On dactyloscopic and genomic registration

Unofficial translation

The Law of the Republic of Kazakhstan dated 30 December 2016 № 40-IV LRK.

Unofficial translation

Footnote. Throughout the text, the words "foreigners," "of foreigners," "foreigner" as amended, respectively, by the words "foreign citizens," "of foreign citizens," "foreign citizen" in accordance with the Law of the Republic of Kazakhstan dated 11.06.2026 № 306-VIII (shall enter into force from 01.07.2026).

This Law regulates public relations in the field of dactyloscopic and genomic registration in the Republic of Kazakhstan.

Chapter 1. GENERAL PROVISIONS

Article 1. Basic definitions used in this Law

The following basic definitions are used in this Law:

1) biological material - tissues and excretions of a person or a body (remains) of a deceased person, containing genomic information;

2) biological relatives - persons who are in blood relationship: parents (parent), children, grandfather, grandmother, grandchildren, blood and half-blood, cousins, second cousins, uncles, aunts, nephews;

3) genomic information – the coded information about certain fragments of human deoxyribonucleic acid or an unidentified corpse, allowing to establish its identity, and personal data (if any) in accordance with the requirements of this Law;

4) genomic registration - activities carried out by authorized state bodies in the field of fingerprint and (or) genomic registration for the collection, processing, protection of genomic information, selection, storage, use, destruction of biological material, identification or confirmation of a person's identity;

5) dactyloscopic information - biometric data on peculiarities of the structure of papillary patterns of fingerprints and (or) the palms of human hands or an unidentified corpse, allowing to establish its identity, and personal data in accordance with the requirements of this Law;

6) authorized state bodies in the field of fingerprint and (or) genomic registration - internal affairs bodies, authorized state body in the field of foreign policy, national security bodies, authorized state body in the field of transport, carrying out, within their competence, fingerprint and (or) genomic registration of citizens of the Republic of Kazakhstan, foreign citizens and stateless persons;

7) blocking of dactyloscopic or genomic information – the actions to temporarily stop collecting, accumulating, changing, supplementing, using, transferring, depersonalizing, destroying dactyloscopic or genomic information;

8) destruction of dactyloscopic or genomic information – the actions, as a result of which it is impossible to restore dactyloscopic or genomic information;

9) depersonalization of dactyloscopic or genomic information – the actions, as a result of which it is impossible to determine the belonging of dactyloscopic or genomic information to a specific person without using additional information;

10) processing of dactyloscopic or genomic information – the actions aimed at accumulation, storage, change, addition, use, transfer, depersonalization, blocking and destruction of dactyloscopic or genomic information;

11) use of dactyloscopic or genomic information – the actions with dactyloscopic or genomic information aimed at achieving the goal of dactyloscopic or genomic registration;

12) dactyloscopic registration – the activities carried out by the authorized state bodies in the field of dactyloscopic and (or) genomic registration for collecting, processing, protecting of dactyloscopic information, establishing or confirming of a person's identity;

12-1) identity verification – confirmation of identity by checking the papillary patterns of the fingers and/or palms of a natural person against their fingerprint information;

13) material media – fingerprint or information cards, media containing magnetic, digital, or other types of recordings that contain fingerprint or genomic information;

14) an unidentified corpse - a body (remains) of a deceased person whose identity at the time of detection of the body (remains) is not established.

Footnote. Article 1 as amended 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); dated 30.06.2025 № 203-VIII (shall be enforced ten calendar days after the day of its first official publication); dated 09.01.2026 № 256-VIII (shall come into force upon expiry of six months after the date of its first official publication).

Article 2. Scope of this Law

This Law shall regulate relations related to fingerprint and genomic registration of citizens of the Republic of Kazakhstan, foreign citizens and stateless persons, in cases provided for by this Law.

Article 3. Legislation of the Republic of Kazakhstan on dactyloscopic and genomic registration

1. Legislation of the Republic of Kazakhstan on dactyloscopic and genomic registration is based on the Constitution of the Republic of Kazakhstan and consists of this Law and other normative legal acts of the Republic of Kazakhstan.

2. International treaties ratified by the Republic of Kazakhstan shall take precedence over this Law. The procedure and conditions for the application of international treaties to which

the Republic of Kazakhstan is a party shall be determined by the legislation of the Republic of Kazakhstan.

Footnote. Article 3 as amended by the Law of the Republic of Kazakhstan dated 30.06.2025 № 203-VIII (shall be enforced ten calendar days after the day of its first official publication).

Article 4. Principles of dactyloscopic and genomic registration

Dactyloscopic and genomic registration is conducted in accordance with the principles of:

1) observance of constitutional rights and freedoms of a man and citizen;

2) legality;

3) voluntariness and obligatoriness;

4) humanism;

5) confidentiality;

6) safety for human health;

7) respect for the honor and dignity of the individual.

