 27.06.2022 № 129-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 19.04.2024 № 74-VIII (shall be enforced upon expiry of ten calendar days after the date of its first official publication); № 116-VIII of 08.07.2024 ( shall be enacted sixty calendar days after the date of its first official publication); dated 18.03.2025 № 175-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication); № 196-VIII of 24.06.2025 (shall come into force expiration of ten calendar days after the day of its first official publication); № 202-VIII of 30.06.2025 ( shall become effective sixty calendar days after the date of its first official publication).

### **Article 26-1. Presidential Reserve of the High Command of the Armed Forces**

**Footnote.** Article 26-1 is excluded by the Law of the Republic of Kazakhstan dated 10.01.2025 № 156-VIII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

## **Chapter 5. MILITARY SERVICE UPON CALL Article 27. Call of citizens to military service**

1. Call of citizens to military service – a set of measures conducted by state bodies oriented to recruiting by personnel of Armed Forces on the basis of military obligation.

2. Call of citizens to military service shall include:

- 1) call of citizens to compulsory military service;
- 2) call of retired officers to military service;
- 3) call to military trainings;
- 4) call upon mobilization, upon military situation and in war time.

3. Call of citizens to military service shall be organized and ensured by local executive bodies.

Local executive bodies shall ensure bodies of military administration by equipped conscription (assemble) offices, their maintenance, supply by medication, tools, fire-fighting, medical and economic property, automobile transport, as well as means of communication and protection.

For conducting a call of citizens to military service, draft committees shall be created in the manner established by this Law.

Procedure for organizing and conducting call of citizens to military service shall be determined by the Government of the Republic of Kazakhstan.

4. Heads of organizations shall be obliged to revoke citizens subject to call from business trips, organize notification and well-timed arrival to conscription office for conduct of medical certification of citizens upon their call to military service.

5. Call to military service of citizens of the Republic of Kazakhstan, temporary residing abroad shall be carried out in the manner established by this Law upon arrival to permanent place of residence in the Republic of Kazakhstan in the absence of the right to deferral or release from call.

6. A citizen shall be recognized as called to military service from the moment of issuing the order of a head of local body of military administration of oblast (city of republican significance or the capital) on his (her) call to military service.

7. Excluded by the Law of the RK dated 04.05.2020 № 321-VI (shall enter into force upon the expiry of ten calendar days after the day of its first official publication).

Footnote. The article 27 with the amendments made by the Laws of the Republic of Kazakhstan dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 04.05.2020 № 321-VI (shall enter into force upon the expiry of ten calendar days after the day of its first official publication).

## **Article 28. Draft committees**

1. The draft commissions of areas, cities of regional value, areas, cities of republican value, the capital are formed for carrying out an appeal according to the decision of local executive bodies in structure:

1) the chairman of the commission – the deputy head of local executive body (akim) of the area, the city of regional value, the area, the city of republican value, the capital;

2) members of the commission:

chief of local body of military management of the area, city of regional value, area, city of republican value, capital;

representative of the relevant territorial division of law-enforcement bodies;

the deputy chief of the relevant local governing body of health care (chief physician) of the area, the city of regional value, the area, the city of republican value, the capital – the chairman of medical commission;

secretary.

Also other representatives of public authorities and public associations can be a part of the draft commissions. The numerical structure of the draft commission has to be odd.

The structure regional, the cities of republican value, the capital of the draft commission joins the deputy head of territorial authority of Committee of national security of the Republic of Kazakhstan.

The schedule of carrying out an appeal of citizens on military service is approved by local executive body.

Members of the draft commission on conscription military service bear responsibility according to laws of the Republic of Kazakhstan for an illegal appeal of citizens.

2. Oblast (city of republican significance or the capital) draft committee shall:

1) carry out management and control of the activity of district (city of oblast significance) draft committees;

2) verify accuracy of representing deferrals and releases from call to military service to citizens;

3) excluded by the Laws of the Republic of Kazakhstan dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication);

4) excluded dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication);

5) consider complaints and applications of citizens for decision of district (cities of oblast significance) draft committees;

6) cancel decisions of district (cities of oblast significance) draft committees.

3. According to the results of a medical examination, the district (cities of regional significance) draft commission in relation to the conscript shall make one of the following decisions:

1) shall be called up for military service;

2) grant a deferral from conscription;

3) exempt from conscription for military service;

4) release from military duty.

The decision of the draft commission shall be announced within one day to a citizen subject to conscription for military service, a copy of the decision shall be handed out at his request.

The decision of the draft commission can be appealed by a citizen in the procedure established by the Laws of the Republic of Kazakhstan.

4. Heads of authorized bodies shall recall decision of draft committee on call in respect of persons ineligible for military service according to health condition, and shall return them to draft committees with representation of substitution before taking military oath by them.

Footnote. Article 28 as amended by the Law of the Republic of Kazakhstan dated 16.01.2013 № 71-V (shall be enforced from 01.01.2013); dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 29.06.2020 № 351-VI (shall enter into force on 01.07.2021).

## **Article 29. Medical examining board**

1. For definition of degree of the validity of citizens to military service on a constant basis in areas, the cities of republican value, the capital, the cities and areas the decision of local executive bodies creates medical commissions which carry out medical examination:

- 1) youths of premilitary age;
- 2) recruits;
- 3) the persons liable for call-up called on military collecting;
- 4) persons entering military service under contract, military service in the reserve, military educational institutions, military departments (military faculties), specialized institutions of the Ministry of Defence.

**2.Excluded dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication).**

3. Procedure for medical certification and composition of medical examining boards shall be determined by the Rules of military physician expertise.

**Footnote. The article 29 with the amendments made by the Laws of the Republic of Kazakhstan dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 18.03.2025 № 175-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication); № 202-VIII of 30.06.2025 (shall come into effect sixty calendar days after the date of its first official publication).**

### **Article 30. Duties of civilians subject to conscription**

1. Civilians who are subject to conscription shall be required to appear at the summons of a local military administration body on the specified date and time (for a healthcare examination or examination, a study, a session of the draft commission, or to be sent to a military unit (institution) for military service, as well as to determine their destination for military service).

The summons shall be made by sending an agenda via text message to the subscriber's mobile number and/or to the user's office on the e-government web portal at least three calendar prior to the turnout date.

In the absence of details of a cellular subscriber number, including one registered on the e-government web portal, a paper summons shall be delivered on purpose or sent by mail to the address of registration of the place of residence, place of temporary residence (stay) or place of work. A summons shall be handed to a civilian who is subject to conscription, personally signed by authorized persons of local military authorities, the head of the institution or the courier of the mail operator.

Should a civilian, who is subject to conscription, refuse to accept a paper summons, the person handing it over shall make an appropriate note on the summons, which shall be returned to the local military administration body. A civilian who refuses to accept the summons shall be duly notified.

If needed, a paper summons shall be handed to a civilian who is subject to conscription at the local military administration body, and the date of appearance must be set no later than the next day.

A civilian who is subject to conscription for military service shall be duly notified if he receives a summons:

- 1) by a cellular subscriber number, personally provided by him to the local military administration body or registered with a civilian, upon receipt of a report confirming delivery;
- 2) to the user's account on the e-government web portal by sending a short text message to a cellular subscriber number registered on the e-government web portal;
- 3) at the address of registration of the place of residence, place of temporary residence (stay) or place of Employment, as well as upon receipt of a summons from the local military administration body.

A civilian who is subject to conscription will not be considered as duly notified if he does not read a text message sent to the user's account on the e-government web portal and/or to a cellular subscriber number, including due to a change in the cellular subscriber number.

Should there be valid reasons preventing a civilian who is subject to conscription from appearing on a summons at the appointed time, he must notify the local military administration body who summoned him.

Valid reasons for the non-appearance of a civilian subject to conscription, duly notified of the summons, shall be as follows:

- 1) an illness that makes it impossible for a person to appear;
- 2) death of close relatives, spouse;
- 3) natural disasters, other reasons that deprive a person of the opportunity to appear at the appointed time;
- 4) state registration of marriage (matrimony);
- 5) when the person is outside the Republic of Kazakhstan.

In case of non-appearance of a civilian who is subject to conscription, upon a summons from a local military administration body, ensuring his arrival shall be entrusted to the relevant internal affairs body.

2. Within the period of passing the health commission, civilians who are subject to conscription for military service or military training, shall retain their place of employment (position) and wages at their place of employment when summoned to local military authorities.

**Footnote. Article 30 as revised by Law of the Republic of Kazakhstan № 211-VIII of 16.07.2025 (shall be enacted upon expiration of sixty calendar days after the date of its first official publication).**

## **Article 31. Call of citizens to compulsory military service**

Call of citizens to compulsory military service shall be performed twice a year on the basis of the Decree of the President of the Republic of Kazakhstan and regulation of the Government of the Republic of Kazakhstan.

The citizens aged from eighteen up to twenty seven years who do not have the right for a delay or release from an appeal in the quantity necessary for completing of Armed Forces, other troops and military formations are subject to an appeal on conscription military service.

Citizens with appropriate physical and moral and psychological qualities shall be called up for military service in accordance with the legislation of the Republic of Kazakhstan.

**Footnote. The article 31 with the amendments made by the Laws of the Republic of Kazakhstan dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 15.04.2022 № 114-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

### **Article 32. Call to military service of retired officers**

Reserve officers under the age of twenty-nine years and reserve officers of medical service under thirty-two years old who shall be eligible for military service shall be called up in peacetime on the basis of a decree of the Government of the Republic of Kazakhstan for military service in officer positions at the request of authorized bodies.

**Footnote. Article 32 as amended by the Law of the Republic of Kazakhstan dated 15.04.2022 № 114-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

### **Article 33. Conscription of those liable for military training**

Conscripts shall be called up for military training:

1) within the framework of republican measures for mobilization training:

to the military administration bodies, military units (institutions) of the Armed Forces (excluding the territorial bodies of the territorial troops of the Armed Forces) –under the order of the Minister of Defence of the Republic of Kazakhstan;

to military administration bodies, military units (institutions) of other troops and military formations - on the basis of the order of the first head of the authorized state body in agreement with the Ministry of Defense;

2) within the framework of measures for mobilization training, preparation of the territorial defence of the Republic of Kazakhstan to the territorial bodies of the territorial troops of the Armed Forces –under the resolution of the akimat of the region, the city of national importance, the capital in coordination with the General Staff of the Armed Forces of the Republic of Kazakhstan.

Those liable for military service who are subject to conscription for military training camps shall have the right to take a military training course under the program of military service training on a reimbursable basis.

Footnote. Article 33 – in the wording of the Law of the Republic of Kazakhstan dated 15.04.2022 № 114-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

#### **Article 34. Call of citizens on mobilizing in military situation and in war time**

1. Call of citizens to military service on mobilizing in military situation and in war time shall be conducted on the basis of the Decree of the President of the Republic of Kazakhstan and in the manner established by this Law.

2. With draftees and conscripts called to military service upon mobilizing in military situation and in war time, full calculation shall be conducted at the place of work (service), salary for actual worked period, retirement pay and compensation payments for unutilized leave shall be paid. Citizens called upon mobilizing in military situation and in war time shall be preserved by dwelling place held by them. Social security (benefits, pensions) of families of citizens called to military service upon mobilizing in military situation and in war time shall be conducted in accordance with the legislation of the Republic of Kazakhstan.

3. Local executive bodies and organizations, when conducting mobilization, when martial law is introduced, and in wartime, shall be obliged to ensure timely notification and delivery of military personnel and conscripts to recruiting stations or military units (institutions).

Footnote. Article 34 as amended by the Law of the Republic of Kazakhstan dated 18.03.2025 № 175-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication).

#### **Article 35. Deferral from call to military service**

1. A deferral from conscription shall be granted to civilians on the following grounds:

- 1) on family circumstances;
- 2) for continuation of education;
- 3) on health condition;
- 4) on other reasons.

