

## On access to information

### *Unofficial translation*

Law of the Republic of Kazakhstan dated November 16 2015 № 401-V.

### Unofficial translation

This Law regulates the social relations, arising in a result of implementation of constitutional law of everyone to freely receive and disseminate information by any means not prohibited by law

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

The following basic definitions shall be used in this Law:

- 1) information - details of persons, objects, facts, events, phenomena and processes recorded in any form, compiled or obtained by information holders and available to them;
- 2) access to information – state-guaranteed, formalized in Constitution and Laws of the Republic of Kazakhstan the right of everyone to freely receive and disseminate information in any way not prohibited by law;
  - 2-1) authorized body in the field of access to information - the central executive body exercising guidance and intersectoral coordination in the field of access to information;
- 3) Information user – an individual or legal entity, requesting and (or) using information;
  - 3-1) proactive dissemination of information - dissemination of information, except for information with restricted access, without a request from the information user and at the initiative of the information holder in the interests of ensuring transparency of its activities and (or) public participation in the adoption of acts and decisions affecting the rights and legitimate interests of an unlimited number of persons;
- 4) open budget web portal – an object of informatization, providing placement of budget reporting, consolidated financial statements, civil budget, results of state audit and financial control and other materials, information and documents subject to publication in accordance with the Budget Code of the Republic of Kazakhstan, as well as public discussion of budget programs and reports on the implementation of budget programs;
- 5) open data - data presented in a machine-readable form and intended for further use, re-publication in an unchanged form;
- 6) open data web portal - an information portal hosting descriptive and referential information on open data in a centralised location;
  - 6-1) an open dialogue web portal - an information resource enabling information users to submit queries via a blog platform to the first leaders of quasi-public sector entities, excluding those with 100% state participation, as well as participation of information users in web conferences and surveys;

7) open regulatory legal acts web-portal – an object of informatization, providing placement of draft regulatory legal acts and other information in accordance with this Law to conduct the procedure of public discussion, with exception of information with restricted access;

7-1) socially significant information – information representing public interest, established by Article 6 of this Law;

8) information with restricted access – information classified as state secrets, personal, family, banking, commercial secret, secret of a medical worker and (or) other secrets, protected by law, personal data of restricted access, as well as official information designated for limited distribution;

8-1) a blog platform of the first leaders of quasi-public sector entities, excluding wholly state-owned entities - an information platform enabling citizens to submit queries and receive responses from the first leaders of quasi-public sector entities;

9) excluded by the Law of the Republic of Kazakhstan dated 30.12.2020 № 394-VI (shall come into effect ten calendar days after the day of its first official publication);

10) a unified platform of Internet resources of state bodies - a technological platform designed for placing of Internet resources of state agencies;

11) a web portal for evaluating the performance of state bodies – an object of informatization, enabling the posting of information on evaluating the performance of state bodies, reports on the achievement of target indicators of development plans of state bodies and development plans of the region, city of republican significance, capital city, developed in accordance with the legislation of the Republic of Kazakhstan, as well as public discussion of the activities of state bodies;

11-1) excluded by Law of the Republic of Kazakhstan dated № 177-VII of 30.12.2022 ( shall be enacted ten calendar days after the date of its first official publication);

12) request – a polite ask in oral or written form, including the form of an electronic document, on the provision of information, sounded or directed to the information owner in the manner established by this Law.

Footnote. Article 1 as amended by the Law of the Republic of Kazakhstan dated 30.12.2020 № 394-VI (shall come into effect ten calendar days after the day of its first official publication); dated 12.03.2021 № 15-VII (shall come into effect upon the expiration of ten calendar days after the day of its first official publication); dated 30.12.2021 № 96-VII (shall be enforced upon expiration of sixty calendar days after the day of its first official publication); № 141-VII of 14.07.2022 (shall be enforced ten calendar days after the date of its first official publication); № 177-VII of 30.12.2022 (shall enter into force ten calendar days after the date of its first official publication); dated 13.01.2025 № 157-VIII (shall be enforced sixty calendar days after the date of its first official publication); dated 15.03.2025 № 172-VIII (shall be enforced from 01.01.2025).

**Article 2. The legislation of the Republic of Kazakhstan on access to information**

1. The legislation of the Republic of Kazakhstan on access to information is based on the Constitution of the Republic of Kazakhstan and consists of this Law and other regulatory legal acts of the Republic of Kazakhstan.

2. If the international treaty, ratified by the Republic of Kazakhstan establishes the other rules, than those provided by this Law, the rules of international treaty shall be applied.

### **Article 3. The scope of application of this Law**

1. This Law shall remain in effect in the territory of the Republic of Kazakhstan and shall be distributed on the public relations, linked with the accession to information not related to information with restricted access.

2. This Law shall not apply to appeals of individuals and legal entities, the procedure for consideration of which is established by the legislation of the Republic of Kazakhstan on administrative offences, administrative proceedings, as well as criminal procedural, civil procedural legislation of the Republic of Kazakhstan.

3. The operation of this Law shall not apply to the manner of consideration the requests established by the Law of the Republic of Kazakhstan on “the National Archival Fund and Archives”.

4. The effect of this Law shall not extend to the procedure for providing information to the mass media, as provided for by the Law of the Republic of Kazakhstan "On Mass Media".

**Footnote. Article 3 as amended by the Law of the Republic of Kazakhstan dated 29.06.2020 № 351-VI (shall come into effect from 01.07.2021); dated 19.06.2024 № 94-VIII (shall be enforced upon expiry of sixty calendar days after the date of its first official publication).**

### **Article 4. Main objective and tasks of ensuring the access to information**

1. The main objective of ensuring the access to information shall be establishing a legal framework to ensure the effective exercise of the constitutional right of every individual to freely receive and disseminate information by any means not prohibited by law.

2. Main tasks to ensure the access to information shall be:

- 1) establishing legal, economic and social conditions for free and equal access to information;
- 2) protection and defense of everyone's right of access to information;
- 3) regulation of social relations between holders and users of information;
- 4) establishing mechanisms for the realization of the right of access to information and responsibility for unlawful restriction of this right;
- 5) timely and complete informing of information users.

**Footnote. Article 4 as amended by the Law of the Republic of Kazakhstan dated 13.01.2025 № 157-VIII (shall be enforced sixty calendar days after the date of its first official publication).**

#### **Article 4-1. Basic principles of ensuring the access to information**

1. Information held by information holders shall be considered publicly accessible (presumption of openness), except in cases provided for in Article 5 of this Law.

2. Ensuring the access to information shall base on the following basic principles:

1) legality

2) openness and transparency of information holders' activity;

3) credibility and fullness;

4) actuality and timeliness;

5) equable access to information;

6) non-disclosure of the state secrets and other secrets protected by the law;

7) personal privacy, personal and family secrets;

8) observance of rights and legal interests of individual and legal entities;

9) consideration of the needs of persons with disabilities;

10) proactive dissemination of information;

11) responsibility for violation of the requirements of the legislation of the Republic of Kazakhstan on the access to information.

**Footnote.** The Law supplemented by Article 4-1 in accordance with the Law of the Republic of Kazakhstan dated 13.01.2025 № 157-VIII (shall be enforced sixty calendar days after the date of its first official publication).

#### **Article 5. Restriction of the Right of Access to Information**

1. The right on access to information can be restricted only by laws and only to the extent necessary for the safety of the constitutional order, the defense of public order, human rights and freedoms, public health and morality.

2. Access to information may be restricted only for a specific period necessary to achieve the objectives set forth in paragraph 1 of this Article.

3. Where only part of the information falls under the criteria established in paragraph 1 of this Article, access shall be limited exclusively to that part.