Footnote. Article 4 as amended by the Law of the Republic of Kazakhstan dated 30.06.2025 № 203-VIII (shall be enforced ten calendar days after the day of its first official publication).

Article 5. Purpose of dactyloscopic and genomic registration

Dactyloscopic and genomic registration is conducted for the purpose of establishing and (or) confirming the identity on the basis of dactyloscopic or genomic information.

Article 5-1. Main objectives of dactyloscopic and genomic registration

The main objectives of dactyloscopic and genomic registration are:

1) ensuring national security in the field of fingerprint and genome registration;

2) ensuring the regulation of migration processes, combating illegal migration on the basis of fingerprint information;

3) ensuring the protection of the rights, freedoms, and legitimate interests of persons subject to fingerprint registration when documenting the population;

4) establishing basic requirements for the collection, processing, and protection of fingerprint and genomic information, as well as the selection and use of biological material;

5) state regulation in the field of fingerprint and genomic registration;

6) ensuring the disclosure and investigation of criminal offenses;

7) scientific support for fingerprint and genomic registration activities.

Footnote. Chapter 1 was supplemented with Article 5-1 in accordance with the Law of the Republic of Kazakhstan dated 30.06.2025 № 203-VIII (shall be enforced ten calendar days after the day of its first official publication).

Article 6. Rights and duties of authorized state bodies in the field of dactyloscopic and (or) genomic registration

1. Authorized state bodies in the field of fingerprint and (or) genomic registration within their competence shall have the right to collect, process fingerprint information or collect, process, protect genomic information, select, store, use and destroy biological material.

2. Authorized state bodies in the field of dactyloscopic and (or) genomic registration within their competence are obliged:

1) to take and observe necessary measures, including legal, organizational and technical, to protect dactyloscopic or genomic information in accordance with international treaties ratified by the Republic of Kazakhstan and this Law;

2) to take measures to collect, accumulate, store, transfer, block, depersonalize, modify, supplement, use, destroy dactyloscopic or genomic information in the cases established by this Law.

Footnote. Article 6 by amended 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).

Article 7. Rights and obligations of citizens of the Republic of Kazakhstan, foreign citizens and stateless persons in the implementation of fingerprint and (or) genomic registration

1. Citizens of the Republic of Kazakhstan, foreign citizens and stateless persons, legal representatives of minors, guardians of persons recognized as incapable by a court decision, when carrying out fingerprint and (or) genomic registration, have the right to:

1) familiarization with their dactyloscopic and (or) genomic information or dactyloscopic and (or) genomic information of the person whose legitimate interests they represent, and (or) obtaining such information;

Note!

The effect of subparagraph 2) in terms of appealing against the actions (inaction) of state bodies and their officials related to the collection and (or) processing, protection of their fingerprint information or fingerprint information of a person whose legitimate interests they represent as suspended dated 01.01.2024 by Article 39 of this Law.

2) appeal, in accordance with the procedure established by the laws of the Republic of Kazakhstan, the actions (inaction) of state bodies and their officials related to the collection and (or) processing, protection of their fingerprint and (or) genomic information or fingerprint and (or) genomic information of the person whose legitimate interests they represent;

3) protection of fingerprint and genomic information during collection, storage, and use.

1-1. Citizens of the Republic of Kazakhstan shall have the right to undergo the procedure of fingerprinting and (or) selection of biological material in cases established by this Law.

2. Citizens of the Republic of Kazakhstan, foreign citizens and stateless persons subject to fingerprint and (or) genomic registration are obliged to undergo the procedure for fingerprinting and (or) selection of biological material in cases established by this Law.

Footnote. Article 7 as amended by the Law of the RK dated 29.06.2020 № 351-VI (shall enter into force on 01.07.2021); dated 23.12.2023 № 50-VIII (shall be enforced from

01.01.2024); dated 30.06.2025 № 203-VIII (shall be enforced ten calendar days after the day of its first official publication).

Article 8. Basic requirements for collection, processing and protection of dactyloscopic and genomic information

1. Dactyloscopic and genomic information refers to personal data of restricted access.

2. The conditions for the collection and processing of fingerprint and genomic information shall exclude the possibility of its loss, distortion, and unauthorized access, as well as unlawful and/or accidental access to and/or interference with digital resources containing fingerprint or genomic information.

3. Dactyloscopic and genomic information is subject to protection, which is guaranteed by the state. Collection and processing of dactyloscopic and genomic information are carried out only in cases of ensuring its protection.

The protection of fingerprint and genomic information shall be carried out in accordance with the digital legislation of the Republic of Kazakhstan, the legislation of the Republic of Kazakhstan on personal data and their protection, and on state secrets.