2. Deferral from call to military service on family circumstances shall be provided to:

1) citizens engaged in care of family members being in need of exterior aid and not being in full social security, in the absence of close relatives or other persons residing in the territory of the Republic of Kazakhstan together with them or separately, obliged to maintain mentioned family members according to the Law.

Family members being in exterior aid and care are:

father, mother, spouse, as well as grandfather and grandmother in the absence of the conscript's parents, if they are dependent on him, have reached retirement age or are persons with disabilities of the first or second group;

brothers, sisters who are persons with disabilities of the first or second group or under the age of eighteen, in the absence of parents;

a mother (father) who, in addition to a conscript, has one or more children who are persons with disabilities of the first or second group or have not reached the age of eighteen, and raises them without a spouse;

a mother (father) who (who) has a dependent of one or more lonely relatives (father, mother, brother, sister) who are disabled due to age or persons with disabilities of the first or second group, and supports them without a spouse;

one of the parents who maintains a second dependent on a person with a disability of the first or second group, and brings up, in addition to the conscript, one or more children under eighteen years old;

one family member with a disability and in which the conscript is the only male child;

2) citizens that have dependents:

a child (children) nurtured without mother;

persons where they were in nurturing and maintenance no less than two years due to death of own parents or deprivation of their parental rights, or conviction to deprivation of freedom by court;

3) citizens who are married and have one or more children - from conscription for military service.

3. A deferral from conscription for continuing education shall be granted to a person who is studying full-time at educational institutions of the appropriate level of education for the entire period of study as per the rules for organizing and conducting conscription of civilians for military service.

A deferral from conscription for continuing education shall be granted to persons studying in faith-based (religious) educational institutions if this institution is engaged in educational activities under the legislation of the Republic of Kazakhstan in the field of education.

A deferral from conscription for continuing education shall be granted once for each level of education.

A person receiving postgraduate education shall be granted a deferral from conscription once while studying at a residency, master's or doctoral program, respectively.

A deferral from conscription for continuing education shall not be granted to persons studying in educational institutions of foreign countries using distance learning.

4. Referral from call to military service on health condition shall be provided to citizens by decision of draft committee for the term up to one year.

5. Referral from call to military service on other reasons shall be provided to:

1) teachers carrying out professional activities in preschool educational organizations, organizations of secondary (primary, basic secondary, general secondary), technical and vocational, post-secondary education, specialized, special educational organizations, educational organizations for orphans and children left without parental care, organizations of

additional education for children, as well as in methodological rooms, for the entire period of work;

2) doctors having the relevant education, working permanently on specialty in rural area for the whole working period in public health organizations;

3) deputies of the Parliament of the Republic of Kazakhstan or local representative bodies for the term of their deputative powers;

4) persons in respect of which inquiry, preliminary investigation are carried out or criminal cases are considered by courts, respectively until the end of inquiry, investigation or entering into force of court verdict;

4-1) to the members of flight crews of civil aircrafts, engineers, mechanics and technicians of civil aviation having the corresponding education for the entire period of work in the organizations of civil aviation;

5) ship crew members having the relevant education for the whole working term in organizations of water transport;

6) persons undergoing initial professional training in educational institutions of law enforcement agencies and the competent authority in the field of civil protection.

6. Civilians enlisted in the reserve as per sub-paragraph 6) of paragraph 1 of Article 41 of this Law shall be granted a deferral from conscription in the cases envisaged in sub-paragraphs 1) and 2) of paragraph 2, paragraphs 3, 4 and 5 of this Article.

7. Deferral from call to military trainings shall not be provided.

8. Deferral of citizens upon call to military service on mobilizing in military situation and in war time shall be suspended with the exception of deferral on health condition.

9. Citizens have the right to refuse a deferral, with the exception of a deferral for health reasons, and may be called up for military service upon submitting a personal application, and if they have the right to a deferral in accordance with paragraph 2 of this article, a corresponding notarized document from interested persons in accordance with the procedure established by the rules for organizing and conducting conscription of citizens for military service.

10. Citizens that lost the grounds for deferral provided by this Law shall not be subject to call in the manner established by this Law.

Footnote. Article 35 as amended by the Law of the Republic of Kazakhstan dated 04.07.2013 № 132-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 27.10.2015 № 363-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 03.12.2015 № 433-V (shall be enforced dated 01.01.2016); dated 27.12.2019 № 292-VI (the order of enforcement see Article 2); dated 27.12.2019 № 294-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 10.06.2020 № 344-VI (shall enter into force upon the expiry of ten calendar days after the day of its first official publication); dated 08.01.2021 № 410-VI (shall enter into force upon the expiry of ten calendar days after the day of its first

official publication); dated 15.04.2022 № 114-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 27.06.2022 № 129-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); № 196-VIII of 24.06.2025 (shall be effective upon expiration of ten calendar days after the day of its first official publication); № 211-VIII of 16.07.2025 (shall come into effect upon expiration of sixty calendar days after the day of its first official publication).

### **Article 36. Release from call to military service and military trainings**

1. The following citizens shall be released from call to military service in time of peace:
  - 1) recognized ineligible for military service on health condition;
  - 2) not called to compulsory military service on a legal basis upon attainment of twenty seven years;
  - 3) one of the relatives (father, mother, brother or sister) died, had an accident or was diagnosed with the disability of the first or second group in the line of duty during the period of military service;
  - 4) performed military (alternative) service in other state;
  - 4-1) serving in special public authorities of the Republic of Kazakhstan, except for the cases provided by Paragraph 9 of Article 51 of the Law of the Republic of Kazakhstan "About Special Public Authorities of the Republic of Kazakhstan";
  - 5) having academic degree;
  - 6) ministers of religion of registered religious associations.
2. The following persons shall be released from call to military trainings:
  - 1) persons working in state bodies of the Republic of Kazakhstan in positions linked with ensuring of defence, security and legal order;
  - 2) aviation personnel of state, civil and experimental aviation;
  - 3) persons working in farm economy and in organizations on repair of agricultural equipment for the period of sowing and harvesting operations;
  - 4) teachers of educational institutions of full-time training for the period of the academic year;
  - 5) those studied in educational organizations of full time of course;
  - 6) women-draftees;
  - 7) draftees within two years after dismissal in stock;
  - 8) persons having three and more children at the age up to eighteen years;
  - 9) persons in respect of whom the inquiry, preliminary investigation are carried out or criminal case is considered by court;
  - 10) military personnel, elected (appointed) deputies of the Parliament of the Republic of Kazakhstan or local representative bodies, akims of districts, cities of regional significance, cities of district significance, villages, settlements, rural districts.

3. Persons liable for call-up mentioned in sub-paragraph 7) of paragraph 2 of this article, shall not be exempted from the passage of special military fees.

4. Citizens recognized ineligible for military service on health condition shall be released from call to military service on mobilizing in military situation and in war time.

5. Civilians entitled to exemption from calling for military service may be called up for military service upon their request, excluding of civilians mentioned sub-paragraph 1) of paragraph 1 of this article, in the manner established by the rules for organizing and calling of civilians for military service.

Civilians who are eligible for exemption from conscription upon their request, may be called up for military training or undergo military service training, excluding persons envisaged in sub-paragraph 9) of paragraph 2 of this article, under the procedure established by the rules for organizing and conduct of conscription and the rules for military service training, respectively.

6. Citizens having records of conviction shall not be subject to call to military service in time of peace.

7. Citizens that lost the grounds for release from call provided by subparagraph 1) of paragraph 1 of this Article shall be subject to call in the manner established by this Law.

**Footnote.** The article 36 with the amendments made by the Laws of the Republic of Kazakhstan dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 27.12.2019 № 294-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 24.05.2021 № 42-VII (shall enter into force upon the expiry of ten calendar days after the day of its first official publication); dated 27.06.2022 № 129-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 05.11.2022 № 157-VII (shall enter into force from 01.01.2023); № 202-VIII of 30.06.2025 (shall enter into force upon expiration of sixty calendar days after the date of its first official publication); № 211-VIII of 16.07.2025 (shall take effect upon expiration of sixty calendar days after the day of its first official publication).

## **Chapter 6. MILITARY SERVICE UNDER CONTRACT Article 37. Contract on performance of military service**

1. The contract on passing of military service is signed by the citizen of the Republic of Kazakhstan with the authorized official of Armed Forces, other troops and military formations.

2. The contract for military service shall be concluded in writing between the two parties on a voluntary basis in accordance with the legislation of the Republic of Kazakhstan and terminated in the following cases:

- 1) upon expiry of term;
- 2) due to voluntary dismissal of a military servant;

- 3) from the date of conclusion of other contract on performance of military service by a military servant;
- 4) in other cases established by the legislation of the Republic of Kazakhstan.

3. The contract for military service shall stipulate the voluntary nature of the citizen's entry into military service, the period during which the citizen undertakes to perform military service, and other conditions of the contract for military service.

4. The terms of the contract for military service include the citizen's obligation to serve in the Armed Forces, other troops, and military formations for the period established by the contract for military service. The terms of the contract for military service contain the citizen's right to observe his rights and the rights of his family members, including receiving benefits, guarantees, and compensations established by the legislation of the Republic of Kazakhstan.

5. Military personnel appointed to a position by the President of the Republic of Kazakhstan shall perform military service in the relevant position without concluding a contract for military service. The requirements of this Law with respect to military personnel performing military service under the contract shall apply to these military personnel.

After release of mentioned military servants from position, they shall conclude new contract on performance of military service or shall be dismissed from military service in the manner determined by the Rules of performing the military service.

6. The military personnel of conscription military service having technical and professional, higher education and who served six months having the right to arrive on military service under the contract in the order determined by Rules of passing of military service.

The uhlans at transfer to a third year of training signs the contract on passing of military service.

7. The military personnel at the call of officers after the expiration of military service has the right to arrive on military service under the contract in the order determined by Rules of passing of military service.

**Footnote.** The article 37 with the amendments made by the Laws of the Republic of Kazakhstan dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 18.03.2025 № 175-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication).

#### **Article 38. Requirements submitted to persons entering into military service under contract**

1. The persons arriving on military service under the contract have to meet the following requirements:

- 1) to have citizenship of the Republic of Kazakhstan;
- 2) possess the necessary personal, moral, and professional qualities, level of education, and be fit for military service in terms of health;

3) be at least eighteen years old, with the exception of cadets and no later than they reach the maximum age of their condition in military service:

for those who first enter military service under a contract - twelve years and six months;

for re-entering military service under a contract and having military ranks of private and junior sergeants - twelve years and six months;

for re-entering military service under a contract and having military ranks of junior officers and senior sergeants - ten years;

for re-entering military service under a contract and having military ranks of senior officers or senior sergeants - five years;

for the contracts re-enrolling military service and having at least twelve years and six months of continuous military service, service in special state and law enforcement agencies, civil protection bodies, state courier service - three years;

4) serve fixed-term military service or to undergo training at the military department (military faculty) or military training in specialized institutions of the Ministry of Defence of the Republic of Kazakhstan for the training of military-technical specialists on a paid basis, excluding:

women;

men with medical or pharmaceutical education;

zhas sarbaz, who completed advanced pre-conscription training for at least two years;

zhas aibyn, who completed pre-conscription training for a period of at least four years;

persons expelled from military educational institutions, special educational institutions of law enforcement and special state bodies of the Republic of Kazakhstan, the authorized body in the field of civil protection after one year of study, and ulans – after two years of study.

The persons arriving on military service under the contract assume the restrictions set by laws connected with passing of military service and the anti-corruption restrictions set by the Law of the Republic of Kazakhstan "About Anti-corruption" which are fixed in writing.