4. The duration of the restriction may be reconsidered in the event that the purposes outlined in paragraph 1 of this Article have not been fulfilled within the prescribed period.

**Footnote.** Article 5 as amended by the Law of the Republic of Kazakhstan dated 13.01.2025 № 157-VIII (shall be enforced sixty calendar days after the date of its first official publication).

#### **Article 6. Information of public significance that shall not be subject to access restrictions**

**Footnote.** The title of the article is as amended by the Law of the Republic of Kazakhstan dated 13.01.2025 № 157-VIII (shall be enforced sixty calendar days after the date of its first official publication).

Access shall not be restricted to the following publicly significant information:

1) emergency situations and disasters that threaten the safety and health of citizens and their consequences, as well as natural disasters, their official forecasts and consequences;

- 2) on health situation, sanitation, demography, migration, education, culture, social security, economy, agriculture, as well as the crime situation;
- 3) facts of the commission of terrorism acts;
- 4) the state of ecology, fire safety, as well as on the sanitary-epidemiological and radiation situation, food safety;
- 5) privileges, compensations and benefits provided to individuals and legal entities by the state;
- 6) facts of violation of human and civil rights and freedoms;
- 7) on the size of the gold and foreign exchange reserves of the National Bank of the Republic of Kazakhstan;
- 8) containing texts of normative legal acts of the Republic of Kazakhstan, with the exception of normative legal acts containing state secrets and other secrets protected by law, as well as their projects;
- 9) the formation and expenditure of funds from the republican and local budgets, with the exception of information containing state secrets;
- 10) information concerning oversight, state audit, and financial control over the expenditure of funds from the republican and local budgets, as well as the use of state assets, except for information containing state secrets or other information protected by law;
- 11) facts of violation of the lawfulness of information owners, their civil servants;
- 12) mass repressions on political, social and other grounds, including that located in the archives, with the exception of information related to state secrets of the Republic of Kazakhstan;
- 13) information on the implementation of the items of the investment plan of a state body and other documents of the State Planning System of the Republic of Kazakhstan;
- 14) information on the ownership of electric grid facilities, except for information containing state secrets or other information protected by law;
- 15) statistical data on the state of the field of digital assets.

**Footnote. Article 6 as amended by the Law of the Republic of Kazakhstan dated 13.01.2025 № 157-VIII (shall be enforced sixty calendar days after the date of its first official publication).**

#### **Article 6-1. Competence of the Government of the Republic of Kazakhstan in information area**

The Government of the Republic of Kazakhstan shall develop the main state policy directions in the information access area and organize their implementation.

**Footnote. The Law supplemented by Article 6-1 in accordance with the Law of the Republic of Kazakhstan dated 30.12.2020 № 394-VI (shall come into effect ten calendar days after the day of its first official publication); dated 19.04.2023 № 223-VII (shall be enforced ten calendar days after the date of its first official publication).**

#### **Article 6-2. Competence of authorized bodies**

1. Authorized body in the field of access to information shall:

1) formulate and implement the state policy in the field of access to information in accordance with the legislation of the Republic of Kazakhstan based on and in implementation of the main directions of the internal and foreign policy of the state, as defined by the President of the Republic of Kazakhstan, and the main directions of the socio-economic policy, national defense, security, and public order as developed by the Government of the Republic of Kazakhstan;

2) exercise state control in the field of access to information;

3) provide practical and methodological assistance to information holders on issues related to access to information;

4) interact with information holders and users on matters concerning access to information ;

5) approve a unified list of open data of state bodies to be published on the open data internet portal;

6) approve the rules for the informational content of state bodies' internet resources and the requirements for their content;

7) provide annually, no later than June 1, an annual report to the President of the Republic of Kazakhstan on the state of the sphere of access to information in the Republic of Kazakhstan;

8) place on its Internet resource an annual report on the state of the sphere of access to information in the Republic of Kazakhstan;

9) determine the amount of actual costs for copying or printing and the procedure for their payment to the information holder, as well as the procedure for exempting socially vulnerable population segments from paying actual costs for copying or printing;

10) develop and approve regulatory legal acts in the sphere of access to information in accordance with the goal and objectives of this Law and the legislation of the Republic of Kazakhstan;

11) exercise other powers provided for by this Law, other laws of the Republic of Kazakhstan, acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan.

2. Authorized body in the field of informatization shall:

1) ensure the implementation of the state policy in the field of access to information in terms of the creation, search, collection, accumulation, storage, processing, receipt, use, transformation, display, distribution and provision of electronic information resources contained in informatization objects;

2) analyzes data, except for information with restricted access, contained in the objects of informatization of state bodies, for their subsequent placement on the Internet portal of open data in the manner determined by the authorized body in the field of informatization in agreement with the authorized body in the field of access to information;



3) excluded by the Law of the Republic of Kazakhstan dated 13.01.2025 № 157-VIII (shall be enforced sixty calendar days after the date of its first official publication);

4) exercise other powers provided for by this Law, other laws of the Republic of Kazakhstan, acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan.

Footnote. The law supplemented by Article 6-2 in accordance with the Law of the Republic of Kazakhstan dated 30.12.2020 № 394-VI (shall come into effect ten calendar days after the day of its first official publication); as amended by Law of the Republic of Kazakhstan № 157-VII of 05.11.2022 (shall become effective ten calendar days after the date of its first official publication); dated 19.04.2023 № 223-VII (shall be enforced ten calendar days after the date of its first official publication); dated 02.10.2023 № 31-VIII (shall be enforced six months after the date of its first official publication); dated 13.01.2025 № 157-VIII (shall be enforced sixty calendar days after the date of its first official publication).

#### **Article 7. Rights and duties of the information user**

1. The information user shall have the right:

- 1) receive and disseminate information in any way not prohibited;
- 2) apply for information;
- 3) verify the reliability and completeness of the information received;
- 4) recall the request;
- 5) not justify the necessity for receiving information;
- 6) to appeal against unlawful restriction of the right on access to information, actions (inaction) of civil servants;
- 7) demand, in accordance with the procedure established by law, compensation for material damage and moral harm caused to him by violation of his right on access to information.

2. The information user shall be obliged to comply with the requirements of this Law.

#### **Article 8. Information holder**

The information holders are:

- 1) bodies and institutions of the legislative, executive and judicial branches of state power, local government and self-government bodies;
- 2) state institutions that are not state bodies;
- 3) subjects of the quasi-state sector;
- 4) legal entities that are recipients of budgetary funds - with regard to information related to the use of funds allocated from the state budget;
- 5) subjects of state, special law - in terms of information relating to prices for goods (works, services) produced (sold) by them;
- 6) legal entities - in terms of their environmental information, information on emergency situations, natural and man-made disasters, their projections and consequences, the state of fire safety, sanitary and epidemiological and radiation situation, food safety and other factors

that have a negative impact on health and ensuring the safety of citizens, settlements and production facilities;

7) performers of functions of central and (or) local executive bodies.

**Footnote. Article 8 as amended by Laws of the Republic of Kazakhstan dated 28.12.2016 № 34-VI (shall be enforced from 01.01.2017); dated 30.12.2020 № 394-VI (shall come into effect ten calendar days after the day of its first official publication); dated 03.01.2022 № 101 -VII (shall be enforced from 01.07.2022).**

## **Article 9. Rights and obligations of information holder**

1. The information holder shall have the right:

1) to send a request to the relevant information owner, whose competence is to provide the requested information;

2) clarify the content of the request from the person who applied for the request;

3) refuse to provide information in cases and on the grounds established by the laws of the Republic of Kazakhstan.

