

## **On legal acts**

### ***Unofficial translation***

The Law of the Republic of Kazakhstan dated April 6, 2016 № 480-V LRK.

#### **Unofficial translation**

This Law regulates public relations related to the procedure for development, submission, discussion, acceptance, registration, enactment, amendment, addition, termination, suspension and publication of legal acts of the Republic of Kazakhstan.

## **SECTION 1. GENERAL PROVISIONS**

### **Chapter 1. GENERAL PROVISIONS**

#### **Article 1. General provisions, used in this Law**

The following basic concepts are used in this Law:

1) body-developer - state bodies, local representative and executive bodies that develop regulatory legal acts in accordance with their competence, established by the Constitution of the Republic of Kazakhstan, this Law and other regulatory legal acts;

1-1) scientific legal expertise - an independent professional expert analysis of objects of scientific legal expertise in terms of assessing their quality, validity, scientific development of the project, determining possible negative social and legal consequences of its adoption, compliance of the proposed standards with the law system and the legislation system;

1-2) scientific legal expert - an individual who is in the register of scientific legal experts;

1-3) a register of scientific legal experts - a list of scientific legal experts involved in scientific legal expertise;

1-4) information system "E-zahnama" - a unified legal system designed to analyze (monitor) the legislation of the Republic of Kazakhstan, as well as automate individual regulatory processes;

2) provision - a normative legal act that defines the status and powers of a public body;

3) a legal act of individual application - a written official document of an authorized body exercising its powers, which does not contain standards of law and is not related to the implementation of the rights and obligations of individuals and legal entities;

4) law - a normative legal act that regulates the most important social relations, establishes the fundamental principles and norms provided for by the Constitution of the Republic of Kazakhstan;

5) subordinate regulatory legal acts - other normative legal acts that are not legislative acts, issued on the basis of (and) or in execution of and (or) for further implementation of legislative and other hierarchical normative legal acts;

6) is excluded by the Law of the Republic of Kazakhstan dated 05.11.2022 № 157-VII (shall be enforced from 01.01.2023);

6-1) is excluded by the Law of the Republic of Kazakhstan dated 05.11.2022 № 157-VII (shall be enforced from 01.01.2023);

7) a legislative act - a law making amendments and additions to the Constitution of the Republic of Kazakhstan, a constitutional law, a code, a consolidated law, a law, a temporary decree of the Government of the Republic of Kazakhstan having the force of law, a resolution of the Parliament of the Republic of Kazakhstan, resolutions of the Senate and Majilis of the Parliament of the Republic of Kazakhstan;

8) legal expertise - verification of the draft regulatory legal act or the adopted regulatory legal act for its compliance with the Constitution of the Republic of Kazakhstan and the legislation of the Republic of Kazakhstan, legal equipment;

9) legal technique - a set of methods, requirements and rules for formulation of legal acts;

10) analogy of law - application of norms of laws, regulating similar social relations to the unregulated public relations;

11) code - a law, which combines and systematizes the rules of law, governing the homogeneous most important social relations provided for by Article 8 of this Law;

12) constitutional law - a law adopted on issues stipulated by the Constitution of the Republic of Kazakhstan in the manner established by paragraph 4 of Article 62 of the Constitution of the Republic of Kazakhstan;

13) rules - a normative legal act that determines the procedure for organization and implementation of an activity;

14) State register of normative legal acts of the Republic of Kazakhstan - a unified system of state registration of normative legal acts of the Republic of Kazakhstan, containing requisites of normative legal acts and other information of reference nature about these acts;

15) reference control bank of normative legal acts of the Republic of Kazakhstan - a set of normative legal acts on paper and an electronic system of normative legal acts in the form of an electronic document, information on which is included in the state register of normative legal acts of the Republic of Kazakhstan;

16) legislation of the Republic of Kazakhstan - a set of normative legal acts adopted in accordance with the established procedure;

17) law introducing amendments and additions to the Constitution of the Republic of Kazakhstan - a law adopted in accordance with the procedure established by paragraph 3 of Article 62 and paragraph 1 of Article 91 of the Constitution of the Republic of Kazakhstan;

18) the norm of law - a generally binding rule of behavior of a permanent or temporary character, designed for repeated application, extending to an individually indeterminate scope of persons within the framework of regulated public relations;

19) a legal act - a written official document of the established form, containing a rule of law adopted at a republican referendum or an authorized body, or a decision of the form established by law, containing an individual power legal order;

19-1) Unified legal information system - a system of centralized access to the Reference Control Bank of regulatory legal acts of the Republic of Kazakhstan and a systematized database of regulatory legal acts of the Republic of Kazakhstan;

20) legal monitoring - a system of continuous monitoring, collection, analysis of information on the state of legislation of the Republic of Kazakhstan and its practice in order to assess and predict the effectiveness of legislation of the Republic of Kazakhstan, develop proposals for its improvement, carried out in accordance with Articles 50 and 51 of this Law;

21) analogy of the right - application of the meaning of legislation, general principles of law and the principles of specific branches of law to the unresolved social relations;

22) is excluded by the Law of the Republic of Kazakhstan dated 25.11.2019 № 272-VI ( shall be enforced upon expiry of ten calendar days after its first official publication);

23) is excluded by the Law of the Republic of Kazakhstan dated 25.11.2019 № 272-VI ( shall be enforced upon expiry of ten calendar days after its first official publication);

24) a non-regulatory legal act - a decision of an authorized body that shall not contain a rule of the Law adopted in a prescribed written or other form within its competence, implementing the rights and obligations of individually defined persons established by the legislation of the Republic of Kazakhstan or explaining the standards contained in the regulatory legal act, as well as a legal act of individual application or a legal act in the field of the state planning system;

25) regulatory legal act - a written official document of the established form, adopted at a republican referendum or by an authorized body, establishing the standards of the Law, modifying, supplementing, terminating or suspending their effect;

26) excluded by the Law of the Republic of Kazakhstan dated 24.05.2018 № 156-VI ( shall be enforced upon the expiration of ten calendar days after the day of its first official publication);

27) Register of state registration of regulatory legal acts - a list containing the number of state registration and details of regulatory legal acts specified in subparagraphs 6), 7), 8) and 9) of paragraph 2 of Article 7 of this Law, which have passed state registration in the justice authorities of the Republic of Kazakhstan ;

28) level of a normative legal act - a place of a normative legal act depending on its legal force in the hierarchy of normative legal acts;

29) legal force of a normative legal act - a characteristic of a normative legal act that determines the binding nature of its application to the relevant social relations, as well as the advantage or subordination in relation to other normative legal acts;

30) official publication of a normative legal act - a publication for the public of the full text of a normative legal act in Kazakh and Russian in the Reference Control Bank of the normative legal acts of the Republic of Kazakhstan electronically, in official print media, and in periodicals in cases provided for by this law;

31) an act of an official clarification of a normative legal act - a written official document of the established form clarifying the norms contained in a normative legal act that meets the requirements and conditions specified in Chapter 13 of this Law;

32) instruction - a normative legal act detailing the application of legislation in any sphere of public relations;

32-1) pilot project - a procedure carried out by a state body in order to identify the result of the introduced regulation;

32-2) regulatory entities - persons covered by regulatory legal acts;

32-3) regulatory burden - the financial burden of regulatory entities in connection with the establishment by the legislation of the Republic of Kazakhstan of requirements mandatory for execution, including the cost of time and human resources;

32-4) regulatory policy - state regulation of state relations through regulatory legal acts;

32-5) a regulatory policy consultative document (hereinafter-a consultative document) - a document of the established form, which should contain problems of state regulation in a particular area, ways to solve them, justification for the need to develop a draft law and other provisions determined by the Government of the Republic of Kazakhstan;

33) technical regulations - a regulatory legal act establishing requirements for products or for products and related processes of its life cycle, developed and applied in accordance with the legislation of the Republic of Kazakhstan in the field of technical regulation or an international agreement ratified by the Republic of Kazakhstan;

34) an authorized body - state bodies and officials of the Republic of Kazakhstan, which are entitled to adopt legal acts in accordance with their competence, established by the Constitution of the Republic of Kazakhstan, this Law, as well as the legislation of the Republic of Kazakhstan, which determines the legal status of these bodies and officials (President of the Republic of Kazakhstan, Parliament of the Republic of Kazakhstan, Chambers of Parliament, Government of the Republic of Kazakhstan, Constitutional Court of the Republic of Kazakhstan, Supreme Court of the Republic of Kazakhstan, Central Election Commission of the Republic of Kazakhstan, Supreme Audit Chamber of the Republic of Kazakhstan, National Bank of the Republic of Kazakhstan, central executive bodies, local representative and executive bodies, akims, other state bodies, and officials);

35) excluded by the Law of the Republic of Kazakhstan dated 21.01.2019 № 217-VI (shall be enforced upon expiration of ten calendar days after the day of its first official publication);

36) a consolidated law - a law regulating complex social relations in the spheres (areas) stipulated by Article 9 of this Law.