2. On military service under the contract the person is not accepted:

1) recognized as court incapacitated or it is limited by capable;

2) recognized by the medical (military-medical) commission as not suitable for entry into military service under the contract;

3) deprived by court of the right to hold the state positions during a certain term;

4) refused to accept the restrictions established by the laws of the Republic of Kazakhstan related to the military service of a serviceman, and the anti-corruption restrictions established by the Law of the Republic of Kazakhstan "On Combating Corruption";

5) Excluded by the Law of the Republic of Kazakhstan dated 15.04.2022 № 114-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

6) previously convicted or exempted from criminal liability for commission of crime on the basis of Paragraphs 3), 4), 9), 10) and 12) of part one of Article 35 or Article 36 of the Code of Criminal Procedure of the Republic of Kazakhstan;

7) on whom, within three years prior to entering military service under contract, an administrative sanction was imposed for committing an administrative corruption offense, except in cases where the person, as a public servant, was held administratively liable for the first time for hiring an individual who failed to submit a declaration of assets and liabilities;

8) Excluded by the Law of the Republic of Kazakhstan dated 15.04.2022 № 114-VII ( shall enter into force upon expiry of ten calendar days after the day of its first official publication);

9) has not passed a psychophysiological or polygraph examination for positions, the list of which is approved by the head of the authorized body, and (or) a medical examination;

10) concerning which within three years before revenues to service for commission of criminal offense the conviction of court or which within three years before revenues to service is exempted from criminal liability for commission of criminal offense on the basis of Paragraphs 3), 4), 9), 10) and 12) of part one of Article 35 or Article 36 of the Code of Criminal Procedure of the Republic of Kazakhstan is pronounced;

11) dismissed for negative reasons from state or military service, from special state bodies , law enforcement agencies of the Republic of Kazakhstan, and also whose powers as a judge have been terminated for negative reasons;

The effect of part one of this subparagraph does not apply to a person:

who terminated the powers of a judge based on the decision of the Commission on the quality of justice under the Supreme Court of the Republic of Kazakhstan on unsuitability for the position held due to professional inadequacy;

dismissed due to absence from service without good reason for three or more consecutive hours, who has the right to enter military service under a contract after two years from such dismissal;

dismissed for systematic (two or more times) infringement of the terms of the contract on military service, who is entitled to enter military service under the contract after two years after such dismissal.

The third part of subparagraph 11) is effective from 01.01.2027 in accordance with the Law of the Republic of Kazakhstan dated 10.01.2025 № 156.

Persons entering military service under contract in special state bodies of the Republic of Kazakhstan shall be admitted, taking into account the features stipulated by Article 7 of the Law of the Republic of Kazakhstan “On special state bodies of the Republic of Kazakhstan”;

12) who did not pass special verification and (or) reported deliberately false information about herself or her parents, children, adoptive parents (adopters), adopted (adopted), full-birth and halfsiblings or spouse and her (his) parents, children, adoptive parents (adopters ), adopted (adopted), full-birth and half brothers and sisters;

13) not executed the standards for physical training approved by the head of authorized body;

14) as excluded by the Law of the Republic of Kazakhstan dated 15.04.2022 № 114-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

15) as excluded by the Law of the Republic of Kazakhstan dated 15.04.2022 № 114-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

A special check shall be carried out on a person entering military service under a contract.

Concerning the persons arriving on military service under the contract for positions which list is approved by the head of authorized body an inspection with application of psychophysiological and polygraphological researches in the order determined by the head of authorized body is carried out.

The presence of any of the cases specified in part one of this paragraph shall be grounds for refusal to accept for military service under contract.

3. To determine the suitability for health reasons for military service under the contract, a medical examination shall be carried out in accordance with the Rules for conducting a military medical examination.

4. The grounds for refuse to person entering into military service under contract are as well:

- 1) non-presentation or distortion of the data specified in Paragraph 2 of the present article;
- 2) absence of vacant positions on military occupational specialty of a candidate;
- 3) negative results of psychophysiological and polygraphological researches.

5. At revenues to military service under the contract the citizen and his spouse (spouse) are obliged to submit data on delivery of the financial disclosure statement according to the Law of the Republic of Kazakhstan "About Anti-corruption".

Footnote. The article 38 with the amendments made by the Laws of the Republic of Kazakhstan dated 04.07.2014 № 233-V (shall be enforced dated 01.01.2015); dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 15.04.2022 № 114-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 19.04.2024 № 74-VIII (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 10.01.2025 № 156-VIII (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 18.03.2025 № 175-VIII (shall be enforced upon expiry of sixty calendar days after the day of its first official publication); № 211-VIII of 16.07.2025 (see Art. 2 for the enactment procedure).

**Article 39. Admission of civilians to military and special educational institutions, as well as expulsion and reinstatement. Conclusion of contracts on military service with civilians studying in military and special educational institutions**

Footnote. The heading of Article 39, as amended by Law of the Republic of Kazakhstan № 196-VIII of 24.06.2025 (shall become effective ten calendar days after the date of its first official publication).

1. They shall have the right to enroll in military and special educational institutions that implement educational programs of higher, technical and vocational education based on general secondary education:

1) the citizens who were not passing military service, reached in a year of receipt of age of seventeen years, but are not more senior than twenty-two years;

2) the citizens who passed military service and the military personnel undergoing conscription military service before achievement by them in a year of receipt of age of twenty-four years;

3) the military personnel passing military service under the contract before achievement of age of twenty-five years by them.

Civilians shall be enrolled to military and special educational institutions on a competitive basis under the Rules for Admission to Military and Special Educational Institutions that implement educational programs of the appropriate level, approved by the competent university.

When conducting a competition for admission to military educational institutions, the following persons shall have a preferential right, subject to successful completion of all stages of competitive selection under the rules of admission to military educational institutions that implement educational programs of the appropriate level:

orphan children and children without parental support;

civilians who completed pre-conscription training as zhas sarbaz, zhas aibyn for a period of at least two years;

children of military personnel with at least fifteen years of service, as well as persons discharged from military service with a length of service of twenty years or more, with the exclusion of persons discharged for negative grounds;

children of the military personnel, the dead, missing persons during service or become disabled during passing of military service;

the persons awarded with the sign "Altyn Belgy";

the winners of the international Olympic Games and competitions of scientific projects (scientific competitions) in general education objects, republican and international competitions of performers and sports competitions of the last three years awarded with diplomas of the first – the third degrees which list is defined by authorized body in the field of education, winners presidential, the republican Olympic Games and competitions of scientific projects in general education objects of the current year, awarded with diplomas of the first – the third degrees on condition of compliance to the specialty chosen by them to a subject of the Olympic Games or competition.

Military personnel sent for training to foreign military educational institutions shall undergo training in accordance with the international treaties of the Republic of Kazakhstan, contracts for military service, and the official invitation for training.

2. In the military educational institutions implementing programs of technical and professional education on the basis of the main secondary education have the right to arrive the citizens who reached in a year of receipt of age of fifteen years, but is not more senior than seventeen years.

3. A person may be admitted to reinstatement in a military or special educational institution if less than one year has passed since the date of his discharge, with the exclusion of persons reinstated on the ground of a positive conclusion of the military health commission

4. A person who has been dismissed from military service for negative reasons cannot be reinstated in a military or special educational institution.

5. Graduates of military and special educational institutions that implement educational programs of higher education shall be awarded the military rank of Lieutenant.

Upon graduation from military educational institutions that implement educational programs for technical and vocational education, military personnel shall be awarded the military rank of sergeant.

Cadets of the military medical faculty shall be awarded the military rank of "lieutenant of the medical service" after completing their Bachelor's degree program or after completing the fifth year of the educational program of continuous integrated medical education.

Military personnel who continue their education in military internship programs or in the sixth year of the educational program of continuous integrated medical education shall serve in the military position of a variable military intern.

**Footnote.** The article 39 in the wording of the Laws of the Republic of Kazakhstan dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication); with amendments introduced by the Law of the Republic of Kazakhstan dated 19.04.2024 № 74-VIII (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 18.03.2025 № 175-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication); № 196-VIII of 24.06.2025 (shall be enacted upon expiration of ten calendar days after the day of its first official publication); № 211-VIII of 16.07.2025 (see Art. 2 for the enactment procedure).

#### **Article 39-1. The National University of Defense of the Republic of Kazakhstan**

**Footnote.** The heading of the Article 39-1 in the wording by the Law of the Republic of Kazakhstan dated 11.07.2017 № 91 (shall be enforced upon expiry of ten calendar days after the date of its first official publication); as amended by the Law of the Republic of Kazakhstan dated 16.11.2023 № 40-VIII (shall be enforced from 01.01.2024).

1. The National Defence University of the Republic of Kazakhstan (hereinafter referred to as the National Defence University) is a military educational institution.

2. Military personnel, officers of special state bodies, civil protection bodies, as well as persons of civilian personnel of the Armed Forces, public authorities shall have the right to enroll in the National Defence University if they have access to state secrets. Herewith, civilian personnel of the Armed Forces and government agencies shall be trained only using distance learning.

3. Persons enrolled in the National Defence University in postgraduate educational programs shall be appointed to the positions of a resident military physician, undergraduate or doctoral student while maintaining the status of a serviceman or employee.

4. Military personnel, employees of special public authorities, civil protection bodies appointed to the position of a resident military physician, undergraduate or doctoral student, shall be provided with monetary allowances as per the unified remuneration system for employees of bodies of the Republic of Kazakhstan maintained from the state budget, approved by the Government of the Republic of Kazakhstan in coordination with the President of the Republic of Kazakhstan.

5. The higher-education teaching personnel of military educational institutions must undergo advanced training at least once every three years.

**Footnote.** The chapter 6 is supplemented by the 39-1 in accordance of the Law of the Republic of Kazakhstan dated 13.11.2015 № 398-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication); with the amendments made by the Law of the Republic of Kazakhstan dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 11.07.2017 № 91-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication) ; dated 04.07.2018 № 171-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 08.01.2021 № 410-VI (shall enter into force upon the expiry of ten calendar days after the day of its first official publication); dated 16.11.2023 № 40-VIII (shall be enforced from 01.01.2024); dated 19.04.2024 № 74-VIII (shall be enforced upon expiry of ten calendar days after the date of its first official publication); № 196-VIII of 24.06.2025 (shall come into effect upon expiration of ten calendar days after the day of its first official publication № 211-VIII of 16.07.2025 (shall be put into effect upon expiration of sixty calendar days after the day of its first official publication).

#### **Article 40. Term of the contract for military service and the procedure for its conclusion**

**Footnote.** Title of Article 40 as amended by the Law of the Republic of Kazakhstan dated 18.03.2025 № 175-VIII (effective sixty calendar days after the date of its first official publication).

1. Contract on performance of military service shall be concluded:

1) for three years;

- 2) for five years;
- 3) for ten years;
- 4) until attainment of the age of retirement of being at military service;
- 5) for cadets and military interns – for the duration of their studies at a military or special educational institution and for ten years of military service after graduation (for flight cadets – for fifteen years of military service after graduation);
- 6) for students, undergraduates, doctoral students, and adjuncts – for the duration of their studies and for five years of military service, for resident military doctors - for ten years of military service after graduation from a military or special educational institution or prior to reaching the age limit for military service;
- 7) for military reservists – for three years;
- 8) for cadets – for the duration of their studies at a military educational institution and for five years of military service after graduation.

2. Procedure for selecting the candidates and their entering into military service under contract shall be determined by the Rules of performing the military service.

**Footnote.** The article 40 with the amendments made by the Law of Republic of Kazakhstan dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 19.04.2024 № 74-VIII (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 18.03.2025 № 175-VIII (effective sixty calendar days after the date of its first official publication); № 196-VIII of 24.06.2025 (shall be effective upon expiration of ten calendar days after the day of its first official publication); № 211-VIII of 16.07.2025 (shall be enacted upon expiration of sixty calendar days after the day of its first official publication).

## **Chapter 6-1. Military service in the reserves**

**Footnote.** The law is supplemented by Chapter 6-1 in accordance with the Law of the Republic of Kazakhstan dated 18.03.2025 № 175-VIII (shall be enforced upon expiry of sixty calendar days after the day of its first official publication).

### **Article 40-1. Contract for military service in the reserve**

1. A contract for military service in the reserve shall be concluded by a citizen of the Republic of Kazakhstan with an authorized official of the Armed Forces, other troops, and military formations.