4. State bodies that collect and (or) process dactyloscopic and (or) genomic information are required to maintain the confidentiality of dactyloscopic and (or) genomic information and ensure its protection.

5. Collection, processing, protection of fingerprinting and (or) genomic information, selection, storage, use, destruction of biological material shall be carried out in accordance with the Rules for fingerprinting and genomic registration.

Footnote. Article 8 with the amendment introduced 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); dated 09.01.2026 № 256-VIII (shall come into force upon expiry of six months after the date of its first official publication).

Article 9. Blocking, depersonalization, transfer of dactyloscopic or genomic information

1. Authorized state bodies in the field of dactyloscopic and (or) genomic registration shall carry out depersonalization, as well as removal of depersonalization of dactyloscopic or genomic information.

2. Authorized state bodies in the field of dactyloscopic and (or) genomic registration perform blocking of dactyloscopic or genomic information in the event that information is available on violation of conditions of its collection, processing, as well as the removal of blocking after the conduct of verification activities and eliminating violations.

3. Authorized state bodies in the field of fingerprint and/or genomic registration shall block and/or anonymize, as well as unblock and/or de-anonymize fingerprint or genomic information in accordance with the procedure established by the rules for fingerprint and genomic registration.

4. Transfer of dactyloscopic or genomic information to courts, law enforcement, special state bodies, executive enforcement, inquiry, investigation agencies, shall be carried out on

the basis of the laws of the Republic of Kazakhstan in accordance with the rules of dactyloscopic and genomic registration.

5. Dactyloscopic or genomic information can be transferred by authorized state bodies in the field of dactyloscopic and / or genomic registration to foreign states in accordance with international treaties ratified by the Republic of Kazakhstan and laws of the Republic of Kazakhstan.

Footnote. Article 9 as amended by the Law of the Republic of Kazakhstan dated 30.06.2025 № 203-VIII (shall be enforced ten calendar days after the day of its first official publication).

Article 9-1. Types of dactyloscopic and genomic registration

In accordance with this Law, a voluntary or mandatory dactyloscopic and genomic registration shall be carried out.

Footnote. Chapter 1 was supplemented with Article 9-1 in accordance with the Law of the Republic of Kazakhstan dated 30.06.2025 № 203-VIII (shall be enforced ten calendar days after the day of its first official publication).

Chapter 2. CONDUCT OF DACTYLOSCOPIC REGISTRATION

Article 10. Persons subject to dactyloscopic registration

1. Citizens of the Republic of Kazakhstan who applied to receive an identity card and (or) passport of a citizen of the Republic of Kazakhstan for the first time, as well as for their restoration or replacement, shall be subject to dactyloscopic registration with their consent.

2. Those who have reached the age of sixteen shall be subject to mandatory dactyloscopic registration:

1) citizens of the Republic of Kazakhstan, foreign citizens and stateless persons in respect of whom a decision has been made to issue an identity card for a sailor of the Republic of Kazakhstan;

2) foreign citizens and stateless persons when issuing a permit for temporary or permanent residence in the Republic of Kazakhstan;

3) foreign citizens and stateless persons who applied for a residence permit of a foreign citizen in the Republic of Kazakhstan, a certificate of a stateless person for the first time or for his restoration, replacement;

4) foreign citizens and stateless persons applying for asylum seeker status, applying for a refugee certificate and (or) travel document for the first time or for their restoration, replacement;

5) foreign citizens and stateless persons subject to expulsion from the Republic of Kazakhstan or subject to international readmission agreements ratified by the Republic of Kazakhstan;

6) foreign citizens and stateless persons when obtaining visas of the Republic of Kazakhstan, with the exception of visas issued in electronic format without visiting foreign institutions of the Republic of Kazakhstan.

3. Persons who have undergone fingerprint registration when reapplying for the matters specified in paragraph 1, subparagraphs 2), 3), 4) and 6) of paragraph 2 of this article shall undergo identity verification in accordance with the procedure established by the rules for fingerprint and genome registration.

4. Children aged from twelve to sixteen years shall be subject to dactyloscopic registration when receiving a passport of a citizen of the Republic of Kazakhstan on a voluntary basis in the manner prescribed by paragraph 2 of Article 11 of this Law.

5. Excluded by the Law of the Republic of Kazakhstan dated 30.06.2025 № 203-VIII (shall be enforced ten calendar days after the day of its first official publication).

Footnote. Article 10 is in the wording of the Law of the Republic of Kazakhstan dated 23.12.2023 № 50-VIII (shall be enforced from 01.01.2024); as amended by the Law of the Republic of Kazakhstan dated 05.07.2024 № 115-VIII (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 30.06.2025 № 203-VIII (shall be enforced ten calendar days after the day of its first official publication).