2. The information holder is obliged to:

1) provide access to information;

2) provide, within the limits of their authority, the organizational technical and other conditions that necessary for effective and timely access to information, created and (or) collected in the process of his activity;

3) provide reliable and complete information;

4) ensure, in the provided information, the availability of information about the civil servants in an amount sufficient for identification;

5) ensure compliance with the statutory deadlines for the provision of information;

6) keep records, generalization and analysis of requests;

7) provide appropriate conditions for persons with disabilities in the provision of information;

8) ensure the uninterrupted functioning of Internet resources containing information;

9) provide the advance training for civil servants and employees in the field of providing access to information;

10) conduct an internal control over the quality and timeliness of the provision of information;

11) comply with legislation of the Republic of Kazakhstan on state secrets and other secrets protected by law;

12) put up the information on a permanent basis, in the form of public data, on the Internet portal of open data that does not relate to information with restricted access;

12-1) timely update, within the limits of their competence, the information posted on the Internet portals of open data, open budgets and assessing the effectiveness of the activities of state bodies;



13) carry out other duties provided for by this Law and other laws of the Republic of Kazakhstan.

2-1. Information holders, specified in subparagraph 1) of Article 8 of this Law, shall be obliged to:

1) have an authorized structural unit or designate an authorized person for access to information, which carries out internal monitoring, coordination and control of access to information in the possession of the information holder;

2) when making the decision on restriction of the right of access to information, have regard to Article 5 of this Law;

3) proactively disseminate information that is created and (or) collected in the process of their activities, except for information with restricted access.

proactive dissemination of information shall be carried out in the form of placement of open data, not included in the unified list of open data of state bodies, placed on the Internet portal of open data, based on the analysis of frequently requested and demanded information, on their own initiative.

3. In addition to the responsibilities specified in paragraph 2 of this article, heads of central executive bodies (with the exception of the ministries of defense and foreign affairs of the Republic of Kazakhstan), akims and heads of national higher educational institutions are required to report to the population on the work done.

**Footnote.** Article 9 as amended by Laws of the Republic of Kazakhstan dated 06.04.2016 № 484-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 30.12.2020 № 394-VI (shall come into effect ten calendar days after the day of its first official publication); № 129-VII of 27.06.2022 (shall be brought into force ten calendar days after the date of its first official publication); dated 02.10.2023 № 31-VIII (shall be enforced six months after the date of its first official publication); dated 13.01.2025 № 157-VIII (shall be enforced sixty calendar days after the date of its first official publication).

## **Article 10. Ways of providing access to information**

Access to information shall provide in the following ways:

1) provision of information on request;

2) publication of information in the premises occupied by the information holders, and in other places designated for these purposes;

3) ensuring access to open meetings;

4) hearing and discussing the reports of the heads of central executive bodies (except for the ministries of defence, foreign affairs of the Republic of Kazakhstan), akims and heads of national higher educational institutions;

5) publication of information in the mass media;

6) publication of information on the Internet resource of the information holder;

7) publication of information on the relevant components of the web portal “electronic government”;

- 7-1) compliance with the standard of openness of information holders;
- 8) in other ways not prohibited by the legislation of the Republic of Kazakhstan.

**Footnote. Article 10 as amended by Laws of the Republic of Kazakhstan dated 06.04.2016 № 484-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 30.12.2020 № 394-VI (shall come into effect ten calendar days after the day of its first official publication); dated 02.10.2023 № 31-VIII (shall be enforced six months after the date of its first official publication).**

#### **Article 11. Provision of information on request**

- 1. Information on request shall be provided by free of charge.
- 2. Any information shall be available on request, except for information with restricted access.
- 3. The request shall be addressed to the information holder, whose competence is to provide the requested information.

The request can be presented orally or in written form, including in the form of an electronic document.

- 4. The information user may address an oral request in person or by phone.

The answer to the oral request shall be provided for the following information:

- 1) work schedule of the information holder;
- 2) postal addresses, e-mail addresses and (or) Internet resources, telephone information services of information holders, their structural divisions, territorial bodies and subordinate organizations, as well as data on their leaders;
- 3) the procedure for the admission of individuals and representatives of legal entities;
- 4) the procedure for consideration of inquiries, requests, applications and complaints of individuals and legal entities;
- 5) the procedure for the provision of public services;
- 6) schedules of consideration of court cases;
- 7) data on the date and venue of open competitive bidding (auctions, tenders);
- 8) time, the place of convocation of a local community meeting, local community meetings and the discussed issues;
- 9) details on the mass media established by the information holder (if any);
- 10) telephone number for receiving the information on vacant posts.

In case of providing an answer to oral request, the name and position of the person who provided the response shall be indicated.

- 5. The written request must state:

- 1) surname, first name, patronymic (if specified in the identity document), individual identification number of the natural person requesting the information;
- 2) when applying on behalf of a legal entity - full name of the legal entity, business identification number, outgoing number and date, name, initials and position of the person signing the request.

The request must state the postal or e-mail address, telephone or telefax number and other means of communication.

A written request must be signed by a natural person or a representative of a legal entity. A request in electronic form must be certified by electronic digital signature.

A request made electronically via a blogging platform by the first executives of quasi-public sector entities, excluding those with 100 per cent state participation, shall be treated as a written request.

A request sent via the blog platform of the first leaders of quasi-public sector entities, other than those with 100 per cent state participation, shall not be required to be signed by the information user, provided the user has an account on the e-government web portal and the information user's subscriber number provided by the mobile network operator is connected thereto.

6. The information user who directly addressed the information holder and submitted the request in written form shall be given a coupon indicating the date and time, last name and initials of the person who accepted the request.

7. Written requests submitted in accordance with the procedure established by this Law, with the exception of anonymous requests, shall be subject to mandatory acceptance, registration, record and consideration.

8. Written requests may be entry through a representative of an individual or legal entity. Registration of representation shall be made in the order established by the civil legislation of the Republic of Kazakhstan.

9. Requests received by public information systems and corresponding to the requirements of the legislation of the Republic of Kazakhstan on electronic document and electronic digital signature shall be considered in the order established by this Law.

10. An answer to a written request shall be provided within fifteen calendar days from the date of receipt to the information holder.

In cases when the requested information falls within the competence of several information holders and when an answer to a written request requires the receipt of information from other information holders, the review period can be extended only once by the information holder for no more than fifteen calendar days, which the information user shall be notified within three business days from the date of extension of the review period.

11. A written request received by the information holder, whose competence does not include the provision of the requested information, shall be sent to the appropriate information holder within a period not later than three business days from the date of receipt of the request, while notifying the information user that sent the request about it.

12. The answer to a written request shall be provided by the information user's choice of on paper and (or) electronic forms in the language of the request.

The answer to oral request shall be provided orally in the language of the request.

13. If the answer to a written request requires copying or printing, then the information user shall be obliged to compensate the actual costs of copying or printing to the information holder.

The number of actual costs for copying or printing and the procedure for their payment are subject to mandatory publication in periodicals distributed throughout the territory of the Republic of Kazakhstan, and placement on the Internet resources of information owners.

Socially vulnerable segments of the population shall be exempted from paying the actual costs of copying or printing.

14. The answer to a written request shall include: the name, postal address of the information holder, the post of the person who signed the answer, date and number of registration of the request.

15. If the requested information is placed in the manner established by this Law, the information owner can notify the information user about this, but not later than three business days, while sending him details about the methods and place of access to the requested information.

Upon repeated application, the information holder shall provide the requested information in the manner provided by this article.