2. The contract for military service in the reserve shall be concluded in writing between the two parties on a voluntary basis in accordance with the legislation of the Republic of Kazakhstan and terminated in the following cases:

- 1) upon expiration of the term;
- 2) in connection with the early discharge of a military serviceman;
- 3) from the date of conclusion by a serviceman of a contract for military service or another contract for military service in the reserve;

4) in other cases established by the legislation of the Republic of Kazakhstan.

3. The contract for military service in the reserve shall stipulate the voluntary nature of the citizen's entry into military service, the period during which the citizen undertakes to perform military service, and other conditions for performing military service in the reserve.

4. The terms of the contract for military service in the reserve include the citizen's obligation to arrive at the military unit (institution) for combat training classes or training sessions, mobilization training in crisis situations within the timeframe and in the manner determined by the first head of the state body in which military service in the reserve is provided.

The terms of the contract for military service in the reserve contain the citizen's right to respect his rights and the rights of his family members, including receiving benefits, guarantees, and compensation established by the legislation of the Republic of Kazakhstan.

Article 40-2. Requirements for the persons entering military service in the reserve

1. Persons entering military service in the reserve must meet the following requirements:

1) have citizenship of the Republic of Kazakhstan;

2) possess the necessary personal, moral, and professional qualities, level of education, and be fit for military service in terms of health;

3) be at least eighteen years of age and not have reached three years of age before the maximum age for military service in the reserve;

4) serve urgent military service or to undergo training at the military department (military faculty) or military training in specialized organizations of the Ministry of Defence for the training of military-technical specialists on a paid basis, with the exception of women.

Persons entering military service in the reserve accept the restrictions established by the laws of the Republic of Kazakhstan related to military service, and anti-corruption restrictions established by the Law of the Republic of Kazakhstan "On Combating Corruption", which are recorded in writing.

2. A person shall not be accepted for military service in the reserve if he:

1) has been declared legally incapable or partially capable by a court;

2) has been deemed unfit for military reserve service by a medical (military-medical) commission;

3) has been deprived by a court of the right to hold public office for a specified period.

4) refused to accept the restrictions established by the laws of the Republic of Kazakhstan related to the military reservist's service in the military, and the anti-corruption restrictions established by the Law of the Republic of Kazakhstan "On Combating Corruption";

5) previously convicted or released from criminal liability for committing a crime on the basis of paragraphs 3), 4), 9), 10), and 12) of part one of Article 35 or Article 36 of the Criminal procedure code of the Republic of Kazakhstan;

6) on whom, within three years prior to entering military service under contract, an administrative sanction was imposed for committing an administrative corruption offense,

except in cases where the person, as a public servant, was held administratively liable for the first time for hiring an individual who failed to submit a declaration of assets and liabilities.

7) has not undergone a psychophysiological examination and/or medical examination;

8) in respect of whom, within three years prior to entering military service in the reserve, a court has issued a guilty verdict for committing a criminal offence or who, within three years prior to entering service, has been released from criminal liability for committing a criminal offence on the basis of paragraphs 3), 4), 9), 10) and 12) of part one of Article 35 or Article 36 of the Criminal procedure code of the Republic of Kazakhstan;

9) dismissed for negative reasons from state or military service, from special public authorities, law enforcement agencies of the Republic of Kazakhstan, from service in civil protection bodies, as well as terminated the powers of a judge for negative reasons.

The effect of part one of this subparagraph shall not apply to a person:

who terminated the powers of a judge based on the decision of the Commission on the quality of justice under the Supreme Court of the Republic of Kazakhstan on unsuitability for the position held due to professional inadequacy;

dismissed due to absence from duty without good reason for three or more consecutive hours, who has the right to enlist in the military reserve after two years from such dismissal.

A person shall not be accepted for military service in the reserve for two years after dismissal or release from the position held, as well as termination of powers due to the discrepancy between the person's expenses and his income in accordance with the Law of the Republic of Kazakhstan "On Combating Corruption".

Persons shall be admitted to military service in the reserves of special state bodies of the Republic of Kazakhstan, taking into account the features provided for in Article 7 of the Law of the Republic of Kazakhstan "On special state bodies of the Republic of Kazakhstan";

10) has not undergone a special check and/or has knowingly provided false information about himself/herself or his/her parents, children, adoptive parents, adopted children, full and half siblings, or spouse and his/her parents, children, adoptive parents, adopted children, full and half siblings;

11) has not met the physical fitness standards approved by the head of the state body in which military service in the reserve is provided;

12) serving in special state and law enforcement agencies of the Republic of Kazakhstan;

13) working on a rotational basis or on shift work;

14) other persons provided for by the laws of the Republic of Kazakhstan.

The presence of any of the cases specified in part one of this paragraph shall be grounds for refusal to accept for military service in the reserve.

3. A special check shall be carried out with respect to a person entering military service in the reserve.

In relation to persons entering military service in the reserve, a check shall be carried out using a psychophysiological examination in the manner determined by the head of the state body in which military service in the reserve is provided.

4. To determine the health fitness for military service in the reserve, a medical examination shall be conducted in accordance with the Rules for conducting military medical examination.

5. The grounds for refusal of a person entering military service in the reserve shall also be :

1) failure to provide or distortion of information specified in part one of paragraph 2 of this Article;

2) the absence of vacant positions in the candidate's military registration specialty;

3) negative results of psychophysiological examination;

4) the exemption specified in subparagraph 4) of paragraph 1 and subparagraphs 1), 2), 5), and 9) of paragraph 2 of Article 36 of this Law.

6. The requirements of subparagraphs 2), 3), and 4) of Article 8 of this Law shall not apply to military reservists.

**Footnote.** The article 40-2 with the amendments made by the Law of Republic of Kazakhstan № 196-VIII of 24.06.2025 (shall be put into effect upon expiration of ten calendar days after the day of its first official publication); № 211-VIII of 16.07.2025 (shall go into effect upon expiration of sixty calendar days after the day of its first official publication).

#### **Article 40-3. The term of the contract for military service in the reserve and the procedure for its conclusion**

1. The contract for military service in the reserve shall be concluded for three years.

2. The procedure for selecting candidates and their admission to military service in the reserve shall be determined by the Rules for military service.

#### **Article 40-4. Taking classes or combat training sessions, mobilization training in crisis situations**

1. Military reservists shall undergo combat training classes or training sessions, mobilization training in crisis situations, in the manner determined by the first head of the state body in which military service in the reserve is provided.

Combat training classes shall be held for up to three calendar days per month, but no more than thirty calendar days per year.

If a military reservist misses a combat training session, he/she shall be required to attend the specified sessions at another free time in agreement with the commander (head) of the military unit (institution).

Combat training sessions lasting thirty calendar days shall be held once a year, with two days off provided on the last days of the sessions.

2. Military reservists shall be required to report to a military unit (institution) in the event of a call for training in crisis situations within the timeframe and in the manner determined by the first head of the state body in which military service in the reserve is provided.

3. During periods of combat training classes or training sessions, mobilization training in crisis situations, the military reservist retains his job (position).

## **Chapter 7. STAYING IN STOCK Article 41. Admission to stock**

1. Individuals who have not reached the maximum age of stay in the reserve shall be considered to be credited to the reserve:

1) dismissed from military or law enforcement service or from service in civil protection agencies;

2) dismissed from service in special state bodies of the Republic of Kazakhstan:

from among the enlisted personnel;

from the State security service of the Republic of Kazakhstan;

for negative reasons;

due to non-fulfillment of the terms of the service contract;

3) failed military service in connection with exemption from conscription for military service;

4) failed military service in connection with the provision of deferrals from conscription upon reaching the age of twenty-seven years;

5) women who have a military accounting specialty;

6) those who have completed military training under the programs of reserve officers and reserve sergeants at military departments (military faculties) of organisations of higher and (or) postgraduate education;

7) trained in military-technical and other specialties on a reimbursable basis in specialized organizations of the Ministry of Defense.

2. Persons being in stock shall undergo medical certification for determination of fitness for military service in accordance with the Rules of military physician expertise.

3. The persons exempted from an appeal on conscription military service and which did not pass military service in connection with granting draft deferments on reaching age of twenty seven years and also the citizens who were trained on military and technical and other specialties in the specialized organizations of the Ministry of Defence on a paid basis are enlisted in a stock by local bodies of military management of the area, city of regional value with assignment of a military rank of a stock "ordinary" ("sailor").

4. When enlisting in the reserve, the military accounting specialty shall be determined by the local military administration bodies of the district (city of regional significance) as per the rules of military registration of conscripts and conscripts.

5. Stock of draftees for bodies of national security and authorized body in the scope of foreign intelligence shall be created in accordance with the legislation of the Republic of Kazakhstan.

5-1. The employees dismissed from Service of the state protection of the Republic of Kazakhstan go for account in local bodies of military management with transfer in a stock with assignment of a military rank of a stock equal to the special rank which is available for them.

6. Staying in the reserve shall consist of completing military training (course training for military personnel), following the rules of organisation and conduct of conscription, and observing military registration duties.

7. Stay in the operating reserve of the military personnel of bodies of military investigation of the Ministry of Defence consists in passing of military service when performing of the assigned operational tasks within intelligence activities. The order of stay in the operating reserve of the military personnel of bodies of military investigation of the Ministry of Defence is defined by the Minister of Defence of the Republic of Kazakhstan.

8. In the case of military service enlisted in the reserve, military training (course training of military personnel) or military service under contract, they shall be transferred to the category of military service enlisted in the reserve.

**Footnote.** The article 41 with the amendments made by the Law of Republic of Kazakhstan dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 10.06.2020 № 344-VI (shall enter into force upon the expiry of ten calendar days after the day of its first official publication); dated 15.04.2022 № 114-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); № 196-VIII of 24.06.2025 (shall go into effect upon expiration of ten calendar days after the day of its first official publication); № 211-VIII of 16.07.2025 (shall take effect upon expiration of sixty calendar days after the day of its first official publication).

## **Article 42. Age of retirement of being in stock**

1. Age of retirement of being in stock of draftees is:

- 1) enlisted personnel - up to fifty years inclusive;
- 2) for officer personnel – up to sixty years included.

2. Age of retirement of being in stock of women-draftees is:

- 1) enlisted personnel - up to thirty-five years inclusive;
- 2) for persons of officer personnel – until forty-five years included.

3. Draftees attained the age of retirement of being in stock, or persons recognized ineligible for military service on health condition with exclusion from military registration shall be transferred in resignation.

4. In war time the President of the Republic of Kazakhstan may increase the age of retirement of being in stock up to five years.

Footnote. Article 42, as amended by the Law of the Republic of Kazakhstan dated 15.04.2022 № 114-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

### **Article 43. Performance of military trainings**

1. Draftees shall be called up for training, verification and special military training camps or undergoes coursework on a reimbursable basis.

2. Draftees shall be called to active duty trainings lasting up to two months once every five years.

Completing a full course in the military service training program shall be equivalent to completing military training camps.

3. Draftees may be involved in verifying trainings for the term up to fifteen days for the period between active duty trainings.

4. General term of trainings for the time of being in stock may not exceed eighteen months for draftees. By this, time of being in verifying trainings shall be counted to the general term of being in active duty trainings.

5. Special military training camps shall be held for up to three months.

6. Those who are liable for military service for the period of military training shall retain their place of employment and their position, they shall be paid an average salary, but not higher than the average salary in the republic, and non-employees shall receive a minimum wage from budgetary funds.

Period of being of a draftee beyond the area of place of trainings without reasonable excuses shall not be counted to the term of performing the military trainings.

Footnote. Article 43 as amended by the Law of the Republic of Kazakhstan dated 18.03.2025 № 175-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication); № 202-VIII of 30.06.2025 (shall be effective sixty calendar days after the date of its first official publication); № 211-VIII of 16.07.2025 (shall be enacted upon expiration of sixty calendar days after the day of its first official publication).