Footnote. Article 1 as amended by the Law of the Republic of Kazakhstan dated 11.07.2017 № 91-VI (comes into force 10 days after the day of its first official publication); dated 24.05.2018 № 156-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 21.01.2019 № 217-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 25.11.2019 № 272-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 29.06.2020 № 351-VI (shall enter into force from 01.07.2021); dated 30.12.2020 № 397-VI (shall enter into force upon expiry of six months after the day of its first official publication); dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 05.11.2022 № 157-VII (see Article 3 for the procedure of entry into force).

## **Article 2. Scope of this Law**

1. This Law determines the system of legal acts of the Republic of Kazakhstan, delineates the legal status of normative legal acts and non-normative legal acts.

2. This Law does not regulate:

1) the procedure for adopting, amending, supplementing and terminating the Constitution of the Republic of Kazakhstan;

2) the procedure for the adoption, amendment, addition, and termination of the normative resolutions of the Constitutional Court of the Republic of Kazakhstan and the Supreme Court of the Republic of Kazakhstan;

3) procedure for conclusion, execution, amendment, supplementation and termination of international treaties of the Republic of Kazakhstan, with the exception of relations regulated by Article 19 of this Law;

4) procedure for acceptance, amendment, addition and termination of legal acts of individual application established by the legislation of the Republic of Kazakhstan on administrative offenses, legislation of the Republic of Kazakhstan on administrative procedure, criminal procedure and civil procedure legislation of the Republic of Kazakhstan;

5) procedure for planning, development, approval, registration, accounting, publication, monitoring and updating of documents on standardization established by the legislation of the Republic of Kazakhstan in the field of standardization.

Footnote. Article 2 with the change introduced by the Law of the Republic of Kazakhstan dated 05.10.2018 № 184-VI (shall be enforced upon the expiration of six months after the day of its first official publication); dated 29.06.2020 № 351-VI (shall enter into force from

01.07.2021); dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 05.11.2022 № 157-VII (shall be enforced from 01.01.2023).

### **Article 3. General requirements for legal acts. Types of legal acts**

1. Legal acts shall meet the following general requirements:
  - 1) contain normative or individual authoritative legal regulations;
  - 2) to be adopted at a republican referendum or in accordance with the procedure established by this Law and other legislative acts;
  - 3) should be addressed to an indefinite scope of persons or to individually identified persons;
  - 4) should be aimed at regulation of public relations;
  - 5) should be aimed at emergence, modification, addition or termination of the rights and obligations of individuals and (or) legal entities.
2. Legal acts are divided into the following types:
  - 1) normative legal acts;
  - 2) non-normative legal acts.

## **Chapter 2. LEGISLATION OF THE REPUBLIC OF KAZAKHSTAN**

### **Article 4. The system of legislation of the Republic of Kazakhstan, ensuring its integrity**

1. The system of legislation of the Republic of Kazakhstan is constituted by the Constitution of the Republic of Kazakhstan, legislative acts corresponding to it, and other regulatory legal acts, including regulatory resolutions of the Constitutional Court of the Republic of Kazakhstan and the Supreme Court of the Republic of Kazakhstan.
2. The integrity of the system of legislation of the Republic of Kazakhstan is provided through:
  - 1) compliance with the procedure for adoption of normative legal acts, amendments and additions thereto established by the Constitution of the Republic of Kazakhstan, legislative and other normative legal acts;
  - 2) observance of the hierarchy of normative legal acts, enshrined by the Constitution of the Republic of Kazakhstan and this Law;
  - 3) official publication of normative legal acts concerning the rights, freedoms and duties of citizens.

**Footnote. Article 4 as amended by the Law of the Republic of Kazakhstan dated 05.11.2022 № 157-VII (shall be enforced from 01.01.2023).**

### **Article 5. Normative resolutions of the Constitutional Court of the Republic of Kazakhstan and the Supreme Court of the Republic of Kazakhstan**



**Footnote. The heading of Article 5 as amended by the Law of the Republic of Kazakhstan dated 05.11.2022 № 157-VII (shall be enforced from January 1, 2023).**

1. Normative resolutions of the Constitutional Court of the Republic of Kazakhstan shall be based only on the Constitution of the Republic of Kazakhstan, and all other regulatory legal acts cannot contradict them.

2. Normative resolutions of the Constitutional Court of the Republic of Kazakhstan shall have the legal force of those norms of the Constitution of the Republic of Kazakhstan, on the basis of which they were adopted.

3. The normative resolution of the Supreme Court of the Republic of Kazakhstan contains explanations on judicial practice issues.

**Footnote. Article 5 as amended by the Law of the Republic of Kazakhstan dated 05.11.2022 № 157-VII (shall be enforced from 01.01.2023).**

## **Article 6. International treaties of the Republic of Kazakhstan**

1. The procedure for concluding, executing, amending, supplementing and terminating international treaties of the Republic of Kazakhstan is determined by a special law.

2. International treaties ratified by the Republic of Kazakhstan shall take precedence over its laws and shall be applied directly, unless an international treaty states that the law is required for its application.

## **SECTION 2. NORMATIVE LEGAL ACTS**

### **Chapter 3. GENERAL PROVISIONS ON NORMATIVE LEGAL ACTS**

## **Article 7. Basic and derived types of normative legal acts**

1. Normative legal acts are subdivided into basic and derivative.

2. The basic types of normative legal acts are:

1) the Constitution of the Republic of Kazakhstan, the constitutional laws of the Republic of Kazakhstan, the codes of the Republic of Kazakhstan, the consolidated laws of the Republic of Kazakhstan, the laws of the Republic of Kazakhstan, temporary resolutions of the Government of the Republic of Kazakhstan having the force of law;

2) normative legal decrees of the President of the Republic of Kazakhstan;

2-1) Normative legal acts of the President of the Security Council of the Republic of Kazakhstan;

3) normative legal decisions of the Parliament of the Republic of Kazakhstan and its Chambers;

4) normative legal decisions of the Government of the Republic of Kazakhstan;

5) normative resolutions of the Constitutional Court of the Republic of Kazakhstan, the Supreme Court of the Republic of Kazakhstan;

6) normative legal resolutions of the Central Election Commission of the Republic of Kazakhstan, the Supreme Audit Chamber of the Republic of Kazakhstan, the National Bank of the Republic of Kazakhstan, and other central state bodies;

7) normative legal orders of ministers of the Republic of Kazakhstan and other heads of central state bodies;

8) normative legal orders of heads of departments of central state bodies;

9) normative legal decisions of maslikhats, normative legal resolutions of akimats, normative legal decisions of akims and normative legal resolutions of revision commissions.

3. The derived types of normative legal acts are:

1) provision;

2) technical regulation;

3) is excluded by the Law of the Republic of Kazakhstan dated 25.11.2019 № 272-VI ( shall be enforced upon expiry of ten calendar days after the day of its first official publication );

4) is excluded by the Law of the Republic of Kazakhstan dated 25.11.2019 № 272-VI ( shall be enforced upon expiry of ten calendar days after the day of its first official publication );

5) rules;

6) instruction.

Legislative acts of the Republic of Kazakhstan may provide for other forms of normative legal acts of a derived type.

4. Normative legal acts of derived types are adopted or approved through normative legal acts of the basic types and make a whole with them.

5. Territorial subdivisions of authorized bodies, as well as local executive bodies authorized by the akim, financed from local budgets, are not entitled to issue normative legal acts.

6. Normative legal orders are adopted by heads of departments of central state bodies, subject to the existence of direct competence for their approval in the normative legal acts of the state body, the structure of which includes the department, and may not affect the rights and freedoms of an individual and a citizen.

Footnote. Article 7 as amended by the Law of the Republic of Kazakhstan dated 11.07.2017 № 91-VI (comes into force 10 calendar days after the day of its first official publication); dated 05.07.2018 № 179-VI (shall be enforced from the date of its first official publication); dated 25.11.2019 № 272-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 05.11.2022 № 157-VII (see Article 3 for the procedure of entry into force,).

**Article 8. Public relations regulated by the Codes of the Republic of Kazakhstan**



The Codes of the Republic of Kazakhstan are adopted with the aim of regulating the following homogeneous important social relations:

- 1) budget;
- 2) civil;
- 3) civil procedural;
- 4) marriage and family;
- 5) ecological;
- 6) water;
- 7) land;
- 8) forest;
- 9) tax;
- 10) customs;
- 11) labor;
- 12) related to execution of criminal penalties;
- 13) related to bringing to administrative responsibility;
- 14) related to bringing to criminal liability;
- 15) criminal procedure;
- 16) in the field of health;
- 17) in entrepreneurship area;
- 18) in subsoil and subsoil use area.
- 19) related to the implementation of administrative procedures and administrative proceedings;
- 20) in the field of social protection.