16. The provision of access to information shall be refused if:

- 1) the content of the request does not allow to establish the requested information;
- 2) the request does not comply with the requirements of this Law;
- 3) the requested information relates to information with restricted access;
- 4) the request raises the issue of the legal assessment of acts adopted by the information holder, analysis of the information holder's activity or subordinate bodies and organizations to them, or conducting other analytical work before its completion;
- 5) before adoption of a decision on the results of inspections conducted within the framework of state control and supervision;
- 6) before adoption of a final decision based on inter-departmental and intra-departmental correspondence or on the basis of meetings in state bodies;
- 7) before adoption of a mutual agreement on the conditions for disclosure of documents received from foreign states or international organizations.

17. A reasoned answer the refusal of providing information on a written request is communicated to the information user within five business days from the date of registration of the request.

18. Heads of information holders bear personal responsibility for organizing the work with requests, for the condition of their reception, registration, record and consideration.

**Footnote. Article 11 as amended by the Law of the Republic of Kazakhstan dated 30.12.2020 № 394-VI (shall come into effect ten calendar days after the day of its first official publication); № 177-VII of 30.12.2022 (shall be promulgated ten calendar days after the date of its first official publication).**

## **Article 12. Placement of information in the premises occupied by information holders**

1. Information holders in the premises occupied by them, shall place information stands and (or) other technical means of similar purpose with information on their activities.

Information holders, whose activities are related to the protection of public order and ensuring public safety, shall be obliged to provide round-the-clock free access to the information stands and (or) other technical means of a similar purpose with information about their activities.

2. The information specified in paragraph 1 of this article contains:

- 1) the procedure for the information holder, including the procedure for the reception of individuals and representatives of legal entities;
- 2) conditions and procedure for obtaining information;
- 3) other details.

**Footnote.** Article 12 as amended by the Law of the Republic of Kazakhstan dated 30.12.2020 № 394-VI (shall come into effect ten calendar days after the day of its first official publication); № 129-VII of 27.06.2022 (shall enter into force ten calendar days after the date of its first official publication); dated 13.01.2025 № 157-VIII (shall be enforced sixty calendar days after the date of its first official publication).

## **Article 13. Providing access to open meetings**

1. Meetings of the Chambers of Parliament of the Republic of Kazakhstan, the Government of the Republic of Kazakhstan and collegial bodies of central executive bodies and local representative and executive bodies of the region, city of republican significance, the capital, district (city of regional significance) are open and accessible to users of information, with the exception of closed meetings, and as well as meetings of law enforcement and special government bodies.

2. When considering issues that fall into the category of information with limited access, as well as in other cases provided for by the laws of the Republic of Kazakhstan, meetings may be held behind closed doors without the presence of information users.

Information users shall be notified of this decision no later than three working days in advance by posting this information on the information holder's Internet resource, in mass media and in the premises occupied by the information holder.

3. The procedure for access of information users to meetings of the Chambers of Parliament of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan is determined by their regulations.

The procedure for access of information users to meetings of collegial bodies of central executive bodies and local representative and executive bodies of a region, city of republican significance, the capital, district (city of regional significance) is determined by the rules of access to meetings of information holders, approved by the authorized body in the field of access to information.

4. The Chambers of the Parliament of the Republic of Kazakhstan, the Government of the Republic of Kazakhstan, collegial bodies of central executive bodies and local representative and executive bodies of the region, city of republican significance, capital, district (city of regional significance) shall ensure broadcasting of open meetings, including on Internet resources.

Footnote. Article 13 - as amended by 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 dated 13.01.2025 № 157-VIII (shall be enforced sixty calendar days after the date of its first official publication).

#### **Article 14. Reports of the heads of central executive bodies, akims and heads of national higher educational institutions**

Heads of central executive bodies (except for the ministries of defence, foreign affairs of the Republic of Kazakhstan), akims and heads of national higher educational institutions at least once a year report to the population on the work done.

The order carrying out the reporting meetings shall be determined by the legislation of the Republic of Kazakhstan.

Footnote. Article 14 is in the wording of the Law of the Republic of Kazakhstan dated 06.04.2016 № 484-V (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by the Law of the Republic of Kazakhstan dated 30.12.2020 № 394-VI (shall come into effect ten calendar days after the day of its first official publication).

#### **Article 15. Placement of information in the mass media**

Placement of information in the mass media is carried out in accordance with the legislation of the Republic of Kazakhstan.

#### **Article 16. Placement of information on Internet resources**

1. Information holders shall create internet resources.

Internet resources created must correspond to the national standard.

2. Information holders specified in subparagraph 1) of Article 8 of this Law place Internet resources on a unified platform of internet resources of state bodies.

3. Information holders specified in subparagraph 1) of Article 8 of this Law, shall be obliged, within their competence, to place on internet resources with indication of the date of placement and updating:

1) general information on activities:

organizational structure, information about the managers and their deputies, their job responsibilities in the supervised areas, their work activity and education;

contact information;

list of structural divisions and subordinate organizations, their tasks and functions, as well as information about the managers and their deputies, their job responsibilities in the supervised areas, their work activity and education;



list of territorial bodies, their tasks and functions, as well as information about the managers and their deputies, their job responsibilities in the supervised areas, their work activity and education;

regulatory legal acts governing competence, powers, tasks and functions;

official news, press releases;

news feed;

information on the appointment to and dismissal from office of managers, their deputies, heads of structural divisions, territorial bodies, subsidiaries;

2) information on rule-making activities:

list of adopted normative legal acts;

the texts of regulatory policy consultation documents under development, draft regulatory acts accompanied by explanatory notes (if any) and comparative tables thereto (in cases of amendments and (or) additions to regulatory acts), opinions of scientific examinations and expert opinions of private business entities (if any), reports on the completion of their public discussions;

information messages, press releases aimed at informing the public about the timing of public discussions of draft regulatory legal acts;

3) information on budget funds:

projects of the republican and local budgets;

approved republican and local budgets;

information on the total amount of budgetary funds allocated for the functioning of the state body;

information on the use of funds from the republican and local budgets, the National Fund of the Republic of Kazakhstan;

budget reporting;

consolidated financial statements;

results of state audit and financial control;

civil budget;

information messages, press releases aimed at notifying the population about the dates of public discussions of budget programs and reports on the implementation of budget programs;

other materials, information and documents subject to publication in accordance with the Budget Code of the Republic of Kazakhstan;

4) information on current activities:

development plan of the state body and a report on its implementation;

territorial development programs and reports on their implementation;

state and industry programs, concepts, doctrines, strategies, development plans for the relevant industry, as well as reports on their implementation;

statistical information and indicators characterizing the state and dynamics of the industry (sphere) development;

lists of publicly available electronic information resources, as well as departmental databases (banks) of data, registers, inventories, cadastres under their jurisdiction;  
analytical reports and reviews of activities, as well as reports and progress reports;  
transcripts and (or) minutes of open meetings of collegiate bodies;  
information on the activities of consultative and advisory bodies (councils, commissions), where the state body is the working body;  
the results of assessing the effectiveness of the activities of state bodies;

5) information on staffing issues:  
regulatory legal acts regulating the procedure for the entry of citizens of the Republic of Kazakhstan into the civil service;  
information about the announced competition for an administrative public position of corps "B";  
qualification requirements for administrative public positions of corps "B";  
contact details (last name, first name, patronymic (if it is indicated in the identity document), telephone number and e-mail address) of employees of the personnel management service (personnel department) authorized to advise on vacant positions;

6) information in the field of public services:  
legal regulations governing the provision of public services;  
annual report on the activities of the state body on the provision of public services;  
drafts of by-laws being developed that determine the procedure for the provision of public services, as well as reports on the completion of their public discussion;  
results of public monitoring of the quality of public services;  
information on the procedure for appealing the result of the provision of public services;