## **Chapter 8. SOCIAL SECURITY OF MILITARY SERVANTS Article 44. Social security of military servants**

1. Military personnel, with the exception of those liable for military service during military training and military reservists, shall be provided with monetary allowances established on the basis of a unified system of remuneration for employees of the bodies of

the Republic of Kazakhstan maintained at the expense of the state budget, approved by the Government of the Republic of Kazakhstan in agreement with the President of the Republic of Kazakhstan.

Monetary allowances for military personnel, with the exclusion of conscripts, military students and cadets of military and special educational institutions shall include salaries (official salary and salary by military rank), allowances for special conditions of service and other allowances and surcharges envisaged by the legislation of the Republic of Kazakhstan.

The monetary allowance (scholarship) for military personnel, military students and cadets of military and special educational institutions shall include only the official salary.

For a service experience of official salary calculation shall be included:

- 1) length of service;
- 2) stay time in public service;

3) job experience in the last state organization before revenues to military service on senior positions or at positions on identical specialties.

The amounts of official salaries and salaries for military ranks of military personnel serving under contract shall be set at no less than the amounts of official salaries of civil servants in the corresponding positions and the amounts of additional payments for the corresponding special ranks and class ranks.

The monetary allowance shall not be paid to the military personnel for the periods:

- 1) absence on military service without valid excuse;
- 2) passings of military service not at military positions in the cases provided by Subparagraphs 6), 8) and 9) of Paragraph 5 of Article 21 of the present Law;
- 3) in detention;
- 4) in the cases provided by the legislation of the Republic of Kazakhstan.

The order of payment of a monetary allowance, stipends and other payments shall be established by authorized bodies.

1-1. Military reservists shall receive a monthly cash payment from budgetary funds in the amount of the minimum wage, with the exception of the period of combat training sessions or mobilization training in crisis situations.

Military reservists shall be paid from budgetary funds for the period of combat training sessions or mobilization training in crisis situations:

- for employed persons – average monthly salary at the place of work;
- for unemployed persons – minimum wage.

No other payments, allowances, or supplements are provided for military reservists.

2. Upon accomplishment of battle missions on searching, transferring, disposal and destruction of explosive ordnances and other explosive devices, military servants shall be paid by compensation in amount of one monthly calculation index per day in the manner determined by authorized body.

3. Military servants performing the service in positions linked with operation, storage of radioactive materials, ionizing radiation sources, extremely high frequencies and (or) components of rocket fuel, involved to these works and works on liquidation of accident consequences on objects linked with operation, storage of radioactive materials, ionizing radiation sources, extremely high frequencies and (or) components of rocket fuel, shall be provided by additional leave lasting up to twelve days a year proportionally to actually worked time.

4. Military personnel serving under contract, to pay for utility costs, with the exception of those living in closed and isolated military towns, in border departments and divisions, shall be paid monetary compensation in the manner determined by the first heads of authorized bodies, in the amount established by the law on the republican budget for the relevant financial year.

5. Medical support of military servants in military medical institutions (organizations, subdivisions) is carried out at the expense of budgetary funds.

5-1. In the absence at the place of military service or the place of residence of military personnel of military medical (medical) units or relevant departments in them, specialists or special equipment for medical reasons, medical assistance to military personnel shall be provided by healthcare entities:

1) within the guaranteed volume of free medical care in accordance with the Code of the Republic of Kazakhstan "On people's health and health care system";

2) in the system of compulsory social health insurance in accordance with the Law of the Republic of Kazakhstan "On compulsory social health insurance".

Payment for the services of healthcare entities for the provision of medical assistance to military servants specified in subparagraphs 1) and 2) of part one of this paragraph is carried out by the social health insurance fund.

Reimbursement of the costs of the social health insurance fund for the payment of services of healthcare entities for the provision of medical assistance to military servants within the guaranteed volume of free medical care and in the system of compulsory social health insurance is carried out at the expense of budgetary funds provided for the authorized body in the field of health care.

If there are medical indications, military personnel shall be provided with spa-resort treatment at the expense of the Armed Forces, other troops and military formations in the structure of which they serve.

During the period of combat training classes or training sessions, mobilization training in crisis situations, military reservists shall receive medical care at the expense of budgetary funds in the full amount provided for military personnel serving under contract.

6. Military personnel shall be provided with clothing property at the expense of budgetary funds according to the norms approved by the first heads of authorized state bodies in

agreement with the central authorized body for budget planning, and in the manner determined by the first head of the authorized body.

7. The military personnel is provided with food on the norms established by the first heads of authorized public authorities of the Republic of Kazakhstan in coordination with the central authorized body on budget planning, in cases:

- 1) pulling combat duty;
- 2) duty on guard;
- 3) incurring daily details;
- 4) participation in field extrications (access to sea);
- 5) carrying out of measures upon storm readiness in basing places;
- 6) keeping the watch in lighthouses;
- 7) performance of underwater tasks (works);
- 8) parachute jumping;
- 9) followings as a part of a military echelon, guard on protection and maintenances of military freight to the place of reception and back;
- 10) being in inpatient treatment (medical examination) in military medical (medical) subdivisions;
- 11) settlements on a guardroom;
- 12) participation in peacekeeping operation and also at arrival to a zone (area) of carrying out peacekeeping operation and back.

Military servants of flight personnel shall be ensured by food for the time of performing the military service.

Engineering and technical personnel admitted to maintenance of aviation equipment and flight servicing, shall be ensured by food for the period of preparation and flights operation.

In the absence of the possibility of providing food according to the established norms of basic food rations to military personnel serving under contract, monetary compensation in the amount of the cost of a general military ration shall be paid in the manner determined by the head of the authorized body.

Students of military departments (military faculties) who study free of charge within the course of military training practice, conscripts upon admission to military educational institutions, as well as candidates who have arrived for entrance exams and are in barracks at military colleges, shall be provided with meals as per the appropriate standards at the expense of budgetary funds. Students of military departments (military faculties) studying on a reimbursable basis, during the period of military schools shall be provided with meals as per the relevant norms at the expense of organisations of higher and (or) postgraduate education, in which the relevant military departments (military faculties are functioning).

The order of nutrition service shall be defined by the head of authorized body.

Military personnel of Armed Forces in military units of constant combat readiness at officers positions in divisions of a platoon (groups, calculation) and companies (batteries, a

separate platoon, the ship of 4 ranks) and also at positions of ordinary and non-commissioned officer's structures is provided by food (lunch) at the expense of the state in the working days established by regulations of working hours.

Military reservists shall be provided with:

- 1) food during combat training sessions, or mobilization training in crisis situations;
- 2) lunch during combat training classes.

8. Military personnel, in accordance with the procedure determined by the authorized body, have the right to travel at the expense of budgetary funds on railway, automobile and inland waterway transport in the following cases:

- 1) an appeal on military service, military cantonment;
- 2) transfer to a new place of service in another locality, including as part of a military unit (institution) or subdivision;
- 3) referrals by the competent authority for training in military, special educational institutions, and other educational institutions that implement postgraduate education programs, including foreign educational institutions, as well as upon graduation, apart from cases of expulsion due to academic failure, lack of discipline, other negative motives or upon their own initiative;
- 4) the directions military-medical divisions to the place of hospital treatment and back within the Republic of Kazakhstan, including for taking of the military-medical (flight) commission;
- 5) travel to an official journey and back;
- 6) travel on exercises, field exits (exits in the sea), parades of troops and back;
- 7) participation in emergency response and back;
- 8) participation in fighting, performance of tasks in the conditions of extraordinary or martial law and also in the conditions of armed conflicts;
- 9) participation in peacekeeping operations and safety;
- 10) participation in anti-terrorist operations;
- 11) followings as a part of guard on protection and maintenance of military freights, including the documents, products and military freights containing the data making the state secrets to places of reception (delivery) and back;
- 12) maintenances:  
teams with recruits, militaries;  
arrested, the detained military personnel, persons liable for call-up;  
coffin with a body of the dead (died) serviceman to the place of burial and back.

Military personnel and members of their families shall have the right to travel at the expense of budgetary funds by air transport in the manner determined by the head of the authorized body.

Military personnel, with the exception of cadets, cadets, conscripts and military reservists, when transferred to a new duty station in another area, are paid by the state for the

transportation of their own property within the Republic of Kazakhstan in the amount of one monthly calculation index for every 20 kilometers of highway in accordance with the procedure determined by the head of the authorized body.

When transferring military personnel, with the exception of cadets, cadets, conscripted military personnel and military reservists, to a new place of service in another area at a distance of more than 100 kilometers (including as part of a military unit (institution) or subdivision), they are paid a lifting allowance in the amount of two months' salary for the serviceman himself and half of the monthly salary. for each family member:

- 1) spouse (spouse);
- 2) a child (children), including a joint or one of the spouses, with the exception of a child (children) from a previous (previous) marriage (marriage (marriages), living (living) separately on the basis of a court decision;
- 3) joint or one of the spouses of a child with a disability (children with a disability), including a person with a disability (persons with a disability) from childhood, regardless of his (their) age, with the exception of a child with a disability (children with a disability) from a previous (previous) marriage (marriages) (marriage (marriages), living (living) separately on the basis of a court decision.

Moreover, if both spouses are military personnel or one of them is an employee of special state bodies of the Republic of Kazakhstan, then the lifting allowance for family members in the amount of half of the monthly monetary support for each family member shall be paid only to one of them in the procedure determined by the first head of the authorized state body.

9. Field payments shall be made in the amount of 1.2 times the monthly calculation index per day without payment of travel expenses for being on field trips (with the exclusion of special field work), regardless of the location outside the permanent place of residence, going to sea, participating in exercises or ship trips in the manner determined by the first head of the authorized public authority.

**Footnote.** Article 44 with the amendments made by Laws of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon the expiry of ten calendar days after day of its first official publication); dated 15.06.2015 № 321-V (shall be enforced upon the expiry of ten calendar days after day of its first official publication); dated 13.06.2017 № 69-VI (an order of enforcement see Article 2) ; dated 30.06.2017 № 80-VI (shall be enforced from 01.01.2020) ; dated 02.07.2018 № 165-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 10.06.2020 № 344-VI (shall enter into force upon the expiry of ten calendar days after the day of its first official publication); dated 16.11.2020 № 375-VI (shall enter into force upon the expiry of ten calendar days after the day of its first official publication); dated 15.04.2022 № 114-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 27.06.2022 № 129-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 19.04.2024 № 74-VIII (shall be enforced upon expiry of ten calendar days after the date

of its first official publication); dated 18.03.2025 № 175-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication); № 196-VIII of 24.06.2025 (shall be effective upon expiration of ten calendar days after the day of its first official publication); № 203-VIII of 30.06.2025 (shall come into force on 01.07.2025); № 211-VIII of 16.07.2025 (shall be put into effect upon expiration of sixty calendar days after the day of its first official publication).

#### **Article 45. Provision of housing for military servicemen and their family members**

Military personnel (excluding conscripts, military reservists, military students and cadets, conscripts called up for military training) and their family members shall be provided with housing for the period of military service at the expense of budgetary funds as per the procedure envisaged by the Law of the Republic of Kazakhstan “On Housing Relations”.

**Footnote. Article 45 as revised by Law of the Republic of Kazakhstan № 203-VIII of 30.06.2025 (shall take effect on 01.07.2025).**

#### **Article 46. Leaves for military servants**

1. Military personnel undergoing military service under a contract are granted annual basic leave with the payment of a health benefit in the amount of two official salaries, the duration of which is set depending on the length of service in calendar terms:

- 1) less than ten years – 30 days;
- 2) from ten to fifteen years – 35 days;
- 3) from fifteen to twenty years – 40 days;
- 4) twenty and more years – 45 days.

10 days of a holiday are provided to the military personnel who is at flight work, ship service, keeping the watch, active service, serving in areas according to the list established by the Minister of Defence of the Republic of Kazakhstan in addition to annual main leave.