**Footnote.** Article 8 as amended by the Law of the RK dated 07.07.2020 № 361-VI (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 29.06.2020 № 351-VI (shall enter into force from 01.07.2021); dated 20.04.2023 № 226-VII (shall be enforced from 01.07.2023).

## **Article 9. Relations governed by consolidated laws**

Consolidated laws of the Republic of Kazakhstan are adopted with a view to improve the structure of legislation and unite laws that regulate the complex social relations in the sphere (area) of:

- 1) state property;
- 2) local government and self-government;
- 3) education and science;
- 4) civil protection;
- 5) housing relations;
- 6) regulation, supervision and control of the financial market and financial organizations;
- 7) transport;

- 8) permits and notifications;
- 9) rehabilitation and bankruptcy;
- 10) architecture, town-planning and construction;
- 11) advocate's activity and legal assistance.

**Footnote.** Article 9 with the change introduced by the Law of the Republic of Kazakhstan dated 05.07.2018 № 177-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).

## **Article 10. Hierarchy of normative legal acts**

1. The highest legal force belongs to the Constitution of the Republic of Kazakhstan.
2. The ratio of the legal force of other normative legal acts other than the Constitution of the Republic of Kazakhstan corresponds to the following subordinate levels:
  - 1) laws that introduce amendments and additions to the Constitution;
  - 2) constitutional laws of the Republic of Kazakhstan;
  - 3) codes of the Republic of Kazakhstan;
  - 4) consolidated laws, laws of the Republic of Kazakhstan, temporary resolutions of the Government of the Republic of Kazakhstan having the force of law;
  - 5) normative decrees of the Parliament of the Republic of Kazakhstan and its Chambers;
  - 6) normative legal decrees of the President of the Republic of Kazakhstan;
  - 7) normative legal resolutions of the Government of the Republic of Kazakhstan;
  - 8) normative legal orders of the ministers of the Republic of Kazakhstan and other heads of central state bodies, regulatory legal resolutions of the Central Election Commission of the Republic of Kazakhstan, the Supreme Audit Chamber of the Republic of Kazakhstan, the National Bank of the Republic of Kazakhstan and other central state bodies;
  - 9) normative legal orders of heads of departments of central state bodies;
  - 10) normative legal decisions of maslikhats, normative legal resolutions of akimats, normative legal decisions of akims and normative legal resolutions of revision commissions.
3. Each of the normative legal acts of the subordinate level should not contradict the normative legal acts of the higher levels.
4. The place of a normative legal act of the derived type in the hierarchy of normative legal acts is determined by the level of the act of the basic type.
5. Acts of the Chairman of the Security Council of the Republic of Kazakhstan, normative resolutions of the Constitutional Court of the Republic of Kazakhstan and the Supreme Court of the Republic of Kazakhstan shall be outside the hierarchy of normative legal acts established by this Article.

**Note.** Article 10 as amended by the Law of the Republic of Kazakhstan dated 11.07.2017 № 91-VI (comes into force 10 calendar days after the day of its first official publication); dated 05.07.2018 № 179-VI (shall be enforced from the date of its first official publication); dated 05.11.2022 № 157-VII (see Article 3 for the procedure of entry into force).

## **Article 11. Direct effect of normative legal acts**

1. All normative legal acts have direct effect, unless otherwise stipulated in the normative legal acts themselves or in the acts on putting them into effect.

2. No additional instructions are required for application of normative legal acts in effect.

3. If a normative legal act itself states that any of its norms of law is applied on the basis of an additional normative legal act, then this norm is applied in accordance with the basic and additional normative legal act.

Before adoption of an additional normative legal act, the normative legal acts regulating the relevant relations are applied.

## **Article 12. Contradictions of the law of various regulatory legal acts**

**Footnote. Title of the Article 12 in the wording of the Law of the RK dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

1. In the presence of contradictions in the norms of normative legal acts of different levels, the norms of an act of a higher level apply.

2. Norms of laws in cases of their discrepancy with the norms of the codes of the Republic of Kazakhstan may be applied only after entering appropriate changes and (or) additions into the codes.

3. If there are contradictions in the standards of one regulatory legal act or regulatory legal acts of the same level, the standard of the act later put into effect or the standard that corresponds to the act later put into effect shall apply.

**Footnote. Article 12 as amended by the Law of the RK dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

## **Article 13. Procedure for using analogy of law and analogy of right**

1. In the absence of norms of law governing specific social relations, analogy of law or analogy of right may be applied.

2. In the absence of norms of law governing specific social relations, analogy of law is applied.

3. If it is not possible to use the analogy of law in the cases provided for in paragraph 2 of this article, the analogy of right is applied.

4. In the process of applying the analogy of law and the analogy of right, the establishment of new obligations or restriction of the rights of individuals or legal entities is not allowed.

The possibility of applying the analogy of law and the analogy of right in relations regulated by specific branches of legislation is determined by the relevant legislative acts.

## **Article 14. Calculation of terms**

1. The term established by the legislation is determined by the calendar date or indication of an event that must inevitably occur. The term can also be set as a period of time that is calculated by years, quarters, months, weeks, days (days and nights) or hours.

2. The term, calculated in years, begins with the calendar date or the day of the event, which determine its beginning, and expires in the relevant month and date of the last year of the term. If the end of the term falls on a month in which there is no corresponding date, then the term expires on the last day of this month.

The term, calculated in months, begins with the calendar date or the day of the event, which determine its beginning, and expires on the corresponding day (date) of the last month of the term. If the end of the term falls on a month in which there is no corresponding date, then the term expires on the last day of this month.

The term, calculated in weeks, begins with the calendar date or the day of the occurrence of the event, which determine its beginning, and expires on the corresponding day of the last week of the term.

The term, calculated in days, begins on the day following the calendar date or the date (day) of the event, which determine its beginning, with the exception of constitutional terms, which begin from the day of the event referred to in the Constitution of the Republic of Kazakhstan, and expire in the last day of the established term.

The term, calculated in hours, begins from the minute of occurrence of the event, which determines its beginning, and expires at the last minute of the established period.

3. The duration of term, determined by the period of time, begins on the day after the calendar date or the occurrence of the event that determine its beginning, except for the constitutional terms that begin from the day of the event specified in the Constitution of the Republic of Kazakhstan.

If the last day of the term falls on a non-working day, the day of expiry of the term is considered to be the next business day following it.

## **Chapter 3-1. REGULATORY POLICY**

**Footnote.** The Law as added by the Chapter 3-1 in accordance with the Law of the RK dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

### **Article 14-1. Regulatory policy implementation**

The implementation of regulatory policy shall include:

- 1) analysis and public discussion of existing problems of state regulation;
- 2) development of a consolidated solution on the existing problem, taking into account the results of public discussion, as well as comments and proposals of interested state bodies and organizations;
- 3) if necessary, introduce regulation through the adoption of a regulatory legal act;

4) provision of the necessary deadlines for regulatory entities to prepare for new regulation taking into account their regulatory load;

5) evaluation of the effectiveness of the adopted regulatory legal acts.

#### **Article 14-2. Regulatory policy objectives**

State regulation shall be introduced through regulatory legal acts in order to ensure the safety of life and health of people, protect their rights, freedoms and legitimate interests, safety for the environment, national security of the Republic of Kazakhstan, and protect property interests of the state.

The protection of the constitutional order, the protection of public order, human rights and freedoms, the health and morals of the population can lead to the restriction of rights and freedoms, if such restriction is adequately lawfully justified and meets the requirements of justice, is proportional, proportionate and necessary in a democratic state to protect constitutionally significant values.

#### **Article 14-3. Principles of legislative regulation**

1. The law should establish the principles on the basis of which it regulates specific public relations.

2. The principles of legislative regulation should be established with the disclosure of specific mechanisms for their implementation.

3. The standards of laws should not contradict the principles established in them, and in case of contradiction with the principles should be brought into line with them.

### **Chapter 4. PLANNING OF PREPARATION OF DRAFT NORMATIVE LEGAL ACTS**

#### **Article 15. Plans for preparation of draft normative legal acts**

1. Plans for preparation of draft normative legal acts are divided into current ones, those compiled for one year, and long-term ones, compiled for longer periods.

The long-term plans envisage development of the most important normative legal acts, as well as normative legal acts, the preparation of which is planned for a period of more than one year.

2. The plans of preparation specify:

- 1) the name of the normative legal act reflecting its level, form and subject of regulation;
- 2) terms of preparation;
- 3) bodies and organizations responsible for development of the draft.

3. Plans for preparation of normative legal acts may be drawn up and approved by authorized bodies, entitled to adopt the relevant acts, unless otherwise provided by this Law and other legislation of the Republic of Kazakhstan.

4. When drawing up plans for the preparation of draft regulatory legal acts, proposals from state and other bodies, organizations, including scientific ones, deputies of the Parliament of the Republic of Kazakhstan, the National Chamber of Entrepreneurs of the Republic of Kazakhstan and other interested parties, the results of legal and public monitoring

, the results of the discussion of consultative documents, as well as recommendations, received through the information system "E-zannama" shall be taken into account.