7) information on the measures taken to combat corruption;

8) information in the field of international cooperation:  
a list of international organizations in whose activities the state body takes part;  
lists and texts of concluded (signed) international treaties and agreements;  
information about received and used grants provided by a foreign state, international or foreign organization and (or) foundation;  
information on the participation of the state body in the implementation of international treaties and programs of international cooperation;  
conclusions, expert assessments, recommendations and other analytical materials of international organizations on the activities of a state body;  
other information in the field of international cooperation;

9) information in the field of public procurement:  
regulatory legal acts of the Republic of Kazakhstan regulating the procedure for public procurement;  
annual public procurement plan;

information on public procurement carried out by the state body using an open tender, auction, request for quotations, from one source, as well as through commodity exchanges, including the conditions for their conduct, the procedure for participation of potential suppliers in them, protocols on the results of public procurement, the procedure for appealing against actions (inaction), decisions of the customer, organizer of public procurement, single organizer of public procurement, commissions, expert, single operator in the field of public procurement;

10) the procedure for the implementation of permitting actions (licensing, accreditation, registration, and others);

11) information on the results of inspections conducted by the state body and its territorial bodies, as well as the results of inspections conducted in the state body and its territorial bodies, taking into account the restrictions established by the laws of the Republic of Kazakhstan;

12) information on measures of state support for private entrepreneurship;

13) data on the results of sociological, analytical and other studies, as well as population surveys;

14) information on working with the population:

schedule of personal reception of individuals and representatives of legal entities;

contact details (last name, first name, patronymic (if it is indicated in the identity document), phone number and e-mail address) of authorized persons, through which it is possible to obtain information on the personal reception of individuals and representatives of legal entities, as well as consideration of applications and requests, including the procedure for appealing decisions and (or) actions (inaction) based on the results of consideration of applications and requests;

samples of applications and requests accepted by the state body for consideration in accordance with the laws and other regulatory legal acts of the Republic of Kazakhstan;

14-1) information on the rights and obligations of citizens, foreigners and stateless persons in the relevant areas;

15) information repeatedly requested by users of information, based on the results of generalization and analysis of received requests;

16) other information, the obligation to post which is established by the laws of the Republic of Kazakhstan, or information, the placement of which the state body considers to be necessary.

4. Along with the information specified in paragraph 3 of this Article, the central executive body that manages the field of archiving and documentary support for management shall place on its Internet resource the State Stock Catalog containing information about the documents of the National Archival Fund and sources of its acquisition.

5. Along with the information specified in paragraph 3 of this Article, the Internet resources of the courts of the Republic of Kazakhstan shall also include:

1) judicial acts, except for those not subject to public access;

2) schedules for consideration of court cases, taking into account the restrictions established by the laws of the Republic of Kazakhstan.

6. Along with the information specified in paragraph 3 of this Article, the Internet resources of local governments shall also include:

1) report on the results of the monitoring of the execution of the budget of a city of district significance, a village, a township, a rural district;

2) time, place of convocation of the gathering, meetings of the local community and issues discussed;

3) minutes of the gathering or meeting of the local community, as well as the decisions made at them.

7. On the Internet resources of state institutions that are not state bodies, the following items shall be placed:

1) general information about the activity:

history;

organizational structure;

information about the administration;

activity information;

information on the activities of consultative and advisory bodies (if any);

contact details (postal address, e-mail address, telephone numbers of reference services, structural subdivisions, territorial representations (if any);

2) information on vacant positions:

advertised vacancies;

qualification requirements for candidates for vacant positions;

phone numbers for information about vacancies;

3) official news, press releases, calendars of upcoming events;

4) financial reporting, information on spending funds allocated from the republican and local budgets, civil budget;

5) regulatory legal acts regulating their activities;

6) information on ongoing public procurement in the manner prescribed by the legislation of the Republic of Kazakhstan on public procurement;

7) information in the field of international cooperation;

8) information repeatedly requested by users of information, based on the results of generalization and analysis of received requests;

9) data on the results of sociological, analytical and other studies, as well as population surveys;

10) list of databases (banks) of data, registers, registers, cadastres under their jurisdiction;

11) service "Question-answer";

12) schedule of personal reception of individuals and representatives of legal entities;

13) contact details (last name, first name, patronymic (if it is indicated in the identity document), telephone number and e-mail address) of authorized persons, through which it is possible to obtain information on the personal reception of individuals and representatives of legal entities, as well as consideration of applications and requests, including the procedure for appealing decisions and (or) actions (inaction) based on the results of consideration of applications and requests;

14) samples of applications and requests accepted for consideration in accordance with the laws and other regulatory legal acts of the Republic of Kazakhstan;

15) other information, the obligation to post which is established by the laws of the Republic of Kazakhstan, or information, the placement of which is considered necessary by a state institution that is not a state body.

8. On the Internet resources of the subjects of the quasi-public sector shall be placed:

1) general information about the activity:

history;

organizational structure (list of divisions with indication of managers);

information about the management (job responsibilities in supervised areas, information about work activity and education);

types of activity;

development strategy, development plan of national management holdings, national holdings and national companies;

information about the activities of consultative and advisory bodies (if any);

contact information (postal address, e-mail address, telephone numbers) of reference services, structural divisions, territorial representative offices and subsidiaries, dependent and other legal entities affiliated with them in accordance with the legislative acts of the Republic of Kazakhstan;

information about the acquisition (alienation) of assets, personnel changes in the management team (including subsidiaries and dependent organizations);

2) information on vacant positions:

advertised vacancies;

qualification requirements for candidates for vacant positions;

phone numbers for information about vacancies;

3) official news, press releases, calendars of upcoming events;

4) financial reporting, as well as information on the expenditure of funds allocated from the republican and local budgets;

5) information on the activities of subsidiaries, affiliates and other legal entities that are affiliated with them in accordance with the legislative acts of the Republic of Kazakhstan;

6) regulatory documents regulating activities;

7) information on the procurement of goods (works, services);

8) information in the field of international cooperation;

- 9) statistical indicators and performance results;
- 10) analytical reports and progress reports;
- 11) data on the results of sociological, analytical and other studies, as well as population surveys;
- 12) information repeatedly requested by users of information, based on the results of generalization and analysis of received requests;
- 13) list of databases (banks) of data, registers, registers, cadastres under their jurisdiction;
- 14) service "Question-answer";
- 15) schedule of personal reception of individuals and representatives of legal entities;
- 16) contact details (last name, first name, patronymic (if it is indicated in the identity document), telephone number and e-mail address) of authorized persons, through which it is possible to obtain information on the personal reception of individuals and representatives of legal entities, as well as consideration of applications and requests, including the procedure for appealing decisions and (or) actions (inaction) based on the results of consideration of applications and requests;
- 17) samples of applications and requests accepted for consideration in accordance with the laws and other regulatory legal acts of the Republic of Kazakhstan;
- 18) other information, the obligation to post which is established by the laws of the Republic of Kazakhstan, or information, the placement of which is considered necessary by the subject of the quasi-public sector.

9. On the Internet resources of recipients of budgetary funds, the information shall be posted regarding the use of budgetary funds allocated from the republican and local budgets, and not classified as information with restricted access.

10. On the Internet resources of market entities occupying a monopoly position, regulatory legal acts of the Republic of Kazakhstan shall be posted that regulate pricing issues for goods (works, services) produced and sold by market entities occupying a monopoly position, as well as prices for goods produced (sold) by them (works, services).