Article 10-1. Persons, who are not subject to dactyloscopic registration

1. Children under the age of twelve shall be exempt from undergoing:

1) dactyloscopic registration;

2) identity verification procedures based on fingerprint information when crossing the state border of the Republic of Kazakhstan.

2. Based on the principle of reciprocity, the following persons are exempt from fingerprint registration when applying for visas to the Republic of Kazakhstan:

1) heads of foreign states, governments, international organizations with diplomatic status , and members of their families;

2) members of parliaments, governments of foreign states, international organizations, persons with diplomatic status, and members of their families who hold diplomatic passports, as well as members of official foreign delegations and persons accompanying them who hold diplomatic passports;

3) honorary consuls of the Republic of Kazakhstan and members of their families;

4) holders of diplomatic passports, as well as passports of international organizations with a status equivalent to that of diplomatic agents traveling to the Republic of Kazakhstan on official business;

5) diplomatic couriers carrying diplomatic mail – holders of diplomatic passports with a courier's letter;

6) foreign citizens and stateless persons arriving in the Republic of Kazakhstan at the invitation of the Administration of the President of the Republic of Kazakhstan, Kurultai of the Republic of Kazakhstan, Қазақстан Халық Кеңесі, the Supreme Court of the Republic of

Kazakhstan, the Office of the Government of the Republic of Kazakhstan, special state bodies , the Ministry of Defense of the Republic of Kazakhstan, the authorized state body in the field of foreign policy.

3. The following persons are exempt from the procedure of identity verification using fingerprint information when crossing the state border of the Republic of Kazakhstan:

1) holders of diplomatic passports;

2) holders of diplomatic and service visas;

3) foreign citizens and stateless persons at the written request of special state bodies, the Ministry of Defense of the Republic of Kazakhstan, the authorized state body in the field of foreign policy;

4) citizens of the Republic of Kazakhstan who have undergone fingerprint registration.

4. Persons who are unable to undergo fingerprinting are exempt from mandatory fingerprint registration when applying for identity documents, based on the conclusion of a medical advisory commission. The list of diseases that are grounds for exemption from fingerprint registration is approved by the authorized health care authority in agreement with the Ministry of Internal Affairs of the Republic of Kazakhstan.

Foreign citizens and stateless persons subject to expulsion from the Republic of Kazakhstan or subject to international readmission treaties ratified by the Republic of Kazakhstan, who shall not have all the fingers on both hands or papillary patterns on the nail phalanges of all fingers of both hands, shall be subject to fingerprint registration on the palms of the hands.

If a person lacks all fingers or hands on both hands, he or she shall be exempt from:

1) undergoing fingerprint registration, unless otherwise provided by this Law;

2) the procedure for confirming identity based on fingerprint information when crossing the state border of the Republic of Kazakhstan.

Footnote. Chapter 2 was supplemented with Article 10-1 in accordance with the Law of the Republic of Kazakhstan dated 30.06.2025 № 203-VIII (shall be enforced ten calendar days after the day of its first official publication); as amended by the Law of the Republic of Kazakhstan dated 11.06.2026 № 306-VIII (shall enter into force from 01.07.2026).

Article 11. Procedure for collecting dactyloscopic information

1. Dactyloscopic registration shall be carried out in relation to:

1) the persons specified in paragraph 1 of Article 10 of this Law - internal affairs bodies, in the case of issuing a passport of a citizen of the Republic of Kazakhstan in foreign institutions of the Republic of Kazakhstan - the authorized state body in the field of foreign policy activities;

2) the persons specified in subparagraph 1) of paragraph 2 of Article 10 of this Law - the authorized state body in the field of transport;

3) persons specified in subparagraphs 2) - 4) of paragraph 2 of Article 10 of this Law - internal affairs bodies;

4) persons specified in subparagraph 5) of paragraph 2 of Article 10 of this Law - internal affairs bodies, national security bodies in accordance with their competence;

5) persons specified in subparagraph 6) of paragraph 2 of Article 10 of this Law - the authorized state body in the field of foreign policy activities, internal affairs bodies in accordance with their competence.

2. For children aged twelve - sixteen years, dactyloscopic registration is carried out with their consent in the presence and on the basis of a written application of the legal representative of the child.

3. Fingerprint registration of a citizen of the Republic of Kazakhstan, a foreign citizen or a stateless person, whose incapacity shall be established by the court, shall be carried out in the presence and on the basis of a written application from his guardian.

4. Collection of dactyloscopic information is carried out in accordance with the rules for conduct of dactyloscopic and genomic registration.

Footnote. Article 11 as amended by the Law of the Republic of Kazakhstan dated 23.12.2023 № 50-VIII (shall be enforced from 01.01.2024).