5. Authorized bodies drawing up and approving plans for preparation of draft normative legal acts may enter other indicators reflecting preparation of these acts into the plans.

6. Procedure and forms for planning the preparation of draft normative legal acts issued by the President of the Republic of Kazakhstan are determined by the President of the Republic of Kazakhstan.

**Footnote. Article 15 as amended by the Law of the RK dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 05.11.2022 № 157-VII (shall be enforced from 01.01.2023).**

#### **Article 16. Planning of preparation of draft legislative acts**

**1. As excluded by the Law of the Republic of Kazakhstan dated 13.01.2025 № 157-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

2. As excluded by the Law of the Republic of Kazakhstan dated 13.01.2025 № 157-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

3. As excluded by the Law of the Republic of Kazakhstan dated 13.01.2025 № 157-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

4. As excluded by the Law of the Republic of Kazakhstan dated 13.01.2025 № 157-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

4-1. State bodies shall submit proposals to the Ministry of Justice of the Republic of Kazakhstan on the basis of the results of legal monitoring.

5. The Government of the Republic of Kazakhstan on an annual basis shall approve the Plan of Legislative Work of the Government of the Republic of Kazakhstan developed by the Ministry of Justice of the Republic of Kazakhstan.

**6. As excluded by the Law of the Republic of Kazakhstan dated 13.01.2025 № 157-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

7. The plan of legislative works of the Government of the Republic of Kazakhstan should contain an indication of:

1) the name of the draft law, the development of which is expected in the coming year, reflecting its level, form and subject of regulation;

2) terms of development of the draft law and its submission to the Parliament of the Republic of Kazakhstan;

3) bodies, organizations and officials who are responsible for the development of the draft law.



8. Procedure and forms for planning the preparation of draft legislative acts adopted by the Parliament of the Republic of Kazakhstan are determined by the Parliament and its Chambers in accordance with their competence established by paragraph 3 of Article 61 of the Constitution of the Republic of Kazakhstan.

9. The requirements of this Article shall not apply to the preparation of draft laws introduced in the Majilis of the Parliament of the Republic of Kazakhstan in accordance with the legislative initiative of the President of the Republic of Kazakhstan and deputies of the Parliament of the Republic of Kazakhstan.

**Footnote. Article 16 as amended by the Law of the RK dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 13.01.2025 № 157-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

## **Chapter 5. PREPARATION AND FORMULATION OF DRAFT NORMATIVE LEGAL ACTS**

### **Article 17. Developers of draft laws**

1. The drafters of draft laws submitted to the Majilis of the Parliament of the Republic of Kazakhstan in accordance with the legislative initiative of the President of the Republic of Kazakhstan, on behalf of the President of the Republic of Kazakhstan or the Head of the Presidential Administration of the Republic of Kazakhstan, based on the instructions of the President of the Republic of Kazakhstan, may be the Presidential Administration, the Government, other state bodies, organizations and citizens in agreement with them.

2. The drafters of draft laws prepared in accordance with the legislative initiative of members of the Parliament of the Republic of Kazakhstan shall be deputies of the Parliament.

3. The drafters of draft laws prepared in accordance with the legislative initiative of the Government of the Republic of Kazakhstan shall be the central executive bodies, as well as other state bodies, in agreement with them.

4. Proposals on the development of draft laws submitted to the Majilis of the Parliament of the Republic of Kazakhstan in accordance with the legislative initiative of the President of the Republic of Kazakhstan may be submitted to the President of the Republic of Kazakhstan by his Administration, the Government of the Republic of Kazakhstan, central state, local representative and executive bodies, local self-government bodies, as well as organizations and citizens.

The Administration of the President of the Republic of Kazakhstan or other state bodies of the Republic of Kazakhstan entrusted with the drafting of the law in accordance with the procedure of the legislative initiative of the President of the Republic of Kazakhstan shall develop the draft law within one month, unless otherwise established by the President of the Republic of Kazakhstan or on his instructions by the Head of the Presidential Administration of the Republic of Kazakhstan.

Draft laws prepared in the manner of the legislative initiative of the President of the Republic of Kazakhstan shall be coordinated with the interested state bodies of the Republic of Kazakhstan in cases determined by the President of the Republic of Kazakhstan or on his instructions by the Head of the Presidential Administration of the Republic of Kazakhstan.

The period of approval of draft laws submitted to the Majilis of the Parliament of the Republic of Kazakhstan in accordance with the legislative initiative of the President of the Republic of Kazakhstan may not exceed ten working days, unless another, shorter period has been established by the President of the Republic of Kazakhstan or on his instructions by the Head of the Presidential Administration of the Republic of Kazakhstan.

**Footnote. Article 17 in the wording of the RK dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

**Article 17-1. Procedure for implementing the right of legislative initiative by the Government of the Republic of Kazakhstan**

1. The state bodies specified in paragraph 3 of Article 17 of this Law shall be the drafters of draft laws prepared in accordance with the legislative initiative of the Government of the Republic of Kazakhstan.

2. Other bodies, organizations and citizens shall have the right to submit proposals for the development of draft laws or to submit such initiative projects to the central state bodies for consideration.

Central state authorities may adopt them as the basis for the draft laws they are drafting or consider them to be inappropriate.

3. The central state body, unless otherwise established by the legislation of the Republic of Kazakhstan, may entrust the preparation of the draft law to its subordinate bodies and organizations or order its training on a contractual basis to specialists, the National Chamber of Entrepreneurs of the Republic of Kazakhstan, associations of private entrepreneurs, scientific institutions, other organizations, individual scientists and groups, including foreign ones, experts in relevant fields, using allocated budgetary resources and grants.

4. Prior to the development of a draft law, the central state body must ensure the procedures for publishing and discussing a consultative document in accordance with the rules for legislative work of the Government of the Republic of Kazakhstan, approved by the Government of the Republic of Kazakhstan.

An advisory document affecting the interests of business entities shall be subject to mandatory discussion with the National Chamber of Entrepreneurs of the Republic of Kazakhstan and expert councils on private business issues created in accordance with the Entrepreneurial Code of the Republic of Kazakhstan (hereinafter referred to as expert councils).

Discussion of the consultative document with the public includes its placement on the Internet portal of open regulatory legal acts for public discussion, as well as public hearings and debates.

Depending on the nature of the public relations planned for regulation, discussions may be conducted using one or more of the above methods.

Draft laws, together with explanatory notes and comparative tables to them (in cases of amendments and (or) additions to laws), shall be posted for public discussion on the Internet portal of open regulatory legal acts before being sent for approval to interested state bodies.

The procedure for posting and public discussion of consultative documents, as well as draft laws on the Internet portal of open regulatory legal acts shall be determined by the rules of legislative work of the Government of the Republic of Kazakhstan.

5. If the standard of law proposed in the draft law previously requires testing, then this standard of law is limited by the law in which it is contained, by certain terms of its validity and a pilot project is carried out.

6. Within the framework of the pilot project, the state body analyses the practice of applying the tested standard of law, which determines the positive and negative consequences, social and other factors that influenced the application of such regulation, expenses incurred and income received in connection with the pilot project.

The limitation on the duration of the tested standard of law may be excluded on the basis of the results of the analysis of the tested standard of law.

The procedure for conducting pilot projects shall be established by the rules of legislative work of the Government of the Republic of Kazakhstan.

6-1. In order to conduct a pilot project in the field of regulation of entrepreneurial activity, government agencies must ensure that the conditions for conducting such a pilot project shall be fixed at the legislative level.

The participation of private entrepreneurship in the pilot project in the field of regulation of entrepreneurial activity is entirely voluntary.

7. The development of draft laws shall be carried out on the basis of and in accordance with consultative documents, which are subject to revision in the manner and on the grounds that have been established by the rules of legislative work of the Government of the Republic of Kazakhstan.

Conceptual amendments and additions can be made to the draft law on behalf of the President of the Republic of Kazakhstan within the framework of the annual messages of the Head of State to the people of Kazakhstan on the situation in the country and the main directions of domestic and foreign policy of the Republic.

8. The requirements for the development of a consultative document shall not apply to draft laws on the republican budget, on a guaranteed transfer from the National Fund of the Republic of Kazakhstan, on the volume of transfers of a general nature between the republican and regional budgets, the budgets of cities of republican significance, the capital and draft laws on introducing changes and additions.

9. The drafting body shall, when drafting the law, establish a working group for its preparation or entrust such training to its units.

In the development of draft laws, the participation of employees of the legal unit of the development body responsible for the preparation of the draft law is mandatory.

Representatives of the National Chamber of Entrepreneurs of the Republic of Kazakhstan and accredited associations of private entrepreneurs shall be required to participate in the development of draft laws affecting the interests of private business entities.

10. Specialists of various fields of knowledge, scientific institutions and other organizations, scientists, representatives of non-profit and other organizations may be involved in the preparation of draft laws.