11. On the Internet resources of the performers of the functions of central and (or) local executive bodies, the information shall be posted regarding the implementation of the functions of central and (or) local executive bodies in the relevant industry (sphere) of public administration.

12. The information holder that not having a technical possibility to place information on its own Internet resource, places it on the Internet resource of the local executive body.

13. Updating the news line on the internet resource of the information holder should be carried out daily, updating of other sections is carried out not later than three business days from the date of receipt or creation of the information.

14. Information on the Internet resource shall be provided in Kazakh and Russian languages. The Internet resource of the information holder can have versions in other languages.



14-1. Excluded by the Law of the Republic of Kazakhstan dated 13.01.2025 № 157-VIII (shall be enforced sixty calendar days after the date of its first official publication).

15. Information with restricted access shall not be subject of place on on the Internet resource of the information holder.

16. Free access to normative legal acts via the Internet is also provided through web portal "electronic government" in accordance with the legislation of the Republic of Kazakhstan.

Footnote. Article 16 as amended by Laws of the Republic of Kazakhstan dated 28.12.2016 № 34-VI (shall be enforced from 01.01.2017); № 272-VI as of 25.11.2019 (shall be enforced ten calendar days after its first official publication); dated 30.12.2020 № 394-VI (shall come into effect ten calendar days after the day of its first official publication); dated 12.03.2021 № 15-VII (shall come into effect upon the expiration of ten calendar days after the day of its first official publication); dated 30.12.2021 № 95-VII (shall be enforced ten calendar days after the day of its first official publication); № 129-VII of 27.06.2022 (shall become effective ten calendar days after the date of its first official publication); № 141-VII of 14.07.2022 (shall be brought into force ten calendar days after the date of its first official publication); № 157-VII of 05.11.2022 (shall be effective on 01.01.2023); dated 13.01.2025 № 157-VIII (shall be enforced sixty calendar days after the date of its first official publication ).

#### **Article 17. Placement of information on the web portal of "electronic government"**

1. Information users may obtain and use information, placed in accordance with this Law by information holders on the components of the e-government web portal, as well as to participate in its discussion provided that they register on the e-government web portal or authorize on the components of the e-government web portal.

2. On the Internet portal of open data, the holders of information specified in subparagraphs 1), 2), 3) and 7) of Article 8 of this Law, shall post and timely update open data.

The authorized body in the field of access to information shall have the right to request open data from information owners for placement on the open data Internet portal based on the results of a public opinion poll on the needs of the population of the Republic of Kazakhstan in open data.

Information holders shall also have the right to post information on the open data Internet portal for the purposes of proactive dissemination of information.

3. On the Internet portal of open budgets information holders, specified in subparagraphs 1) of Article 8 of this Law, shall post budget reporting, consolidated financial statements, civil budget, results of state audit and financial control, materials, information and documents subject to publication in accordance with the Budget of the Republic of Kazakhstan, as well as a public discussion of draft budget programs and reports on implementation of budget programs shall be held.

4. The regulatory policy advisory documents and drafts of regulatory legal acts accompanied by explanatory notes and comparative tables thereto (in cases where laws are amended and/or supplemented), as well as other data stipulated by the government's law-making rules, shall be posted on the open regulatory legal acts web portal by public authorities that develop draft regulatory legal acts prior to submission for approval to the interested public authorities for public discussion. Records of the public discussions shall also be made available on the web portal of open regulatory legal acts.

Placement of information on the Internet portal of open regulatory legal acts shall be carried out in accordance with the legislation of the Republic of Kazakhstan.

5. On the Internet portal for assessing the effectiveness of the activities of state bodies information holders, specified in subparagraphs 1) of Article 8 of this Law, within their competence, shall post information on the assessment of the activities of state bodies, reports on the achievement of target indicators of development plans of state bodies and development plans of the region, the city of republican significance, the capital, developed in accordance with the legislation of the Republic of Kazakhstan as well as public discussion of the activity of state bodies shall be held.

6. On the open dialogue web portal, the information providers referred to in sub-paragraphs 1) and 3) of Article 8 hereof shall hold internet conferences and surveys, and the information providers listed in sub-paragraph 3) shall provide responses to requests received via the blog platform of first quasi-public sector entities, excluding those with 100 per cent state participation.

**Footnote.** Article 17 as amended by the Law of the Republic of Kazakhstan dated 30.12.2020 № 394-VI (shall come into effect ten calendar days after the day of its first official publication); dated 12.03.2021 № 15-VII (shall come into effect upon the expiration of ten calendar days after the day of its first official publication); № 129-VII of 27.06.2022 (shall be promulgated ten calendar days after the date of its first official publication); № 157-VII of 05.11.2022 (shall become effective on 01.01.2023); № 177-VII of 30.12.2022 (shall be brought into force ten calendar days after the date of its first official publication); dated 13.01.2025 № 157-VIII (shall be enforced sixty calendar days after the date of its first official publication); от 15.03.2025 № 172-VIII (вводится в действие с 01.01.2025).

#### **Article 17-1. Standard for openness of information holders**

The standard of openness of information holders is recognized as a system of minimum requirements established for a separate area of public relations, aimed at ensuring access to information and openness of the activities of information holders.

**Footnote.** The law is supplemented by Article 17-1 in accordance with the Law of the Republic of Kazakhstan dated 02.10.2023 № 31-VIII (shall be enforced six months after the date of its first official publication).

#### **Article 17-2. Ensuring access to information for persons with disabilities**

1. The State ensures access to information for persons with disabilities in accordance with the legislation of the Republic of Kazakhstan by means of:

1) publication of periodicals, scientific, educational and methodological, reference and informational and fiction literature for persons with disabilities, including those published in Braille;

2) sign language translation or translation in the form of subtitles of at least one television program of a news nature in accordance with the legislation of the Republic of Kazakhstan;

3) compliance of Internet resources of information holders with the national standard for ensuring the accessibility of web content for persons with disabilities;

4) adaptation of Internet resources of state bodies and entities of the quasi-public sector for use by persons with disabilities with visual and (or) hearing impairments;

5) free access to information boards and (or) other technical means of a similar purpose with information on the activities of information holders;

6) posting on the Internet resource of the authorized body in the field of social protection of the population and territorial divisions of its departments of up-to-date and complete information on measures of social protection of persons with disabilities.

2. Sign language translation is used as a means of interpersonal communication, which is also used in educational programs for children with hearing impairments.

**Footnote. The law is supplemented by Article 17-2 in accordance with the Law of the Republic of Kazakhstan dated 13.01.2025 № 157-VIII (shall be enforced sixty calendar days after the date of its first official publication).**

#### **Article 18. Appeal against the illegal restriction of the right on access to information**

1. Illegal restriction of the right on access to information may be appealed in the manner prescribed by the laws of the Republic of Kazakhstan.

2. Complaints against the actions (inaction) of officials, as well as against decisions of state bodies, shall be filed no later than three months when the citizen became aware of the commission of an action or the adoption of a decision by the relevant official or body.

**Footnote. Article 18 - as amended in accordance with the Law of the Republic of Kazakhstan dated 29.06.2020 № 351-VI (shall come into effect from 01.07.2021).**

#### **Article 19. Commission on access to information**

To take into account and protect public interests in the field of access to information, as well as to meet the needs of users of information, a consultative and advisory body shall be created under the authorized body in the field of access to information - the Commission on Access to Information.

Public interests in the field of access to information refer to the creation of favourable conditions, forms, mechanisms and ways of exercising the constitutional right of everyone to freely receive and disseminate information in any way not prohibited by law.

The activities of the Commission on Access to Information shall be carried out based on transparency and openness in the discussion and resolution of issues within its competence.