Article 12. Information contained on material carriers with dactyloscopic information

List of information contained on tangible media with fingerprint information during paperwork, identity documents, visas of the Republic of Kazakhstan, permits for temporary or permanent residence in the Republic of Kazakhstan, as well as information contained in the fingerprint information of foreign citizens and stateless persons, subject to expulsion from the Republic of Kazakhstan or subject to international readmission treaties, ratified by the Republic of Kazakhstan, determined by the rules for fingerprinting and genomic registration.

Footnote. Article 12 is in the wording of the Law of the Republic of Kazakhstan dated 23.12.2023 № 50-VIII (shall be enforced from 01.01.2024); as amended by the Law of the Republic of Kazakhstan dated 30.06.2025 № 203-VIII (shall be enforced ten calendar days after the day of its first official publication).

Article 13. Modifying and (or) supplementing dactyloscopic information

Modifying and (or) supplementing the dactyloscopic information of persons who have undergone dactyloscopic registration are carried out in accordance with the rules for conduct of dactyloscopic and genomic registration.

Article 14. Accumulation and storage of dactyloscopic information

The accumulation and storage of fingerprint information obtained during fingerprint registration shall be carried out by internal affairs bodies through the formation of a digital resource in accordance with the legislation of the Republic of Kazakhstan.

The accumulation and storage of fingerprint information of persons in respect of whom a decision has been made to issue a seafarer’s identity document of the Republic of Kazakhstan shall be carried out by the authorized state body in the field of transport through the formation of a digital resource in accordance with the legislation of the Republic of Kazakhstan.

Footnote: Article 14 as amended by the Law of the Republic of Kazakhstan dated 09.01.2026 № 256-VIII (shall come into force upon expiry of six months after the date of its first official publication).

Article 15. Terms of storage of dactyloscopic information

1. Internal affairs bodies, the authorized state body in the field of transport shall store dactyloscopic information in databases about persons indicated:

in paragraph 1 of Article 10 of this Law, – after establishing the fact of their death, in cases of recognition of a citizen as missing or declaring a citizen dead by a court, loss or renunciation of citizenship of the Republic of Kazakhstan before the date when they would have turned one hundred years old;

in subparagraphs 1) - 6) of paragraph 2, paragraph 4 of Article 10 of this Law - ten years from the date of registration.

2. After the expiration of deadlines specified in paragraph 1 of this Article, internal affairs bodies, the authorized state body in the field of transport shall store dactyloscopic information about persons who have passed dactyloscopic registration on the basis of subparagraphs 1) - 6) of paragraph 2, paragraph 4 of Article 10 of this Law, in archives on material carriers for forty years.

Footnote. Article 15 as amended 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); dated 23.12.2023 № 50-VIII (shall be enforced from 01.01.2024) .

Article 16. Using dactyloscopic information

Fingerprint information of citizens of the Republic of Kazakhstan, foreign citizens and stateless persons obtained during fingerprint registration shall be used for:

1) confirmation and (or) identification of citizens of the Republic of Kazakhstan, foreign citizens and stateless persons;

2) accounting and control of foreign citizens and stateless persons on the territory of the Republic of Kazakhstan;

3) ensuring safety of the individual, society and the state;

4) registration and control of persons crossing the State border of the Republic of Kazakhstan, through the procedure for verifying the identity using the dactyloscopic information.

Footnote. Article 16 as amended by the Law of the Republic of Kazakhstan dated 23.12.2023 № 50-VIII (shall be enforced from 01.01.2024); dated 30.06.2025 № 203-VIII (shall be enforced ten calendar days after the day of its first official publication).

Article 17. Destruction of dactyloscopic information

1. Dactyloscopic information is destroyed by the bodies of internal affairs, the authorized state body in the field of transport, which carry out its accumulation and storage.

2. Dactyloscopic information shall be destroyed upon expiration of its terms of storage provided for in Article 15 of this Law.

3. The destruction of fingerprint information shall be carried out in accordance with acts approved by the heads of authorized departments of internal affairs agencies, the authorized state agency in the field of transport, in the manner determined by the rules for fingerprint and genome registration.

Footnote. Article 17 as amended by the Law of the Republic of Kazakhstan dated 30.06.2025 № 203-VIII (shall be enforced ten calendar days after the day of its first official publication).

Chapter 3. CONDUCT OF GENOMIC REGISTRATION

Article 18. Persons subject to genomic registration

1. The following persons are subject to mandatory genomic registration:

1) persons convicted of grave or particularly grave crimes, as well as crimes provided for in articles 120, 121, 122, 123 and 124 of the Criminal Code of the Republic of Kazakhstan;

2) unidentified persons whose biological material was seized during the pre-trial investigation in accordance with the procedure established by the criminal procedural law of the Republic of Kazakhstan for unsolved grave or particularly grave crimes, as well as crimes provided for in articles 120, 121, 122, 123 and 124 of the Criminal Code Republic of Kazakhstan;

3) unidentified corpses.