Deputies of the Parliament of the Republic of Kazakhstan shall have the right at any stage to take part in the work of the working group on the preparation of the draft law.

The developer body, when developing draft laws, has the right to use scientific concepts of the development of the legislation of the Republic of Kazakhstan, the results of fundamental and applied scientific research in the field of legal support for the activities of the state and other materials.

11. The prepared draft law shall be sent for approval to interested state bodies and organizations.

Financial and economic calculations shall be attached to the draft law providing for a reduction in state revenues or an increase in public spending.

If the implementation of the law contained in the draft law requires the adoption of by-laws (if there is no such need, then this is indicated in the accompanying letter), draft by-laws are annexed to the draft law, with the exception of draft laws developed on behalf of the President of the Republic of Kazakhstan. If the development of a draft by-law regulatory legal act falls within the competence of another state body, then this state body submits the corresponding draft by-law regulatory legal act to the developing body.

When developing the draft law, the development bodies are required to develop a draft program of information support and clarification.

12. Upon approval, the Ministry of Justice of the Republic of Kazakhstan gives an opinion on the draft law, which includes the establishment of the fact of comprehensive elaboration of the bill and the disclosure of the subject of regulation on the draft by-law regulatory legal act and the draft program of information support and clarification, in accordance with the rules of legislative work of the Government of the Republic of Kazakhstan.

13. State bodies and organizations to which the draft law shall be sent for approval must prepare their comments and proposals on the draft law or inform the development body that has developed the draft law within thirty calendar days from the date of receipt, unless otherwise established by the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan.

The comments of the state body, the organization on the draft law shall be submitted in writing and should contain proposals for eliminating shortcomings, be justified and exhaustive.

On the basis of the received comments, the draft law shall be finalized and a certificate shall be drawn up on the accepted and rejected comments, the reasons for rejecting the comments.

14. The development body that created the working group may amend the draft law and/or additions to be discussed with the working group.

15. In order to promptly respond to the conditions that pose a threat to the life and health of the population, the constitutional order, the protection of public order, the economic security of the country, the Government of the Republic of Kazakhstan shall have the right to develop draft laws, as well as draft temporary resolutions of the Government of the Republic of Kazakhstan, having the force of law, in accordance with part two of paragraph 2 of Article 61 of the Constitution of the Republic of Kazakhstan.

The development of the acts specified in part one of this paragraph must be justified, accompanied by supporting data reflecting the crisis situation, current challenges, force majeure circumstances, and the extent of real damage that may occur if the Government of the Republic of Kazakhstan fails to take prompt legislative measures, and the proportionality of the measures taken.

The regulatory legal acts specified in part one of this paragraph may include only provisions, the legislative regulation of which does not tolerate delays. The inclusion of other provisions that are not related to the resolution of issues related to prompt response to crisis situations shall not be allowed.

The draft temporary resolution of the Government of the Republic of Kazakhstan, which has the force of law, shall be an integral part of the draft law, developed in order to promptly respond to crisis situations.

It is not allowed to develop and adopt a temporary resolution of the Government of the Republic of Kazakhstan, having the force of law, separately from the draft law, developed for the purpose of prompt response to crisis situations.

Adoption of a temporary resolution of the Government of the Republic of Kazakhstan, having the force of law, shall be possible only after the submission of the relevant draft law, provided for in part one of this paragraph, to the Majilis of the Parliament of the Republic of Kazakhstan.

A temporary resolution of the Government of the Republic of Kazakhstan, having the force of law, must comply with the text of the draft law submitted for consideration by the Parliament of the Republic of Kazakhstan.

A temporary resolution of the Government of the Republic of Kazakhstan, having the force of law, shall be valid until the laws adopted by the Parliament of the Republic of Kazakhstan come into force or until the laws are not adopted by the Parliament of the Republic of Kazakhstan.

Features of the development of draft laws and temporary resolutions of the Government of the Republic of Kazakhstan, having the force of law, specified in part one of this paragraph

, shall be determined by the rules of legislative work of the Government of the Republic of Kazakhstan.

Footnote. Chapter 5 as added by the Article 17-1 in accordance with the Law of the RK dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); as amended by the Laws of the Republic of Kazakhstan dated 30.12.2021 № 95-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 05.11.2022 № 157-VII (shall be enforced from 01.01.2023); dated 19.04.2023 № 223-VII (shall be enforced ten calendar days after the date of its first official publication).

**Article 18. Procedure for development and coordination of draft by-law regulatory legal acts**

1. The procedure stipulated by Article 17-1 of this Law shall be applied when drafting by-laws, taking into account the peculiarities established by this Article.

2. Specialists of various fields of knowledge, scientific institutions and other organizations, researchers, representatives of non-profit and other organizations may be involved in the preparation of draft regulatory legal decrees of the President of the Republic of Kazakhstan, regulatory legal resolutions of the Government of the Republic of Kazakhstan and draft regulatory legal acts of other authorized bodies.

3. Draft by-laws of regulatory legal acts of authorized bodies of the same level may be developed, and if necessary, adopted by several authorized bodies.

Draft by-laws of several authorized bodies shall be developed jointly by them in the manner provided for by this Law and adopted in the form of joint regulatory legal acts signed by the heads of authorized bodies.

Derivative types of joint by-law regulatory legal acts shall be approved by means of the main by-law regulatory legal acts of the authorized bodies that adopted the derivative by-law regulatory legal act, indicating in it the main regulatory legal acts through which the derivative act has been adopted.

4. Draft by-laws shall be drawn up by state bodies in accordance with their competence established by the legislation of the Republic of Kazakhstan, on their own initiative or at the instructions of higher state bodies and officials, unless otherwise established by the legislation of the Republic of Kazakhstan.

If in order to implement the standards of law of the forthcoming draft regulatory legal decree of the President of the Republic of Kazakhstan, the regulatory legal decree of the Government of the Republic of Kazakhstan needs to be amended and (or) additions to regulatory legal acts of one or lower level, then simultaneously with the draft regulatory legal act of the main type, draft regulatory legal acts with the indicated amendments should be prepared; (or) additions or instructions to the relevant authorities on the preparation of such acts.

The developed drafts of subordinate regulatory legal acts together with explanatory notes and comparative tables to them (in cases of amendments and (or) additions to subordinate



regulatory legal acts), with the exception of draft regulatory legal acts of the President of the Republic of Kazakhstan, developed by the Office of the First President of the Republic of Kazakhstan – Elbasy, the Administration of the President of the Republic of Kazakhstan shall be sent for approval to interested state bodies and placed for public discussion on the Internet portal of open regulatory legal acts.

5. The procedure for the development and approval of draft subordinate regulatory legal acts on draft laws specified in part one of paragraph 15 of Article 17-1 of this Law, as well as temporary resolutions of the Government of the Republic of Kazakhstan having the force of law, shall be determined by the rules of legislative work of the Government of the Republic of Kazakhstan.

The prepared draft by-law regulatory legal act, and if necessary, the draft of another by-law regulatory legal act adopted for its implementation, are sent for approval to interested state bodies and organizations.

6. The approval by the judicial authorities of draft by-laws of regulatory legal acts subject to state registration in accordance with Article 35-1 of this Law shall be carried out by conducting a legal examination for compliance with the legislation of the Republic of Kazakhstan, the existence of standards of law and the need for state registration in the manner determined by the rules for the development, coordination and state registration of regulatory legal acts.

**Footnote.** Article 18 in the wording of the Law of the RK dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); amended by the Laws of the Republic of Kazakhstan dated 30.12.2021 № 96-VII (shall be enforced from January 1, 2022); dated 05.11.2022 № 157-VII (shall be enforced from 01.01.2023); dated 19.04.2023 № 223-VII (shall be enforced ten calendar days after the date of its first official publication).

#### **Article 19. Peculiarities of development and adoption of advisory documents, regulatory legal acts affecting interests of business entities**

1. The developing bodies shall send a notification to the National Chamber of Entrepreneurs of the Republic of Kazakhstan and expert councils about the placement of an advisory document or the corresponding draft regulatory legal act affecting the interests of business entities on the Internet portal of open regulatory legal acts for obtaining expert opinions.

In case of introduction of amendments and (or) additions to the advisory document, the draft regulatory legal act affecting the interests of business entities, the developing body is obliged to re-send the advisory document, the draft regulatory legal act to the National Chamber of Entrepreneurs of the Republic of Kazakhstan and expert councils to obtain an expert opinion.

The National Chamber of Entrepreneurs of the Republic of Kazakhstan and expert councils shall post their expert opinions to an advisory document or draft regulatory legal act on the Internet portal of open regulatory legal acts.

Expert opinions shall be presented in Kazakh and Russian.