Meetings of the Commission on Access to Information shall be held at least once a quarter, in the last decade of the last month of the quarter.

**Footnote. Article 19 - as amended by the Law of the Republic of Kazakhstan dated 30.12.2020 № 394-VI (shall come into effect ten calendar days after the day of its first official publication).**

#### **Article 19-1. State control in the sphere of access to information**

1. State control in the sphere of access to information shall be carried out by the authorized body in the sphere of access to information in the form of remote control and unscheduled inspections in accordance with this article on compliance of the activities of control subjects with the requirements of the legislation of the Republic of Kazakhstan on access to information.

2. Subjects of control in the sphere of access to information (hereinafter - subjects of control) shall be information holders, specified in subparagraphs 1) of Article 8 of this Law, except for the Parliament of the Republic of Kazakhstan, the National Bank of the Republic of Kazakhstan, courts, and authorized state body in the sphere of judicial administration.

3. Objects of control in the sphere of access to information shall be:

- 1) information stands and (or) other technical means of similar purpose with information about the activity;
- 2) Internet resources of information holders;
- 3) components of the web portal of the "electronic government";
- 4) online broadcasts of open meetings, recordings and (or) links to recordings of the open meeting saved on a publicly accessible Internet resource;
- 5) minutes and transcripts of open meetings;
- 6) materials, documents and information related to the subject of remote monitoring and (or) unscheduled inspection, on paper and (or) electronic media or copies thereof.

4. Remote control shall be conducted by the authorized body in the field of access to information without visiting the subject of control, based on the analysis and data from information systems, electronic information resources, open sources, mass media, as well as other information regarding the activities of the subject of control.

5. The objectives of remote control are timely suppression and prevention of violations, granting the subjects of control the right to independently eliminate violations identified by the results of remote control.

6. Remote control shall be carried out not more often than once a quarter.

7. If violations are identified based on the results of remote control, a recommendation on elimination of violations shall be drawn up and sent to the first head or his/her substitute within three working days from the date of identification of violations.

8. The recommendation on elimination of violations by the authorized body in the sphere of access to information shall specify:

- 1) number, date and place of preparation of the recommendation;

2) identified violations with reference to specific provisions of this Law and other regulatory legal acts in the field of access to information;

3) recommendations and measures that must be taken by the subject of control to eliminate the violations;

4) time limits for eliminating the violations, not exceeding thirty calendar days from the date of delivery of the recommendation;

5) last name and initials, signature of the official (officials) of the authorized body in the field of access to information

9. A recommendation on elimination of violations shall be sent in one of the following ways and shall be deemed to have been served in the following cases:

1) by mail - from the date of notification of receipt of the mailing by registered mail;

2) electronically - from the date of notification of delivery through the electronic document management system.

10. In case of disagreement with the violations specified in the recommendation, the subject of control shall have the right to submit an objection to the authorized body in the sphere of access to information within five working days from the day following the day of its delivery.

The authorized body in the sphere of access to information shall consider the objection of the subject of control and provide a reasoned response within five working days.

The reasoned response shall not be subject to revision.

11. Information on the implementation of the recommendation on the elimination of violations shall be sent by the subject of control to the authorized body in the sphere of access to information within two working days from the date of implementation of the recommendation.

The subject of control shall attach to the information provided materials (if necessary) proving the fact that the violation has been eliminated.

12. After receiving information on the elimination of violations specified in the recommendation, the authorized body in the field of access to information shall make one of the following decisions:

1) on the implementation of the recommendation;

2) on the failure to implement or partial implementation of the recommendation.

13. The grounds for appointing an unscheduled inspection are:

1) failure to implement or partial implementation of recommendations on the elimination of violations;

2) failure to provide information on the implementation of recommendations on the elimination of violations;

3) appeals from individuals and legal entities regarding violations of the requirements of the legislation of the Republic of Kazakhstan on access to information in the presence of convincing grounds and supporting evidence;

4) a request from a prosecutor regarding specific facts of causing or threatening to cause harm to the rights and legitimate interests of individuals and legal entities, the state;

5) an instruction from a criminal prosecution body on the grounds provided for by the Criminal Procedure Code of the Republic of Kazakhstan.

Unscheduled inspections shall not be carried out in cases of anonymous requests.

14. An unscheduled inspection shall be scheduled without notification of the subject of control within five working days from the moment one of the grounds provided for by paragraph 13 of this Article arises.

15. Subjects of control or their authorized representatives when conducting an unscheduled inspection shall have the right to:

1) not to allow officials of the authorized body in the sphere of access to information, who have arrived to conduct an inspection, to inspect in cases of:

exceeding or expiry of the terms specified in the act on appointment of an inspection (additional act on extension of the term, if any), which do not correspond to the terms established by this Article;

absence of documents provided for by part one of paragraph 20 of this Article;

2) not to submit documents and information, if they do not relate to the subject of the conducted inspection;

3) on violations revealed as a result of the inspection in case of need for additional time and (or) financial costs no later than three working days to apply to the authorized body in the sphere of access to information with an application for extension of the terms of elimination of violations;

4) to appeal the act on the results of the inspection, as well as actions (inaction) of the official (officials) of the authorized body in the sphere of access to information in the order established by the legislation of the Republic of Kazakhstan;

5) not to fulfill prohibitions of the official (officials) of the authorized body in the sphere of access to information, which restrict the activity of the subject of control under inspection;

6) record the process of verification, as well as individual actions of the official (officials) of the authorized body in the sphere of access to information, conducted by him (them) within the framework of verification, by means of audio and video equipment, without obstructing the activities of the official (officials).

16. Subjects of control or their authorized representatives when conducting an unscheduled inspection shall:

1) provide unimpeded access to the official (officials) of the authorized body in the sphere of access to information to the territory and premises of the inspected subject of control in compliance with the requirements of pass and in-situ regimes;

2) provide the official (officials) of the authorized body in the sphere of access to information with documents (information) on paper and electronic media or copies thereof to



be attached to the act on the results of the inspection, as well as access to automated databases (information systems) in accordance with the subject of the inspection;

3) make a note of receipt of the act on the appointment of the inspection on the day of commencement of the inspection and the act on the results of the inspection on the day of completion;

4) not to allow changes and additions to the verified documents during the inspection, unless otherwise provided for by this Law or other laws of the Republic of Kazakhstan;

5) to ensure that the head or his authorized person is present at the location of the subject of control being inspected during the scheduled time of the inspection.

17. An official (officials) of the authorized body in the sphere of access to information during an unscheduled inspection or remote control shall have the right:

1) unhindered access to the territory and premises of the inspected subject of control in accordance with the subject of the inspection in compliance with the requirements of pass and in-situ regimes;

2) receive documents (information) on paper and electronic media or copies thereof to be attached to the report on the results of the inspection or recommendation on elimination of violations, as well as access to automated databases (information systems) in accordance with the subject of the inspection or remote control;

3) involve specialists, consultants and experts of state bodies and other organizations;

4) carry out audio, photo and video recording.

18. An official (officials) of the authorized body in the sphere of access to information when conducting an unscheduled inspection or remote control shall be obliged (obliged) to:

1) to comply with the legislation of the Republic of Kazakhstan, rights and legitimate interests of the inspected subject of control;

2) to conduct an inspection or remote control on the basis of and in strict compliance with the procedure established by this Article;

3) not to interfere with the established mode of work of the inspected subject of control during the period of inspection;

4) not to prevent the inspected subject of control or its authorized representative from being present during the conduct of the inspection, to give explanations on issues related to the subject of the inspection or remote control;

5) provide the inspected subject of control with necessary information related to the subject of the inspection or remote control;

6) deliver to the inspected subject of control an act on the results of the inspection or a recommendation to eliminate violations not later than the deadline for completion of the inspection or remote control specified in the act on appointment of the inspection (additional act on extension of the deadline, if any) or a recommendation to eliminate violations (if any);

7) ensure safety of documents and information obtained as a result of the audit or remote control;

8) timely and fully fulfill the powers granted in accordance with the laws of the Republic of Kazakhstan on prevention, detection and suppression of violations of the requirements established by the legislation of the Republic of Kazakhstan.