2. Biological relatives of missing citizens, first of all, parents (parent) and (or) children (child), and in their absence, other biological relatives, depending on the degree of kinship, are subject to genomic registration with their consent in the manner established by this Law.

Article 19. Procedure for genomic registration

Genomic registration is carried out in the following order:

1) selection of biological material from persons subject to genomic registration, unidentified corpses, as well as the seizure of biological material of unidentified persons during the pre-trial investigation from the places of unsolved grave or particularly grave crimes in accordance with the legislation of the Republic of Kazakhstan;

2) biological material of persons specified in subparagraph 1) of paragraph 1 of Article 18 of this Law shall be forwarded to an authorized division of the bodies of internal affairs for obtaining genomic information and performing genomic registration;

3) biological material of persons specified in subparagraph 2) of paragraph 1, paragraph 2 of Article 18 of this Law and unidentified corpses shall be forwarded to an authorized division of the bodies of internal affairs for carrying out research and conduct of genomic registration or forensic authorities of the Ministry of Justice of the Republic of Kazakhstan (hereinafter - forensic examination bodies), or to an individual performing forensic expert activity on the basis of a license, to conduct a forensic examination.

Forensic examination bodies or an individual performing forensic expert activity on the basis of a license send a copy of the genomic information obtained during the forensic molecular genetic examinations to the authorized division of the bodies of internal affairs for genomic registration.

Article 20. Information obtained in the course of selection of biological material and embodied in tangible carriers of genomic information

Information obtained in the course of selection of biological material as well as embodied in tangible carriers of genomic information, shall be determined in the rules for conducting dactyloscopic and genomic registration.

Footnote. Article 20 as amended by the Law of the Republic of Kazakhstan dated 30.06.2025 № 203-VIII (shall be enforced ten calendar days after the day of its first official publication).

Article 21. Selection and use of biological material

1. Selection of biological material for genomic registration is carried out:

1) from the convicted persons subject to genomic registration - by the bodies of internal affairs;

2) from unidentified persons whose biological material was seized during the pre-trial investigation in accordance with the procedure established by the criminal procedure law of the Republic of Kazakhstan, - by inquiry and investigation bodies conducting criminal proceedings, with the involvement of specialists from the authorized division of the bodies of internal affairs and (or) forensic medicine and compliance with the requirements of the Criminal Procedure Code of the Republic of Kazakhstan;

3) from biological relatives of the missing citizens – by the bodies of internal affairs;

4) from unidentified corpses – by the bodies of internal affairs with the involvement of a specialist in forensic medicine.

2. Selection of biological material from biological relatives of missing citizens for genomic registration is carried out on the basis of their written application.

Selection of biological material from a minor who is a biological relative of a missing person is carried out with his consent in the presence and on the basis of a written application of his legal representative.

Selection of biological material from a person found incapable by a court decision and being a biological relative of a missing person is conducted in the presence and on the basis of a written application of his guardian.

3. In case of poor initial selection of biological material that excludes obtaining genomic information, the biological material of convicts subject to genomic registration, biological relatives of the missing citizens is repeatedly selected at the request of the authorized division of the bodies of internal affairs that perform genomic registration.

4. Biological material selected for genomic registration is used to obtain genomic information.

5. Biological material for genomic registration shall not be selected when condemning a person who passed it earlier.

Footnote. Article 21 as amended 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).

Article 22. Terms of storage of biological material

1. Terms of storage of biological material of biological relatives of missing citizens, unidentified persons, as well as unidentified corpses seized during pre-trial investigation and recognized as material evidence in a criminal case shall be determined in accordance with the requirements of article 118 of the Criminal Procedure Code of the Republic of Kazakhstan.

2. Biological material selected for genomic registration of convicted persons shall be stored from the day of its selection until obtaining genomic information from it.

Article 23. Destruction of biological and genomic material

1. Biological material of biological relatives of missing citizens, unidentified persons, unidentified corpses, seized during pre-trial investigation and recognized as material evidence in a criminal case, after receiving genomic information is returned to the inquiry, investigation bodies.

2. Genomic information obtained as a result of genomic registration shall be destroyed by the internal affairs authorities responsible for its storage upon expiry of the storage period provided for in this Law.

3. Genomic information of an acquitted person who was subjected to genomic registration after his conviction shall be destroyed no earlier than one year after the acquittal becomes final.

4. The destruction of biological material obtained during the genomic registration of convicted persons upon expiration of the storage period established by paragraph 2 of Article 22 of this Law, as well as genomic information obtained during genomic registration, shall be carried out by the authorized division of the internal affairs bodies in accordance with acts approved by its head in the manner determined by the rules for conducting fingerprinting and genomic registration.