The deadline set by the developing bodies for submitting an expert opinion on a consultative document, a draft regulatory legal act that affects the interests of business entities may not be less than ten working days, with the exception of draft regulatory legal acts that provide for the introduction of prohibitions and quantitative restrictions and measures of customs tariff regulation in order to prevent or reduce a critical shortage in the domestic market of food or other products included in the list of essential goods, and to ensure the national security of the Republic of Kazakhstan based on the decision of the advisory body on trade policy under the Government of the Republic of Kazakhstan, the deadline for submitting an expert opinion on which is five working days, and for draft laws - less than fifteen working days from the moment the notification is received by the National Chamber of Entrepreneurs of the Republic of Kazakhstan and a member of the expert council, with the exception of the draft laws specified in part one of paragraph 15 of Article 17-1 of this Law, as well as draft temporary resolutions of the Government of the Republic of Kazakhstan having the force of law, the deadline for submitting an expert opinion on which is three working days.

In the event that the National Chamber of Entrepreneurs of the Republic of Kazakhstan and members of the expert council do not submit expert opinions within the prescribed time frame, an advisory document or draft regulatory legal act shall be considered agreed without comments.

At the same time, when coordinating relevant projects, state bodies shall be forbidden to require the development bodies to receive expert opinions from the National Chamber of Entrepreneurs of the Republic of Kazakhstan and members of the expert council who have not submitted their expert opinion within the time limits determined by the development body

The explanatory note to the draft regulatory legal act affecting the interests of business entities should contain the results of calculations confirming the reduction and (or) increase in the costs of business entities in connection with the introduction of a regulatory legal act.

2. The requirement to obtain an expert opinion specified in paragraph 1 of this Article shall not apply to draft regulatory legal acts of central and local executive bodies, as well as akims providing for the adoption of decisions on the establishment of (cancellation) of the quarantine zone with the introduction of a quarantine regime in the relevant territory, on the establishment (withdrawal) of quarantine and (or) restrictive measures in cases stipulated by the legislation of the Republic of Kazakhstan in the field of veterinary science, as well as the declaration of an emergency of a natural and man-made nature.

3. In relation to draft regulatory legal acts affecting the interests of private business entities, a regulatory impact analysis shall be carried out in cases and procedures established by the Business Code of the Republic of Kazakhstan.

4. The development body, in agreement with the expert opinion of the National Chamber of Entrepreneurs of the Republic of Kazakhstan and members of the expert council, shall make appropriate amendments and/or additions to the advisory document, draft regulatory legal act.

In case of disagreement with expert conclusions, the development body forms a position justifying the reasons for disagreement.

In case of disagreement with the expert opinion, the development body, within ten working days from the date of receipt of the expert opinion, sends a response to the National Chamber of Entrepreneurs of the Republic of Kazakhstan and (or) a member of the expert council who submitted this expert opinion, justifying the reasons for the disagreement.

The expert opinion of the National Chamber of Entrepreneurs of the Republic of Kazakhstan and (or) a member of the expert council may be considered at a meeting of the expert council in the procedure prescribed by the Entrepreneurial Code of the Republic of Kazakhstan.

5. Expert opinions represent a written position of the National Chamber of Entrepreneurs of the Republic of Kazakhstan or a member of the expert council, shall be advisory in nature and shall be mandatory annexes to the consultative document, draft regulatory legal act prior to its adoption, including at each subsequent approval of this project with interested state bodies.

6. Advisory documents and draft regulatory legal acts that affect the interests of private entrepreneurs shall be subject to mandatory publication (dissemination) in the media, including placement on Internet resources before their consideration by the National Chamber of Entrepreneurs of the Republic of Kazakhstan and the expert council.

7. The procedures provided for in this Article shall be mandatory conditions for the adoption of regulatory legal acts affecting the interests of private business entities.

8. The requirements of this Article shall not apply to draft laws developed in accordance with the legislative initiative of the President of the Republic of Kazakhstan and deputies of the Parliament of the Republic of Kazakhstan.

**Footnote. Article 19 in the wording of the Law of the RK dated 12.03.2021 № 15-VII ( shall enter into force upon expiry of ten calendar days after the day of its first official publication); as amended by the Laws of the Republic of Kazakhstan dated 05.11.2022 № 157-VII (shall be enforced from 01.01.2023); dated 30.12.2022 № 177-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 06.04.2024 № 71-VIII (shall enter into force upon expiry of sixty calendar days after its first official publication).**

## **Article 20. Peculiarities of the development and adoption of regulatory legal acts relating to the rights, freedoms and duties of citizens**

1. In order to involve non-profit organizations and citizens in the process of developing draft regulatory legal acts relating to the rights, freedoms and duties of citizens, public councils shall be formed in the procedure established by the Law of the Republic of Kazakhstan "On Public Councils."

The rules of the legislative work of the Government of the Republic of Kazakhstan shall regulate the procedure for public discussions of advisory documents and draft laws with public councils.

2. Central state bodies, local representative and executive bodies notify public councils about the posting on the Internet portal of open regulatory legal acts of an advisory document or the corresponding draft regulatory legal act regarding the rights, freedoms and duties of citizens for public discussion, with the exception of draft regulatory legal acts of central and local executive bodies, as well as akims providing for the adoption of decisions on the establishment of (cancellation) of the quarantine zone with the introduction of a quarantine regime in the relevant territory, on the establishment (withdrawal) of quarantine and (or) restrictive measures in cases stipulated by the legislation of the Republic of Kazakhstan in the field of veterinary science, as well as the declaration of an emergency of a natural and man-made nature.

The period established for the submission of recommendations on an advisory document, a draft regulatory legal act that affect the rights, freedoms and duties of citizens may not be less than ten working days, and on draft laws - less than fifteen working days from the moment the public council receives a notification of their placement on the Internet portal of open regulatory legal acts.

Under the draft laws specified in part one of paragraph 15 of Article 17-1 of this Law, as well as under the draft temporary resolutions of the Government of the Republic of Kazakhstan having the force of law, the period for the submission of recommendations by the public council is three working days.

In case of non-submission of recommendations by the public council within the period established by the state body, an advisory document or a draft regulatory legal act is considered agreed without comment.

Recommendations shall be presented in Kazakh and Russian.

3. The central state body, the local representative or local executive body, with the consent of the recommendations of the public council, shall make appropriate amendments and/or additions to the consultative document, the draft regulatory legal act and within ten working days send the corresponding letter to the public council.

In case of disagreement with the recommendations, the central state body, local representative or local executive body shall form a position justifying the reasons for disagreement.

The recommendations prepared following the discussion of the advisory document or the corresponding draft regulatory legal act shall be mandatory annexes to the draft regulatory legal act before its adoption.

4. The requirements of this Article shall not apply to draft laws developed in accordance with the legislative initiative of the President of the Republic of Kazakhstan and deputies of the Parliament of the Republic of Kazakhstan.

**Footnote.** Article 20 in the wording of the Law of the RK dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); as amended by the Law of the Republic of Kazakhstan dated 05.11.2022 № 157-VII (shall be enforced from 01.01.2023).

#### **Article 20-1. Peculiarities of development and adoption of regulatory legal acts affecting environmental safety**

1. Draft regulatory legal acts, the implementation of which can lead to negative environmental impacts, shall be subject to mandatory state environmental expertise.

2. The procedure for conducting a state environmental examination shall be determined by the environmental legislation of the Republic of Kazakhstan.

**Footnote.** Chapter 5 as added by the Article 20-1 in accordance with the Law of the RK dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

#### **Article 21. Approval of the draft regulatory legal act with interested state bodies and organizations**

**Footnote.** Article 21 excluded by the Law of the RK dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

#### **Article 21-1. Simplified procedure for preparation of regulatory legal acts**

1. The standards of laws and other regulatory legal acts recognized as unconstitutional, including those that infringe on human and civil rights and freedoms enshrined in the Constitution of the Republic of Kazakhstan, shall be abolished and shall not be subject to application.

A draft regulatory legal act developed in a simplified manner should contain only norms aimed at implementing the decision of the Constitutional Court of the Republic of Kazakhstan

2. The state body, whose competence includes the adoption (development) of a regulatory legal act containing the norm cancelled by the Constitutional Court of the Republic of Kazakhstan, may develop and submit to the Government of the Republic of Kazakhstan a draft regulatory legal act in a simplified manner, determined by the Government of the Republic of Kazakhstan.

**Footnote.** Chapter 5 as added by the Article 21-1 in accordance with the Law of the RK dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the

day of its first official publication); as amended by the Law of the Republic of Kazakhstan dated 05.11.2022 № 157-VII (shall be enforced from 01.01.2023).