Duration of annual main leave is estimated in calendar days without the holidays falling on days of a holiday irrespective of a daily routine and the regulations of working hours.

With the provision of annual basic leave to military personnel undergoing military service under a contract (military interns, military resident doctors, undergraduates, doctoral students, adjuncts) with the provision of summer vacation leave, a recovery allowance in the amount of two official salaries is paid.

The total of summer and winter vacation leave for military interns, military resident doctors, Master's degree students, Doctoral students, adjuncts shall be equal to annual basic leave.

In case of dismissal of a military serviceman undergoing military service under a contract from military service for negative reasons, he is obliged to reimburse the amount of health benefits in proportion to the time under-served.

- 1-1. Military reservists are granted annual leave at their place of work.

Annual work leave should not coincide with the period of classes or training camps.

2. Besides annual main leave the military personnel shall be granted the additional leaves provided by acts of the Republic of Kazakhstan.

The serviceman, except military personnel of conscription service, cadets and cadets, according to his official report is granted a child care leave before achievement of age of three years by it in the order determined by the Labor code of the Republic of Kazakhstan.

The general duration of annual main and additional leaves cannot exceed 60 days for the corresponding year, at the same time the additional time is provided which is necessary for the travel to the place of a holiday and back. The order of granting time needed for the travel to the place of a holiday and back, is established by Rules of passing of military service.

The leave of a military serviceman undergoing military service under a contract can be divided into parts, taking into account the interests of the service.

3. Military servants of compulsory service shall be provided by short-time leave in the form of incentive in the manner determined by general military charters.

4. If needed, military servicemen shall be provided with sick leave, short-term for family reasons, and those studying in military and special educational institutions (at military faculties) shall be provided with vacation leave.

The military personnel (except military personnel of conscription service, cadets and cadets) are granted educational leaves for preparation and taking entrance examinations, during training in the organizations of education implementing educational programs of the higher and postgraduate education for the term determined by the curriculum, and the military personnel who is applicants of academic degrees of the candidate, the doctor of science, degrees of the doctor of philosophy (PhD) and the doctor on a profile are granted with leaves in the order established by the legislation of the Republic of Kazakhstan.

5. Annual basic leave shall be discontinued in case of notifying mobilizing, military or emergency situation, in war time and in case of official necessity in the manner determined by the chief executive officer of the authorized body. By this the unused part of the leave shall be provided in current year or following year.

If unused part of the leave is ten calendar days and more, military servants shall be provided additionally by time required for travel to the place of leave and back.

The part of a leave which is not used in previous year is granted to the serviceman according to his official report separately in the current year or joined to the paid annual main leave.

6. Military servants directed beyond the boundaries of the Republic of Kazakhstan for carrying out of obligations imposed on them or to study shall enjoy the same rights for leave as those performing the service in the territory of the Republic of Kazakhstan.

7. Working spouses of military personnel may be granted annual leave simultaneously with the next vacation of their spouses by agreement with the employer. In this case, the duration of the vacation can be equal to the duration of the vacation of the spouse (spouse) by providing additional leave without pay under an agreement with the employer.

Footnote. The article 46 with the amendments made by the Law of Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 13.11.2015 № 298-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 15.04.2022 № 114-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 19.04.2024 № 74-VIII (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 18.03.2025 № 175-VIII (effective sixty calendar days after the date of its first official publication); № 196-VIII of 24.06.2025 (shall be enacted upon expiration of ten calendar days after the day of its first official publication).

#### **Article 47. Features of social security for military personnel undergoing military service under contract, enlisted and non-commissioned personnel**

Footnote. The title of Article 47 as amended by the Law of the Republic of Kazakhstan dated 18.03.2025 № 175-VIII (effective sixty calendar days after the date of its first official publication).

Military personnel serving in military service under a contract in military positions of ordinary and sergeant personnel who have served for at least eight years in calendar terms shall be entitled to reimbursement of training costs in organizations of higher and (or) postgraduate education of the Republic of Kazakhstan on a paid basis in the amount of fifty percent of the cost of training at the expense of budget funds. Military personnel can exercise this right once.

Compensation for mentioned expenses to military servant shall be carried out by authorized body in the structure of which the military servant performs military service.

When transferring a serviceman to another educational organization, the amount of reimbursement for training costs in organizations of higher and (or) postgraduate education of the Republic of Kazakhstan is subject to adjustment.

When granting academic leave to a serviceman, he retains the right to reimbursement of training costs in organizations of higher and (or) postgraduate education of the Republic of Kazakhstan.

A serviceman who has the right to reimbursement of training costs in organizations of higher and (or) postgraduate education of the Republic of Kazakhstan is guaranteed reimbursement of training costs in other organizations of higher and (or) postgraduate education in cases of liquidation and reorganization of the educational organization, suspension, revocation of the license of the educational organization in which he studied (is studying).

Footnote. Article 47 as amended by the Law of the Republic of Kazakhstan dated 15.04.2022 № 114-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

#### **Article 48. Features of social security for conscripts, ulans, cadets and cadets of military and special educational institutions**

Footnote. The heading of the article 48 in the wording made by the Law of Republic of Kazakhstan dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication); as amended by Laws of the Republic of Kazakhstan № 196-VIII of 24 .06.2025 (shall become effective ten calendar days after the date of its first official publication); № 211-VIII of 16.07.2025 (shall go into force upon expiration of sixty calendar days after the day of its first official publication).

Military servicemen, military students, cadets and lancers of military and special educational institutions shall be provided with clothing and food as per the standards approved by the first heads of competent authority in coordination with the central authorized body for budget planning.

At departure for the leave, the food ration is given for the period of getting the leave or vacation destination.

When being on short-term leave and upon returning home, military servicemen of fixed-term service, military students, cadets of military and special educational institutions on vacation and internships, shall have the right to travel at the expense of budgetary funds on railway, automobile and inland waterway transport. Military students studying at foreign military educational institutions shall also be given the right to travel by air at the expense of budgetary funds when they are sent to study and going on vacation and back.

Compensation on mailings in a size determined by the Ministry of Defence of the Republic of Kazakhstan in coordination with the first heads of the appropriate authorized public authorities and the central authorized body by budget planning is also paid to military personnel of conscription service, cadets of the first and second years of military educational institutions.

Military personnel shall be accommodated in barracks for the duration of their military service and training in a military or special educational institution. Cadets, military students and lancers may also be provided with dormitories for the period of their studies at a military or special educational institution.

Footnote. Article 48 as amended by the Law of the Republic of Kazakhstan dated 04.02.2013 № 75-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 18.03.2025 № 175-VIII (effective sixty calendar days after the date of its first official publication); № 196-VIII of 24.06.2025 (shall be put into effect upon expiration of ten calendar days after the day of its first official publication); № 211-VIII of 16.07.2025 (shall be enacted upon expiration of sixty calendar days after the day of its first official publication).

## **Article 48-1. Special features of social protection of conscripts, ulans, cadets and military students of military and special educational institutions**

Family members of military servicemen who are the nationals of the Republic of Kazakhstan shall enjoy the right to visit their close relatives from among military servicemen, as well as ulans, military students and cadets of military and special educational institutions to familiarize themselves with their lives and everyday life in the manner established by military regulations.

Footnote. Chapter 8 is supplemented by Article 48-1 in accordance with the Law of the Republic of Kazakhstan dated 02.10.2023 № 31-VIII (shall be enforced six months after the day of its first official publication); as amended by the Law of the Republic of Kazakhstan № 196-VIII of 24.06.2025 (shall be effective upon expiration of ten calendar days after the day of its first official publication); № 211-VIII of 16.07.2025 (shall be effective upon expiration of sixty calendar days after the day of its first official publication).

## **Article 49. Additional social security of separate categories of military servants**

Military servants participating (engaged) in combat actions, anti-terrorist and peace-keeping operations, and military servants of the bodies of military intelligence of the Ministry of Defence, participated in performance of imposed operative tasks within intelligence activities, shall be provided by additional leave lasting for two weeks that shall be added to annual leave.

For military servants participating (engaged) in combat actions and anti-terrorist operations, the period of combat actions and anti-terrorist operations shall be counted in years of service on a preferential basis as one month of service for three months.

For military servants participated (engaged) in peace-keeping operations, the period of participating in peace-keeping operations shall be counted for a military servant on a preferential basis as one month for one and a half month.

Upon return from peacekeeping operation the military personnel goes for sanatorium treatment at the expense of means of Armed Forces, other troops and military formations of the Republic of Kazakhstan in the structure where they take military service, for the term of not less than seven calendar days, but no more than twenty-one day.

Footnote. The article 49 with the amendments made by the Law of Republic of Kazakhstan dated 15.06.2015 № 321-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

## **Article 50. Social security of citizens dismissed from military service**

1. Persons discharged from military service upon reaching the age limit for military service, for health reasons, who have become ill in connection with the performance of military service duties, as well as those with twenty or more years of service, are provided

with medical care at the expense of budgetary funds in military medical institutions (organizations), and those with twenty-five and more years of service, – sanatorium-resort treatment in the presence of indications according to the list of diseases determined by the authorized body in the field of healthcare in coordination with the first heads of the relevant authorized state bodies.

1-1. Payment for the services of military medical institutions (organizations, subdivisions) for the provision of medical assistance to the persons specified in paragraph 1 of this article is carried out by the social health insurance fund:

1) within the guaranteed volume of free medical care in accordance with the Code of the Republic of Kazakhstan "On people's health and health care system";

2) in the system of compulsory social health insurance in accordance with the Law of the Republic of Kazakhstan "On compulsory social health insurance".

In the absence of military medical institutions (organizations, divisions) at the place of residence of the persons specified in paragraph 1 of this article, or the corresponding departments in them, specialists or special equipment for medical reasons medical assistance is provided by healthcare entities:

1) within the guaranteed volume of free medical care in accordance with the Code of the Republic of Kazakhstan "On people's health and health care system";

2) in the system of compulsory social health insurance in accordance with the Law of the Republic of Kazakhstan "On compulsory social health insurance".

Payment for the services of healthcare entities for the provision of medical assistance specified in subparagraphs 1) and 2) of part two of this paragraph is carried out by the social health insurance fund.

2. Persons mentioned in paragraph 1 of this Article shall be ensured by social adaptation upon dismissal from Armed Forces as well as for the purpose of acquiring civil specialties during performance of military service.

For the purpose of social adaptation of persons discharged from military service, the Ministry of Defence, in coordination with competent authorities in the field of education, science and higher education, shall develop and approve educational programs for pedagogical retraining.

Persons who are dismissed or discharged from military service (excluding persons dismissed for negative reasons without the right to re-enroll in military service), who served as officers, senior or higher sergeants, those who have higher and (or) postgraduate education and at least ten years of service may undergo pedagogical retraining free of charge in military educational institutions.

3. Persons dismissed from military service (with the exception of those dismissed in connection with the termination of citizenship of the Republic of Kazakhstan, in case of refusal of a special inspection, for negative reasons, for official inconsistencies identified by the results of attestation), have the right to travel at the expense of budgetary funds by rail,

road and inland waterway to the place of military registration or a chosen place of residence within the Republic of Kazakhstan.

To the persons discharged from military service (with the exception of those discharged from military service, in connection with the termination of citizenship of the Republic of Kazakhstan, in case of refusal of a special inspection, for negative reasons, for an official inconsistency identified by the results of attestation), money is paid at the expense of budgetary funds for the transportation of their own property within the Republic of Kazakhstan in the amount of one monthly calculation index for every 20 kilometers of highway.

This paragraph applies to persons discharged from military service after June 13, 2017, with the exception of military reservists.