Footnote. Article 23 as amended by the Law of the Republic of Kazakhstan dated 30.06.2025 № 203-VIII (shall be enforced ten calendar days after the day of its first official publication).

Article 24. Information contained on material carriers with genomic information

Footnote. Article 24 was excluded by the Law of the Republic of Kazakhstan dated 30.06.2025 № 203-VIII (shall be enforced ten calendar days after the day of its first official publication).

Article 25. Obtaining genomic information

Obtaining of genomic information on persons subject to genomic registration is carried out using:

1) the biological material of convicts subject to genomic registration, - by the authorized division of the bodies of internal affairs;

2) the biological material of unidentified persons seized during the pre-trial investigation, the biological relatives of the missing citizens, from unidentified corpses - by the authorized division of the bodies of internal affairs or by the forensic examination body, by an individual , performing forensic expert activity on the basis of a license, in case of appointment of forensic examination by inquiry, investigation bodies.

Article 26. Modification and / or supplementation of genomic information

Modification and (or) supplementation of genomic information of persons who have undergone genomic registration are carried out in accordance with the rules for conduct of dactyloscopic and genomic registration.

Article 27. Accumulation and storage of genomic information

The accumulation and storage of genomic information obtained during genomic registration shall be carried out by internal affairs bodies in digital resources in accordance with the legislation of the Republic of Kazakhstan.

Footnote: Article 27 as amended by the Law of the Republic of Kazakhstan dated 09.01.2026 № 256-VIII (shall come into force upon expiry of six months after the date of its first official publication).

Article 28. Use of genomic information

1. Genomic information obtained as a result of genomic registration is used for the purposes of:

1) prevention, disclosure and investigation of criminal offenses, as well as detection and identification of persons who committed them;

2) search for missing citizens of the Republic of Kazakhstan, foreign citizens and stateless persons permanently residing or temporarily staying in the Republic of Kazakhstan;

3) identification of citizens of the Republic of Kazakhstan, foreign citizens and stateless persons for unidentified corpses;

4) establishment of family relations of wanted or established persons.

2. Genomic information of biological relatives of missing citizens is used for the purposes provided for by subparagraph 3) of paragraph 1 of this article.

Article 29. Terms of storage of genomic information

1. Genomic information of the convicted person subject to genomic registration shall be stored from the day of genomic registration until the expiry of twenty-five years after the fact of his death established, and in the absence of information on death or declaring him dead by a court - until the date when he would turn one hundred years old.

2. Genomic information obtained during genomic registration of unidentified persons, whose biological material was seized during the pre-trial investigation is stored twenty-five years from the date of genomic registration.

3. Genomic information obtained during genomic registration of biological relatives of missing citizens is stored until the location of the missing person is found or the criminal case is closed for lack of an event or a crime.

4. Genomic information obtained during genomic registration of unidentified corpses is stored until the identity of the deceased person is established, but not more than twenty-five years from the date of genomic registration.

Article 30. Destruction of genomic information

Footnote. Article 30 was excluded by the Law of the Republic of Kazakhstan dated 30.06.2025 № 203-VIII (shall be enforced ten calendar days after the day of its first official publication).

Chapter 4. STATE REGULATION IN THE FIELD OF DACTYLOSCOPIC AND GENOMIC REGISTRATION

Article 31. Competence of the Government of the Republic of Kazakhstan in the field of dactyloscopic and genomic registration

The Government of the Republic of Kazakhstan in the field of dactyloscopic and genomic registration:

1) develops the main directions of the state policy in the field of dactyloscopic and genomic registration and organizes their implementation;

2) Is excluded by the Law of the Republic of Kazakhstan dated 05.07.2024 № 115-VIII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

3) performs other functions entrusted to it by the Constitution, laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan.

Footnote. Article 31 as amended by the Law of the Republic of Kazakhstan dated 05.07.2024 № 115-VIII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 32. Competence of the bodies of internal affairs of the Republic of Kazakhstan in the field of dactyloscopic and genomic registration

Bodies of internal affairs of the Republic of Kazakhstan in the field of dactyloscopic and genomic registration:

1) develop and approve the rules for conducting fingerprint and genomic registration;

2) develop and approve the rules for formation, maintenance of dactyloscopic and genomic information databases;

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

Footnote. Article 32 as amended by the Law of the Republic of Kazakhstan dated 05.07.2024 № 115-VIII (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Article 33. Competence of the authorized state body in the field of foreign policy activities and foreign institutions of the Republic of Kazakhstan in the field of dactyloscopic registration

Footnote. The title of Article 33 as amended by the Law of the Republic of Kazakhstan dated 30.06.2025 № 203-VIII (shall be enforced ten calendar days after the day of its first official publication).