## **Article 22. Requisites of normative legal act**

Normative legal acts shall have the following requisites:

- 1) the State Emblem of the Republic of Kazakhstan;
- 2) an indication on the form of the act: the law of the Republic of Kazakhstan on making amendments and additions to the Constitution of the Republic of Kazakhstan; constitutional law of the Republic of Kazakhstan; code of the Republic of Kazakhstan; consolidated law of the Republic of Kazakhstan; law of the Republic of Kazakhstan; temporary decree of the Government of the Republic of Kazakhstan, having the force of law; resolution of the Parliament of the Republic of Kazakhstan; resolution of the Senate of the Parliament of the Republic of Kazakhstan; resolution of the Majilis of the Parliament of the Republic of Kazakhstan; Decree of the President of the Republic of Kazakhstan; Decree of the Government of the Republic of Kazakhstan; Minister's order; order of the head of central state body; order of the head of department; decision of the central state body; maslikhat's decision; decision of the akimat; akim's decision; resolution of the audit commission and other form of regulatory legal act provided for by this Law;
- 3) the heading, indicating the subject of regulation of a normative legal act;
- 4) the place and date of adoption of a normative legal act;
- 5) registration number of a normative legal act;
- 6) signatures of a person or persons authorized to sign normative legal acts;
- 7) indication of the date and number of state registration of a normative legal act provided for in subparagraphs 6), 7), 8) and 9) of paragraph 2 of Article 7 of this Law;
- 8) official seal.

**Footnote. Article 22 as amended by the Law of the Republic of Kazakhstan dated 11.07.2017 № 91-VI (comes into force 10 calendar days after the day of its first official publication); dated 05.11.2022 № 157-VII (shall be enforced from 01.01.2023).**

## **Article 23. Structure of normative legal act**

1. The main structural elements of a normative legal act are a paragraph, a part, a subparagraph, an item and an article containing the rules of law.

Inside an article, an item and sub-paragraph of a normative legal act there may be a part - a logically complete separate norm of law, separated by indentation, which begins with a capital letter. In the event that the subparagraph contains several parts, the first part of the subparagraph begins with a lowercase letter.

A paragraph is considered to be a part of the text, which is a semantic unity, indented in the first line and beginning with a lowercase letter, except for the first paragraph of the part



that begins with a capital letter. The paragraphs end with a semicolon (except for the first and last paragraphs of the part).

Legislative acts, as a rule, consist of articles with the name "article", which may include part, item, subparagraph and paragraph.

Other normative legal acts consist of items without their name by the word "item", which may include subparagraphs, parts, paragraphs.

2. Articles (items) of large normative legal acts, closely related in content, may be combined into chapters. Several chapters, close in content, may be united into sections, and sections – into the parts of a normative legal act. In large-volume chapters and sections, paragraphs and subsections, respectively, can be singled out. In the codes, other designations of the internal structure may be used.

Chapter, paragraph, section, sub-section in normative legal acts are designated respectively with the words "chapter", "paragraph", "section", "subsection".

3. A code consists of articles that, as a rule, are subdivided into parts without their name "part", which are numbered with Arabic numerals.

4. Each item, article, paragraph, chapter, subsection and section of a normative legal act is numbered in Arabic numerals. The numbering of articles, chapters, sections and parts of a normative legal act is cross-cutting. The numbering of paragraphs in each chapter and the numbering of subsections in each section of a normative legal act is independent.

5. The numbering of subparagraphs in items (articles), items in articles of normative legal acts, as well as parts in articles of individual codes, is independent for each article. The numbering of subparagraphs in items is indicated by Arabic numerals with brackets as follows: 1), 2), 3) and further.

6. In cases where it is necessary to clarify the purposes, grounds for the adoption of a regulatory legal act and the main tasks facing it, the presentation of the rules of law is preceded by an introductory part (preamble).

The introductory part (preamble) shall not be set out in the draft regulatory legal acts on amendments and (or) additions to regulatory legal acts.

7. If it is necessary to clarify the terms and definitions used in a normative legal act, it contains an article (item) explaining (clarifying) their meaning. The terms and definitions in the normative legal act in the Kazakh language are arranged in alphabetical order. The terms and definitions in a normative legal act in Russian must correspond to the order of their presentation in the Kazakh language.

For the sake of ease of use in legislative acts, standards clarifying the meaning of terms and definitions may be contained in certain structural elements.

Terms and definitions used in a normative legal act must comply with the terms and definitions used in a higher-level normative legal act regulating homogeneous public relations

8. A structural element of a normative legal act may be supplemented with a note when the relevant instructions cannot be stated in the text of a normative legal act without prejudice to the meaning of the norm of law.

9. For convenience of use, every article, chapter, section, part, and paragraph of the chapter and subsection of the section of a normative legal act should have the headings.

This requirement does not apply to the law on the republican budget and articles of legislative acts on introducing amendments and (or) additions to legislative acts.

Headings of parts, sections, subsections, chapters and paragraphs of a normative legal act are separated from the previous text by two line spacing, and from the subsequent text - by one line spacing.

The heading of a normative legal act, its articles, chapters, parts, sections, subsections and paragraphs should reflect the subject of regulation of the normative legal act itself, as well as the relevant article, chapter, part, section, subsection and paragraph.

10. Excluded by the Law of the RK dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

11. The structure of a normative legal act may include annexes.

Footnote. Article 23 as amended by the Law of the RK dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 15.03.2025 № 172-VIII (shall enter into force dated 01.01.2025).

#### **Article 24. Requirements for content and style of text of normative legal act**

1. The laws shall establish the main goals, objectives, principles, competences, and powers of regulation of the relevant industry (sphere).

In the implementation of these basic provisions of the law, the relevant norms can be detailed in subordinate regulatory legal acts.

At the same time, it is not allowed to establish in a subordinate regulatory legal act a norm that goes beyond the norms established by laws.

Within the framework of goals, objectives, and principles, the competencies and functions of state bodies may be provided for at the level of laws and subordinate regulatory legal acts.

The competence and functions of state bodies in the field of state regulation of public relations should be established in regulatory legal acts in accordance with the legislation of the Republic of Kazakhstan on administrative procedures with a clear distinction by the level of public administration.

The establishment of competencies and functions at the level of laws shall be carried out in accordance with the requirements of Article 61 of the Constitution of the Republic of Kazakhstan.

Other competencies and functions of state bodies (implementation, organizational, and others) shall be established by subordinate regulatory legal acts.

2. The text of a normative legal act shall be printed in a single font.

3. The text of a normative legal act is stated in compliance with the norms of the literary language, legal terminology and legal technique, its provisions should be extremely short, contain a clear meaning that is not subject to a different interpretation. The text of a normative legal act should not contain provisions of declarative nature that do not carry a semantic and legal burden.

It is not allowed to use obsolete and poly-semantic words and expressions, epithets, metaphors, abbreviations of words. The norm of law, set out in the structural element of a normative legal act, is not re-stated in other structural elements of the same act.

Texts of normative legal acts in the Kazakh and Russian languages shall be authentic.

4. The Law shall establish the principles of legal regulation, and can also establish the basic concepts used in its text, the procedure and conditions for the application of other regulatory legal acts after the law enters into force.

The transitional provisions of the law reflect the procedure for regulating relations before its implementation; establish the timing and methods of transition to new standards of law.

The final provisions of the Law stipulate the standards on the enactment of this act, recognition as invalid, abolition of a previously issued act. In order to implement and develop this act, if necessary, requirements for the issuance of regulatory legal acts by other state bodies are established.

5. Instructions in normative legal acts should be addressed to state bodies or, if necessary, to their heads.

In relation to state bodies that are not subordinate to the person giving the instruction, the instructions in normative legal acts should be stated in a recommendatory form or in agreement with them. In the latter case, after the name of the state body, the note "(as agreed)" is indicated.

6. In the text of a normative legal act, the names of state bodies and other organizations are set out in full in accordance with the official name and uniformly throughout the text.

In order to ensure the simplicity and minimalism of the text of a normative legal act, it is allowed to abbreviate the names of state bodies and other organizations with interpretation of the meaning of the abbreviation or abbreviation in the text of the normative legal act.

7. In the text of normative legal acts it is not allowed to mark paragraphs with dashes or other signs, indention and underlining of individual words and phrases.

*Footnote. Article 24 as amended by the Law of the RK dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 05.11.2022 № 157-VII (shall be enforced from 01.01.2023); dated 19.04.2023 № 223-VII (shall be enforced ten calendar days after the date of its first official publication).*

## **Article 25. References and reproductions in normative legal acts**

1. If necessary, normative legal acts may contain references to structural elements of normative legal acts of higher levels, and also reproduce separate norms of law from normative legal acts of higher level with reference to such acts.

2. References in structural elements of a normative legal act to its other structural elements are allowed only in cases where it is necessary to show the mutual connection of the norms of law or to avoid repetition.

3. When referring to lines and sentences, their numbering is indicated by ordinal numerals (in words).

4. In the text of a normative legal act, a reference to a structural element is given with the indication of its serial number in words or figures (for their designation, adjectives are not allowed).

5. When referring to a normative legal act, its form, date of adoption, registration number and heading of this normative legal act are given in this order.

When referring to a normative legal act that has passed a state registration, the number under which it is registered in the Register of State Registration of normative legal acts is additionally indicated.

When referring to legislative acts, you do not need to specify the numbers under which they are registered, as well as the dates of their adoption.