**Footnote. The article 50 with the amendments made by the Law of Republic of Kazakhstan dated 02.08.2015 № 342-V (shall be enforced dated 01.01.2016); dated 30.06.2017 № 80-VI (shall be enforced from 01.01.2020); dated 02.07.2018 № 165-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 24.11.2021 № 75-VII (shall enter into force upon the expiry of ten calendar days after the day of its first official publication); dated 15.04.2022 № 114-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 18.03.2025 № 175-VIII (effective sixty calendar days after the date of its first official publication); № 211-VIII of 16.07.2025 (shall come into effect upon expiration of sixty calendar days after the day of its first official publication).**

#### **Article 50-1. Guarantees for the performance of military service duties by civilians of the Republic of Kazakhstan**

1. Civilians of the Republic of Kazakhstan who have served a fixed term of military service shall be entitled:

1) for admission to higher military and special educational institutions based on competitive selection conducted within the period of military service under the rules of competitive selection of military personnel for military service to receive educational benefits, within one year from the date of discharge from military service;

2) for admission to organizations of higher and (or) postgraduate education in educational programs of higher education on the basis of competitive selection conducted during the period of military service in accordance with the rules of competitive selection of military personnel for military service to receive educational benefits, within the quotas established by the legislation of the Republic of Kazakhstan, excluding educational programs of medical, pharmaceutical and pedagogical education;

3) for priority placement in a dormitory for the period of the first year of study in state institutions of higher and (or) postgraduate education or institutions of higher and (or)

postgraduate education, more than fifty percent of the voting shares (shares in the authorized capital) thereof belong to the state, or institutions of higher and (or) postgraduate education, where the state educational order is placed;

4) for admission to institutions of higher and (or) postgraduate education without considering the outcomes of the unified national testing and exams on a fee-based basis within two years from the date of dismissal;

5) for admission to educational institutions implementing educational programs of technical and vocational, post-secondary education, within the quotas established by the laws of the Republic of Kazakhstan;

6) to continue their studies during the academic period coinciding with the period of discharge from military service, according to individual curricula without losing an educational grant (previously refused to grant a deferral for continuing education and conscripted into military service at their own request);

7) to terminate the obligation to work out associated with training under a state educational order and stipulated in paragraph 17 of Article 47 of the Law of the Republic of Kazakhstan "On Education", without reimbursement of expenses incurred from budgetary funds related to training.

The effect of sub-paragraphs 4), 6) and 7) of part one of this paragraph shall apply, among other things, to reserve officers who have served the prescribed period of military service upon conscription.

2. Military servicemen of the fixed-term military service under bank loan agreements and (or) microloan agreements for a period including the duration of compulsory military service and sixty days after its completion shall be granted deferred payments on the principal debt and remuneration without accrual of remuneration for the loan and (or) microloan under the laws of the Republic of Kazakhstan.

3. Civilians who are called up for military service (with the exclusion of conscription, martial law and wartime) or military training, shall retain their place of employment (position) for the period of military service or military training.

A civilian who retained his place of employment (position) for the period of military service must begin his work duties no later than one month from the date of exclusion from the lists of a military unit (institution) due to his discharge from military service.

**Footnote. Chapter 8 has been supplemented by Article 50-1 in accordance with the Law of the Republic of Kazakhstan dated 06.05.2024 № 79-VIII (shall be enforced upon expiry of ten calendar days after the day of its first official publication); as revised by Law of the Republic of Kazakhstan № 211-VIII of 16.07.2025 (shall be put into effect sixty calendar days after the date of its first official publication).**

**Article 51. Compensations for military servants in case of death incidence (death) or receiving maim**

1. In the event of the death of a serviceman during his military service, a military reservist during his time in classes or training camps, crisis training camps, or a conscript called up for military training, upon establishing his disability or in the event of injury related to the performance of military service duties, payment of one-time compensation is made in accordance with the procedure determined by the Government of the Republic of Kazakhstan.

2. In the event of the death of a serviceman during military service or after discharge from military service as a result of injury (wound, trauma, contusion), illness received during military service, the heirs of the serviceman are paid a one-time monetary compensation in the amount of five-year salary for the last military position held, and the heirs of the serviceman, cadets, military reservists during periods of being in classes or training camps for combat training, crisis training camps, a person liable for military service who has been called up for military training – in the amount of 500 monthly calculation indices.

One-time monetary compensation for the death (death) of military personnel shall be paid before the expiry of three years from the date of the event and shall be carried out regardless of the previously paid one-time monetary compensation for the establishment of disability.

2-1. In the event of the death of a serviceman, families listed in subparagraph 1) of Article 8 of the Law of the Republic of Kazakhstan "On Veterans" shall have the right to free travel to the place of burial and back (but not more than three people), as well as to the elected place of residence within six months from the date of death of the serviceman.

3. One-time monetary compensation in cases when military personnel undergoing military service under a contract shall establish disability during the period of military service or before the expiration of one year from the date of dismissal from military service due to injury (injury, wound, concussions), diseases received during military service shall be paid in the following amounts:

- 1) an individual with a disability of the first group - thirty-month cash content;
- 2) a person with a disability of the second group - eighteen-month cash content;
- 3) a person with a disability of the third group - six-month cash content.

In the event that military personnel serving under a contract receive a severe injury (injury, wound, concussions) during the performance of military service duties that did not entail disability, they shall be paid a one-time compensation in the amount of one and a half month cash content; minor injury - half of the monthly cash content.

Fixed-term military service personnel, cadets receiving scholarships, military reservists during their time in classes or training camps, crisis training camps and military personnel called up for military training, shall be paid one-time monetary compensation in the cases provided for in this paragraph in the amount of:

- 1) an individual with a disability of the first group - 250 monthly calculated indicators;
- 2) an individual with a disability of the second group - 150 monthly calculated indicators;
- 3) an individual with a disability of the third group - 50 monthly calculated indicators;
- 4) for serious maim – 12 monthly calculation indices;

5) for minor maim – 4 monthly calculation indices.

4. Lump sum compensation shall not be paid, if in the manner established by the legislation of the Republic of Kazakhstan it is proved that death incident (death) of a military servant or maim received by them occurred:

1) in the result of self-murder with the exception of carrying to self-murder in existence of court decision entered into force;

2) at commission of criminal or administrative offenses;

3) as a result of the use of the substances causing a state alcoholic, narcotic, psychotropic, toxic intoxication (their analogues);

4) in the result of intended infliction of bodily damage to himself (herself) (self-injury) or other harm to own health for the purpose of receiving lump sum compensation or evading from military service;

5) in the result of actions of a military servant violating the conditions of contract on performance of military service;

6) as a result of the actions of a military reservist who violated the condition of the contract for military service in the reserve.

5. The burial of military personnel who died during military service or died as a result of mutilation (wounds, injuries, contusions), diseases resulting from the performance of military service duties, is carried out at the place of military service (training camps) or at the request of their relatives in another place. All expenses related to the preparation for transportation of the body, transportation of the body, burial, manufacture and installation of a tombstone monument are carried out at the expense of the authorized body in which the servicemen performed military service (training camps), in the amounts established by the Government of the Republic of Kazakhstan.

Provisions mentioned in this paragraph shall be applied to citizens dismissed from military service upon attainment of the age of retirement of being at military service, on health condition or due to personnel reduction having general length of military service of twenty-five years and more, as well as to participants of combat actions and anti-terrorist operations independently from general length of military service.

6. In case of death of receiver of pension payments for years of service from among military servants, his (her) family or person carried out burial shall be paid by lump sum payment for burial in amount of three pension payment for the moment of death of a receiver.

Family members of deceased recipients of long-service pension payments from among military personnel, regardless of the appointment of a survivor's benefit, shall be paid one-time benefits: a spouse (spouse) - in the amount of the breadwinner's three-month pension and for each disabled family member - in the amount of the breadwinner's monthly pension paid to him by the day of death.

When determining the amount of a one-time allowance provided for in this paragraph, family members entitled to benefits shall include: spouse (s) regardless of age and ability to

work; children under eighteen years of age or older, if they have a disability prior to the age of eighteen or have been full-time students on the date of death of the breadwinner and have not reached the age of twenty-three; dependent parents who have reached the retirement age established by the legislation or shall be individuals with disabilities.

7. Military personnel dismissed from military service for health reasons as a result of injury (injury, wound, concussions) received during the performance of military service duties shall be paid monthly in the amount and procedure determined by the Government of the Republic of Kazakhstan.

**Footnote.** Article 51 as amended by the Laws of the Republic of Kazakhstan dated 04.02.2013 № 75-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 23.04.2014 № 200-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 04.07.2014 № 233-V (shall be enforced dated 01.01.2015); dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 12.12.2017 № 114-VI (shall be enforced dated 01.01.2018); dated 06.05.2020 № 323-VI (shall enter into force upon the expiry of ten calendar days after the day of its first official publication); dated 15.04.2022 № 114-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 27.06.2022 № 129-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 11.07.2022 № 136-VII (shall enter into force from 01.01.2022); dated 18.03.2025 № 175-VIII (effective sixty calendar days after the date of its first official publication).

## **Article 52. Social security of military servants' family members**

1. Family members of military personnel undergoing military service under contract have the right to receive medical care in military medical institutions (organizations, subdivisions).

Payment for the services of military medical institutions (organizations, subdivisions) for the provision of medical assistance is carried out by the social health insurance fund:

1) within the guaranteed volume of free medical care in accordance with the Code of the Republic of Kazakhstan "On people's health and health care system";

2) in the system of compulsory social health insurance in accordance with the Law of the Republic of Kazakhstan "On compulsory social health insurance".

2. Family members of military personnel, with the exception of family members of cadets and conscripted military personnel, military reservists, who permanently reside with them, are granted the right to travel at the expense of budgetary funds on railway, automobile and inland waterway transport in the following cases:

transfer of a serviceman to another locality, including as part of a military unit (institution) or subdivision;

referrals of a serviceman by a competent authority for training with exclusion from the lists of a military unit (institution) to military, special educational institutions, and other

educational institutions that implement postgraduate education programs, в том числе иностранные учебные заведения, as well as upon graduation, excluding in cases of expulsion due to academic failure, lack of discipline, other negative motives or upon their own initiative;

dismissals of the serviceman from military service, except for dismissal in connection with loss of citizenship of the Republic of Kazakhstan, at refusal in special check, for negative motives, on the office discrepancy which came to light following the results of certification.

3. Children of military servants as well as of those died, deceased or missed during performance of service shall be provided by the places in childcare centres out of turn at the place of residence by local executive bodies.

Children of military personnel who died or were disabled while performing military service, or who went missing during their service, shall enjoy the right to non-competitive enrollment in military colleges and specialized educational institutions with advanced pre-conscription training.

4. In the event of the death of a military serviceman undergoing military service under a contract, a conscript serviceman, a cadet, a conscript called up for military training, a military reservist who is in classes or training camps for combat training and crisis training camps, as a result of injury (wounds, trauma, concussion) received during the performance of military service duties, the monthly monetary payments are made to the family members of the deceased serviceman in the amount and in the manner determined by the Government of the Republic of Kazakhstan.

Monthly monetary payment is made to children (including adopted, adopted, cohabiting stepsons and stepdaughters) until they reach the age of majority or until they graduate from a full-time educational institution in the system of general secondary, technical and vocational, post-secondary education, in the system of higher and (or) postgraduate education within the limits not exceeding twenty-three years of age, and also to the spouse (spouse) for life, regardless of the payment of allowance for the loss of the breadwinner, provided for by the Social Code of the Republic of Kazakhstan.

In the case of remarriage, the monthly monetary payment shall be terminated to the spouse of a serviceman deceased (died) as a result of injury (wounds, injuries, contusions) received while performing military service duties, who served under a contract, a conscript, a military student, a cadet, a conscript who was called up for military training, a military reservist who was in classes or training camps for combat training and crisis training.

The monthly cash payment shall be made from the date of submission of the application by the person entitled to receive it.