The authorized state body in the field of foreign policy in the field of dactyloscopic registration:

1) develop and approve the rules for collecting and processing fingerprint information from citizens of the Republic of Kazakhstan applying for a passport of a citizen of the Republic of Kazakhstan abroad, foreign citizens and stateless persons when obtaining visas of the Republic of Kazakhstan;

2) conducts dactyloscopic registration in accordance with the legislation of the Republic of Kazakhstan;

3) exercises other powers provided for by laws of the Republic of Kazakhstan, acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan.

Collection and transfer of fingerprint information of foreign citizens and stateless persons when obtaining visas of the Republic of Kazakhstan abroad can be carried out by concluding an agreement on the provision of services between foreign institutions of the Republic of Kazakhstan and legal entities, subject to strict observance of data confidentiality.

Footnote. Article 33 as amended by the Law of the Republic of Kazakhstan dated 30.06.2025 № 203-VIII (shall be enforced ten calendar days after the day of its first official publication).

Article 34. Competence of the authorized state body in the field of transport in the field of dactyloscopic registration

Authorized state body in the field of transport in the field of dactyloscopic registration:

1) develops and approves the rules for formation, maintenance of a database of dactyloscopic information of persons with respect to whom a decision was taken to issue a seafarer’s identity document of the Republic of Kazakhstan;

2) conducts dactyloscopic registration of persons in respect of whom a decision was taken to issue a seafarer’s identity document of the Republic of Kazakhstan, in accordance with the legislation of the Republic of Kazakhstan;

3) exercises other powers provided for by laws of the Republic of Kazakhstan, acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan.

Article 35. Competence of the national security bodies of the Republic of Kazakhstan in the field of dactyloscopic registration

The national security bodies of the Republic of Kazakhstan in the field of dactyloscopic registration:

1) develop and approve the rules for procedure for verifying the identity by dactyloscopic information when crossing the State Border of the Republic of Kazakhstan and formation, maintenance of a dactyloscopic information database of these persons;

2) exercise other powers provided for by laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan.

Article 36. Supervision over compliance with legality in the field of dactyloscopic and genomic registration

On behalf of the state, the prosecution bodies exercise the highest supervision over compliance with legality in the field of dactyloscopic and genomic registration.

Footnote. Article 36 in the new wording of the Law of the Republic of Kazakhstan dated 11.07.2017 № 91-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication).

Chapter 5. FINAL PROVISIONS

Note!

The effect of Article 37 in terms of appealing the actions (inaction) of authorized state bodies in the field of fingerprint registration and their officials was suspended until 01.01.2024 by Article 39 of this Law.

Article 37. Procedure for appeal of actions (inaction) of authorized state bodies in the field of fingerprint and/or genomic registration

Actions (inaction) of authorized state bodies in the field of fingerprint and (or) genomic registration and their officials may be appealed in the procedure prescribed by the Laws of the Republic of Kazakhstan.

Footnote. Article 37 - in the wording of the Law of the RK dated 29.06.2020 № 351-VI (shall enter into force on 01.07.2021).

Note!

The effect of Article 38 in terms of liability for violation of the legislation of the Republic of Kazakhstan on fingerprint registration was suspended until 01.01.2024 by Article 39 of this Law.

Article 38. Responsibility for violation of the legislation of the Republic of Kazakhstan on dactyloscopic and genomic registration

Violation of the legislation of the Republic of Kazakhstan on dactyloscopic and genomic registration entails responsibility in accordance with the laws of the Republic of Kazakhstan.

Article 39. Order of enactment of this Law

This Law shall come into force on January 1, 2021.

Suspend until January 1, 2024:

1) subparagraph 2) of paragraph 1 of Article 7 of this Law in terms of appeal against the actions (inaction) of state bodies and their officials related to the collection and (or)

processing, protection of their fingerprint information or fingerprint information of the person whose legitimate interests they represent;

2) Chapter 2 of this Law;

3) Article 37 of this Law in terms of appeal against actions (inaction) of authorized state bodies in the field of fingerprint registration and their officials;

4) Article 38 of this Law in terms of liability for violation of the legislation of the Republic of Kazakhstan on fingerprint registration.

To suspend until July 1, 2025 the effect of subparagraph 6) of paragraph 2 of Article 10 of this Law regarding the registration and issuance of visas at international airports of the Republic of Kazakhstan and visas issued in electronic format without visiting foreign institutions of the Republic of Kazakhstan.

Footnote. Article 39 as amended by the Law of the RK dated 29.06.2021 № 58-VII (shall enter into force on 01.01.2021); 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 30.12.2022 № 177-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 23.12.2023 № 50-VIII (shall be enforced from 01.01.2024).

The President
of the Republic of Kazakhstan *N. NAZARBAYEV*

© 2012. «Institute of legislation and legal information of the Republic of Kazakhstan» of the Ministry of Justice of the Republic of Kazakhstan