19. An unscheduled inspection shall be conducted on the basis of the act on appointment of an unscheduled inspection.

20. The official (officials) of the authorized body in the sphere of access to information when conducting an unscheduled inspection of control subjects shall provide (provide):

- 1) an act on the appointment of an unscheduled inspection;
- 2) service ID or identification card.

The act on the appointment of an unscheduled inspection shall indicate:

- 1) act number and date;
- 2) name of the authorized body in the field of access to information;
- 3) last name, first name, patronymic (if indicated in the identity document) and position of the person authorized to conduct the unscheduled inspection;
- 4) information about specialists, consultants and experts of state bodies and organizations involved in conducting the unscheduled inspection;
- 5) name of the subject of control and its location;
- 6) subject of the appointed unscheduled inspection;
- 7) period of the unscheduled inspection;
- 8) grounds for conducting the unscheduled inspection;
- 9) rights and obligations of the subject of control, provided for in paragraphs 15 and 16 of this Article;
- 10) signature of the person authorized to sign acts, seal of the authorized body in the field of access to information;
- 11) signature of the head of the subject of control or his authorized person on receipt or refusal to receive the act.

21. Acts on the appointment, suspension, resumption, termination and extension of unscheduled inspections shall be signed by an official (officials) of the authorized body in the sphere of access to information and handed to the head of the subject of control or a person authorized by him for familiarization.

22. The period of unscheduled inspections shall be suspended for the duration of natural, man-made and social emergencies, the introduction of a state of emergency, the emergence or threat of spread of epidemics, foci of quarantine objects and especially dangerous pests, infectious, parasitic diseases, poisoning, radiation accidents and related restrictions, as well as in the case of reorganization of the subject of control.

Unscheduled inspection shall be resumed within ten working days from the date of termination of natural, man-made and social emergencies, introduction of a state of emergency, emergence or threat of emergence of epidemic spread, foci of quarantine objects and especially dangerous harmful organisms, infectious, parasitic diseases, poisoning,

radiation accidents and related restrictions, as well as determination of the legal successor of the reorganized subject of control.

The term of unscheduled inspection shall be terminated in case of liquidation of the subject of control.

23. The term for conducting an unscheduled inspection shall be established taking into account the scope of work to be performed, tasks to be accomplished and shall not exceed ten working days.

24. The term of conducting an unscheduled inspection may be extended only once by the head of the authorized body in the sphere of access to information or by the person replacing him/her, not more than for five working days.

Extension of the term of conducting an unscheduled inspection shall be formalized by an additional act on extension of the unscheduled inspection with notification of the subject of control, which shall specify the number and date of registration of the previous act on appointment of the unscheduled inspection and the reason for the extension.

The notification on extension of the term of an unscheduled inspection shall be delivered to the subject of control by the authorized body in the sphere of access to information one working day prior to the extension with a notice of delivery.

25. The date of delivery to the subject of control or its authorized person of the act on the appointment of an unscheduled inspection shall be deemed to be the beginning of an unscheduled inspection.

26. Based on the results of an unscheduled inspection, an official (officials) of the authorized body in the sphere of access to information shall draw up an act on the results of an unscheduled inspection in three copies.

The first copy of the act on the results of an unscheduled inspection in electronic form is submitted to the state body, which within its competence carries out activities in the sphere of state legal statistics and special records, the second copy with copies of attachments, except for copies of documents available in the original at the subject of control, on paper against signature or in electronic form is transferred to the subject of control for familiarization and taking measures to eliminate identified violations and other actions, the third copy remains in the sphere of state legal statistics and special records.

If the subject of control has comments and (or) objections to the results of an unscheduled inspection, the subject of control shall state them in writing. Comments and (or) objections shall be attached to the act on the results of an unscheduled inspection, and a corresponding note shall be made thereof.

27. The act on the results of unscheduled inspection shall indicate:

- 1) number, date, time and place of drawing up the report;
- 2) name of the authorized body in the field of access to information;
- 3) date and number of the report on the appointment of an unscheduled inspection;

4) last name, first name, patronymic (if indicated in the identity document) and position of the official of the authorized body in the field of access to information who conducted the unscheduled inspection;

5) information about specialists, consultants and experts of government agencies and organizations involved in conducting the unscheduled inspection;

6) name of the subject of control and its location;

7) subject of the unscheduled inspection;

8) term and period of the unscheduled inspection;

9) requirements to eliminate the identified violations, indicating the deadline for fulfilling the requirements and taking measures against the persons who committed the violations;

10) information on familiarization or refusal to familiarize with the act by the head of the subject of control or his authorized person, as well as persons present during the inspection, their signatures or a record of refusal to sign;

11) signature of the official (officials) of the authorized body in the field of access to information who conducted (conducted) the unscheduled inspection.

28. If there is no violation of the requirements established by the legislation of the Republic of Kazakhstan on access to information, when conducting an unscheduled inspection, a corresponding record shall be made in the act on the results of the inspection.

29. The terms of elimination of the revealed violations specified in the act on the results of an unscheduled inspection shall be determined taking into account the circumstances affecting the real possibility of its fulfillment, but not more than thirty calendar days from the date of delivery of the act on the appointment of an unscheduled inspection.

30. Failure to fulfill the act on the results of an unscheduled inspection within the established term shall entail liability established by the laws of the Republic of Kazakhstan.

31. The act on the results of an unscheduled inspection may be appealed in the manner prescribed by the laws of the Republic of Kazakhstan.

An appeal shall not suspend the execution of the act on the results of an unscheduled inspection.

32. The act on the results of an unscheduled inspection recognized by a higher state body or a court as invalid may not be evidence of violation by a subject of control of the requirements of the legislation of the Republic of Kazakhstan on access to information.

33. Gross violations of the requirements to the organization and conduct of unscheduled inspections include:

1) absence of grounds for conducting an unscheduled inspection;

2) absence of an act on the appointment of an unscheduled inspection;

3) appointment of an unscheduled inspection on issues that are not within the competence of the authorized body in the sphere of access to information;

4) violation of the term for conducting an unscheduled inspection provided for by this Article.

34. Completion of the term of an unscheduled inspection shall be the day of delivery to the subject of control of the act on the results of the unscheduled inspection not later than the termination date of the unscheduled inspection specified in the act on appointment of the unscheduled inspection (additional act on extension of the term, if any).

Footnote. The Law is supplemented by Article 19-1 in accordance with the Law of the Republic of Kazakhstan dated 13.01.2025 № 157-VIII (shall be enforced sixty calendar days after the date of its first official publication).

**Article 20. Liability for violation of the legislation of the Republic of Kazakhstan on access to information**

Violation of the legislation of the Republic of Kazakhstan on access to information entails responsibility established by the laws of the Republic of Kazakhstan.

**Article 21. Order of enforcement of this Law**

This Law shall be enforced upon expiry of ten calendar days after its first official publication, with the exception of subparagraph 3) of Article 10 and subparagraph 5 of Article 17, that shall be enforced from 1 January, 2017.

*The President  
of the Republic of Kazakhstan*

*N. NAZARBAYEV*