**Footnote. The article 52 with the amendments made by the Law of the Republic of Kazakhstan dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 30.06.2017 № 80-VI (shall be enforced**

from 01.01.2020); dated 11.07.2022 № 136-VII (shall enter into force from 01.01.2022); dated 20.04.2023 № 226-VII (shall be enforced from 01.07.2023); dated 18.03.2025 № 175-VIII (effective sixty calendar days after the date of its first official publication); № 196-VIII of 24.06.2025 (shall take effect upon expiration of ten calendar days after the day of its first official publication); № 203-VIII of 30.06.2025 (shall come into effect upon expiration of ten calendar days after the date of its first official publication); № 211-VIII of 16.07.2025 (shall take effect upon expiration of sixty calendar days after the day of its first official publication).

## **Chapter 9. RESPONSIBILITY OF MILITARY SERVANTS Article 53. Responsibility of military servants**

1. For violation of military discipline, a commander (head) shall apply the following types of disciplinary sanctions to a military servant:

- 1) admonition;
- 2) reprimand;
- 3) severe reprimand;
- 4) prevention on incomplete official competence;
- 5) reduction in position for one stage;
- 6) reduction in military rank for one stage;
- 7) dismissal from military service on negative motives.

2. In relation to military personnel of military service, cadets, in addition to those specified in paragraph 1 of this Article, the following types of disciplinary sanctions shall also be applied:

- 1) deprivation of regular dismissal from location of military unit or from a ship to bank;
- 2) deprivation of the identification badge of Armed Forces, other troops and military structures.

3. Excluded by Law of the Republic of Kazakhstan № 211-VIII of 16.07.2025 (shall be introduced into force sixty calendar days after the date of its first official publication).

4. Dismissal from military service for negative reasons shall not apply to military personnel serving on conscription, with the exception of dismissal from military service on the grounds provided for by subparagraphs 1) and 2) of paragraph 2 of Article 26 of this Law.

5. Bringing of military servants to disciplinary responsibility shall be performed in the manner established by the general military charters.

Footnote. The article 53 with the amendments made by the Law of the Republic of Kazakhstan dated 13.06.2017 № 69-VI (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 15.04.2022 № 114-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

### **Article 53-1. Material responsibility of military personnel**

1. Military personnel shall bear financial responsibility only for material damage caused by their fault.

Military personnel who caused damage not in the performance of military service duties shall be responsible in accordance with the Laws of the Republic of Kazakhstan.

It shall not be allowed to bring military personnel to material responsibility for material damage caused by force majeure and lawful actions.

2. For material damage caused by negligence in the performance of the duties of military service, shall bear financial responsibility:

1) military personnel, with the exception of conscripts, cadets, those liable for military service, conscripts, military reservists, as well as conscripted military officers – in the amount of damage caused by them, but not more than nine months salary;

2) military personnel, cadets - in the amount of damage caused by them, but not more than five months of monetary allowance (scholarships);

3) those liable for military service, conscripted for military training, and military reservists – in the amount of the damage they caused, but not more than one month salary.

3. Military personnel shall bear full financial responsibility in cases provided for by the legislation of the Republic of Kazakhstan.

**Footnote. Chapter 9 as added by Article 53-1 in accordance with the Law of the Republic of Kazakhstan dated 15.04.2022 № 114-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); as amended by the Law of the Republic of Kazakhstan dated 18.03.2025 № 175-VIII (effective sixty calendar days after the date of its first official publication).**

#### **Article 54. Responsibility of military personnel for crimes, misdemeanors and other offenses**

Military personnel for crimes, misdemeanors and other offenses bear criminal, administrative, civil and disciplinary responsibility in accordance with the Laws of the Republic of Kazakhstan.

Actions (inaction) of military personnel can be appealed to higher officials, to the court in the procedure established by the Laws of the Republic of Kazakhstan.

**Footnote. Article 54 in the wording of the Law of the RK dated 29.06.2020 № 351-VI ( shall enter into force on 01.07.2021).**

### **Chapter 10. TRANSITIONAL PROVISIONS**

#### **Article 55. Transitional provisions**

1. This Law enters into force upon expiry of ten calendar days after its first official publication, with the exception of paragraphs 2, 4 and 7 of Article 44 and Article 45 that shall enter into force from 1 January 2013.

2. Military servants awarded by military ranks before enforcement of this Law, the terms of service in these military ranks shall be calculated in accordance with the legislation being in force before entering into force of this Law.

Military servants as well as citizens being in stock or being in resignation having the military ranks “petty officer”, “master chief petty officer”, “warrant officer”, “midshipman”, “

“senior warrant officer”, “senior midshipman” awarded to them before entering into force of this Law, shall preserve these military ranks.

3. Military servants for which the ages of retirement of being at military service are changed by this Law shall have the right to dismiss or hand in resignation upon attainment of the following ages of retirement:

- 1) to half colonel (captain II rank) – forty-five years;
- 2) colonels (captains I rank) – fifty-three years;
- 3) colonels (captain I rank) being awarded by the military rank before 21 July 2005 – fifty years;
- 4) general-majors (real admirals) and general-lieutenants (vice admirals) being awarded by the military rank before entering into force of this Law – fifty-eight years;
- 5) general-majors (real admirals) and general-lieutenants (vice admirals) being awarded by the military rank before 21 July 2005 – fifty-five years;
- 6) general-colonels (admirals) being awarded by the military rank before entering into force of this Law – sixty years.

In case if such militaries were appointed to the next commissions after enforcement of the present Law, then limit ages of a state on military service are established according to Article 25 of the present Law.

3-1. Military servants performing military service with military ranks “petty officer”, “master chief petty officer”, “warrant officer”, “midshipman”, “senior warrant officer”, “senior midshipman”, shall perform military service in the manner determined by the Rules of performing the military service. For the mentioned category of military servants, the age of retirement of being at military service is the age established by subparagraph 2) of paragraph 1 of Article 25 of this Law.

3-2. The military personnel to whom the military rank "lieutenant colonel" is appointed from the date of enforcement of the present Law and till the January 1, 2018 have the right to leave or resign on reaching them age limit – forty-seven years.

4. Contracts on performance of military service concluded before entering into force of this Law shall be terminated upon expiry in accordance with the legislation being in effect before entering into force of this Law.

The contracts on taking military service signed before enforcement of the present Law for a period of up to achievement of age limit of a state on military service extend before achievement by the military personnel of the limit age established by Paragraph 1 of Article 25 of the present Law.

5. Housing payments shall be made to military personnel undergoing military service under a contract (apart from military students and cadets, conscripts called up for military training, military reservists who were in classes or training camps for combat training and

crisis training camps) in need of housing, as per their report, under the rules of housing for law enforcement officers, special government agencies, civil protection agencies and military personnel, approved by the Government of the Republic of Kazakhstan.

6. Persons who have been in military service for twenty or more years in calendar terms and live in a service dwelling, which shall not be subject to privatization, including due to its presence in the territory of closed and isolated military camps, border departments and other closed facilities, and those dismissed from military service until January 1, 2018 upon reaching the maximum age of their condition in military service, for health reasons or in connection with staff reductions, shall be entitled to receive monetary compensation in accordance with the Rules for the Implementation of Monetary Compensation approved by the Government of the Republic of Kazakhstan.

In the event of the death (death) of the person specified in this paragraph, the right to receive monetary compensation shall pass to the family members of the deceased (dead).

6-1. For persons who have been in military service for ten or more years, but less than twenty years in calendar terms, and living in a service dwelling, which shall not be subject to privatization, including due to its presence in the territory of closed and isolated military camps, border departments and other closed facilities, and those dismissed from military service until January 1, 2018 upon reaching the maximum age of condition in military service , for health reasons or in connection with staff reductions, the procedure for the exchange of housing from the public housing stock, established by Article 96 of the Law of the Republic of Kazakhstan "On Housing Relations," shall be being extended.

In the event of the death (death) of the person specified in this paragraph, the right to exchange dwellings shall pass to the family members of the deceased (dead).

7. Persons who have been in military service for twenty or more years in calendar terms, not provided with the dismissal of the service accommodation and previously failed to realize the right of privatization of the accommodation, dismissed from military services during the period from January 1st, 2013 to January 1st, 2018 upon reaching the age limit of the state in the military service, for health reasons or in connection with the staffing reduction, have the right to receive monetary compensation in accordance with the rules of monetary compensation.

In the event of the death (death) of the person specified in this paragraph, the right to receive monetary compensation shall pass to the family members of the deceased (dead).

8. **As excluded by the Law of the Republic of Kazakhstan dated 15.04.2022 № 114-VII ( shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

9. Citizens who first entered military service under a contract for military positions of ordinary and sergeant personnel before January 1, 2013 shall be paid a one-time monetary remuneration, depending on the term of the contract concluded in the following amounts:

for 3 years – in amount of 1 official salary;

for 5 years – in amount of 10 official salaries;  
for 10 years – in amount of 20 official salaries.

Payment of mentioned pecuniary recompenses shall be made no later than three months from the date of conclusion of the contract.

Received lump sum pecuniary recompense shall be subject to refund:

1) in case of dismissal from military service before the expiration of the contract on military service in cases provided for by paragraphs 7), 9) and 11) of paragraph 1 of Article 26 of this Law;

2) if in the manner established by the legislation of the Republic of Kazakhstan, it is proved that the wound, contusion, injury, maim or disease unsuited with the further performance of military service occurred upon commission of illegal actions by military servants or on the reason of alcohol, drug, toxic intoxication or infliction of any bodily damage (self-injury) to themselves or other harm to own health for the purpose of evading from military service.

Refund of paid lump sum of pecuniary recompense shall be performed to the state body in which a military servant performed military service in monthly term from the date of his (her) dismissal from military service.

In case of death incident (death), receipt of wound, contusion, injury, maim or disease unsuited with the further performance of military service, refund of lump sum pecuniary recompense shall not be made to military servants during the period of performing the military service.

9-1. Among other things, paragraph 4 of Article 52 of this Law shall apply to persons who, as of January 1, 2022, were widows (widowers) and children of military servicemen who deceased (died) while serving under contract, as well as military servicemen of fixed-term service, military students, cadets, conscripts, military reservists who were in training or combat training and crisis training camps.

10. Shall be deemed to have lost force from the date of entering into force of this Law:

1) the Law of the Republic of Kazakhstan dated 20 January 1993 “On status and social protection of military servants and their family members” (The Bulletins of the Supreme Soviet of the Republic of Kazakhstan, 1993, № 2, Article 32; № 18, Article 429; 1995, № 20, Article 120; № 22, Article 133; the Bulletin of the Parliament of the Republic of Kazakhstan, 1997, № 7, Article 79; 1999, № 8, Article 247; № 23, Article 920; 2001 № 20, Article 257; 2003 № 15, Article 135; 2004 № 23, Article 142; 2007, № 9, Article 67; № 10, Article 69; № 20, Article 152; 2009, № 2-3, Article 8; 2011, № 1, Article 7; № 16, Article 129);

2) the Law of the Republic of Kazakhstan dated 8 July 2005 “On military obligation and military service” (The Bulletin of the Parliament of the Republic of Kazakhstan, 2005, № 14, Article 60; 2007, № 9, Article 67; № 20, Article 152; 2008, № 6-7, Article 27; 2010, № 10, Article 48; № 24, Article 151; 2011, № 1, Article 7; № 17, Article 136; the Law of the Republic of Kazakhstan dated 9 November 2011 “On amendments and supplements in

several legislative acts of the Republic of Kazakhstan on the issues of improvement of law enforcement activity and further humanization of criminal legislation" published in newspapers "Yegemen Kazakhstan" 15, 16 November 2011 and "Kazakhstanskaya Pravda" 15, 16 and 19 November 2011).

Footnote. Article 55 as amended by the Law of the Republic of Kazakhstan dated 23.04.2014 № 200-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 13.06.2017 № 69-VI (an order of enforcement see Article 2); dated 12.12.2017 № 114-VI (shall be enforced dated 01.01.2018); dated 16.11.2020 № 375-VI (shall enter into force upon the expiry of ten calendar days after the day of its first official publication); dated 15.04.2022 № 114-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); № 203-VIII of 30.06.2025 (see Art. 2 for the enactment procedure).

*The President  
of the Republic of Kazakhstan*

*N. Nazarbayev*

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