When reference is made in normative legal acts to standardization documents, their name or type shall be indicated, except for legislative acts in which only the type of standardization document shall be indicated.

The order of application of national, interstate standards and national classifiers of technical and economic information in normative legal acts is determined by the authorized body in the field of standardization.

6. If two or more consecutive references to the same normative legal act are given in the text of a normative legal act, the full heading of this normative legal act is indicated once (at the first mention in the text) followed by a reference to it.

7. If a normative legal act contains references to the annexes, then the annex numbers assigned in the order of their mention in the text of the normative legal act are indicated, except for the cases when there is one annex to the normative legal act.

**Footnote. Article 25 as amended by the Law of the Republic of Kazakhstan dated 11.07.2017 № 91-VI (comes into force 10 calendar days after the day of its first official publication); The authorized body in the sphere of standardization shall be established in accordance with the Law of the Republic of Belarus № 184-VI dated 05.10.2018 (shall be enforced upon the expiration of six months after the date of its first official publication); dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

## **Article 26. Formulation of normative legal acts on introducing amendments and (or) additions to normative legal acts**

1. The heading of a normative legal act providing for introduction of amendments and / or additions to the normative legal act should contain a reference to the form, the date of adoption, the registration number and the heading of the act, with the exception of laws.

In the heading of a normative legal act providing for introduction of amendments and additions to a normative legal act or normative legal acts, the word "of amendments" or "amendments" is firstly indicated.

2. The text of the draft legislative act on amendments and (or) additions to legislative acts shall indicate the title, the date of adoption of these legislative acts.

The text of the draft other regulatory legal act on amendments and (or) additions to regulatory legal acts shall indicate the title, date of adoption, registration number of the mentioned regulatory legal acts.

The text of the regulatory legal act on amendments and (or) additions to the regulatory legal act that has passed state registration additionally shall indicate the number under which it is registered in the Register of state registration of regulatory legal acts.

3. In the event that amendments and additions are made to the norm of law adopted by the normative legal act on amendments and additions but not put into effect, the amendments and additions are made to the normative legal act on introducing amendments and additions.

4. When three or more normative legal acts are amended and / or supplemented, a list, made in the form of a separate annex, is drawn up.

This requirement does not apply to legislative acts.

5. All amendments and (or) additions made to the same normative legal act are provided for by one item or subparagraph. Normative legal acts, in which amendments and / or additions are introduced, are ranged depending on correlation of their legal force, and also in chronological order on the date of their adoption (publication).

Within the same date of adoption, the normative legal acts are indicated in accordance with their registration numbers or article numbers in official sources of publication.

6. When making amendments and (or) additions to the structural element of a normative legal act, such a structural element is set out in a new wording.

The requirements of this paragraph may not apply when considering draft laws submitted to the Parliament of the Republic of Kazakhstan, as well as regarding draft laws and decrees of the President of the Republic of Kazakhstan.

7. New structural elements, as well as annexes, are included in the text of a normative legal act under subsequent ordinal numbers following the last structural element of the same type or between structural elements of the same type under additional numbers duplicating the numbers of those structural elements of the normative legal act followed, for example, by: paragraphs 2-1, 2-2; subparagraphs 8-1), 8-2); section 5-1; annex 3-1, 3-2, 3-3.

In the event that a normative legal act is supplemented by an annex, an item (sub-item) is added to the text of the normative legal act on addition of a normative legal act with an annex or a normative legal act of the derived type.

8. Normative legal acts having security labels or marks "For official use", "Without publication in the press", "Not for publication", are included in the list without specifying their heading.

9. When making amendments and / or additions to the text of a normative legal act in the amount exceeding half the text of a normative legal act, a new version is adopted.

When formulating draft laws in a new edition, the unit for determining the volume is an article.

When formulating other normative legal act in a new edition, the unit for determining the volume is an item.

The requirements of this item are not applied when considering draft laws submitted to the Parliament of the Republic of Kazakhstan.

**Footnote. Article 26 as amended by the Law of the RK dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

## **Article 27. Formulation of normative legal acts on recognition of normative legal acts as invalid**

1. In connection with adoption of a normative legal act, the normative legal acts or their structural elements shall be recognized as invalid if they contradict or are absorbed by the norms of law included in the new normative legal act.

2. If a normative legal act of a higher level is recognized as invalid, the normative legal acts of the subordinate level accepted for its implementation shall be recognized as invalid.

This requirement also extends to the cases where separate norms of law are excluded from the normative legal act of a higher level, for implementation of which the normative legal acts of the subordinate level were adopted.

Normative legal acts, subject to recognition as invalid, are ranged in accordance with correlation of their legal force, and also in chronological order by the date of their adoption.

3. The text of the draft legislative act on the invalidation of legislative acts shall indicate the title, the date of adoption of these legislative acts.

The text of the draft of another regulatory legal act on the recognition of other regulatory legal acts as invalid shall indicate the title, date of adoption, registration number of these regulatory legal acts.

The text of the regulatory legal act on the invalidation of a regulatory legal act that has passed state registration additionally shall indicate the number under which it is registered in the Register of state registration of regulatory legal acts..

4. The list of normative legal acts or their structural elements that are subject to recognition as invalid in connection with adoption of a normative legal act should be



contained either in the normative legal act itself or in the act on the procedure for its enactment.

5. If three or more normative legal acts or their structural elements are declared invalid, a list shall be drawn up as a separate annex.

6. When recognizing the structural elements of a normative legal act as invalid, such elements are excluded, but their numbers are preserved. The preserved number is attached with a reference to the normative legal act on recognition of a normative legal act (or its structural element) as invalid. The numbering of the preserved structural elements does not change.

7. If a large part of a normative legal act is recognized as invalid, then the whole normative legal act with a reservation on structural elements that retain their legal force is included in the list for recognition as invalid.

If a smaller part of a normative legal act is recognized as invalid, then only those structural elements that contradict or are absorbed by the newly adopted normative legal act are included in the list for recognition as invalid.

In these cases, the volume of a normative legal act is determined in accordance with paragraph 9 of Article 26 of this Law.

8. The normative legal acts that duplicate the norms of law of other normative legal acts and do not contain new norms of law are subject to recognition as invalid.

9. Both the basic normative legal act and the normative legal acts (or their structural elements) that have amended and / or supplemented it are subject to recognition as invalid. In cases of repeated amendments and (or) additions to the wording of a normative legal act or its structural element that is subject to recognition as invalid, all normative legal acts that introduced amendments and / or additions to the basic normative legal act are included in the list in the form of independent paragraphs.

This requirement does not apply to legislative acts.

10. In the event that another normative legal act or its structural element is recognized as invalid by a normative legal act, in which it was envisaged to recognize the normative legal acts as invalid, the latter do not resume their validity.

11. The normative legal acts that have not entered into force cannot be recognized as invalid. If necessary, such normative legal acts can be revoked.

12. Normative legal acts and structural elements of normative legal acts, that have expired, cannot be recognized as invalid.

In the event when a normative legal act, along with the norms of law, the validity of which has expired, contains the norms of law, which are subject to recognition as invalid, the list includes the entire normative legal act.

13. If the structural element of a normative legal act contains an indication of an annex that is subject to recognition as invalid, then only this structural element is included in the list, and the annex is not separately specified.

In the event that the structural element of a normative legal act, along with the approval of an annex, contains a norm of law that preserves its validity and the annex is to be recognized as invalid, the item in the part relating to the annex is included in the list, and the annex is not separately specified.

14. If separate structural elements of a normative legal act are subject to recognition as invalid in full, and the other structural elements in part, then the structural elements to be declared invalid in full are specified first.

**Footnote. Article 27 as amended by the Law of the RK dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

#### **Article 28. Formulation of annexes to normative legal acts**

1. Annexes are an integral part of a normative legal act.

2. If necessary, graphs, tables, charts, maps, lists and other supporting documents to a normative legal act are formulated in separate annexes.

3. In the upper right corner of the first sheet of the annex there should be an indication to the normative legal act, according to which it was approved, the date of adoption of the act and its registration number.

4. In the event that there are several annexes to a normative legal act, in the upper right corner of the first sheet of each annex its serial number is indicated, as well as the type of normative legal act, according to which it is approved, the date of adoption of the act and its registration number. If there is one annex to the normative legal act, then it is not numbered.

5. Formulation of annexes to normative legal acts with security labels or with the notes "For official use", "Without publication in the press", "Not for publication" is carried out in accordance with this article and the requirements of the legislation of the Republic of Kazakhstan.

#### **Article 29. Submission of draft legislative act to Majilis of the Parliament of the Republic of Kazakhstan and its withdrawal**

1. In accordance with paragraph 1 of Article 61 of the Constitution of the Republic of Kazakhstan, the right of legislative initiative belongs to the President of the Republic of Kazakhstan, the deputies of the Parliament of the Republic of Kazakhstan, the Government of the Republic of Kazakhstan and is implemented exclusively in the Majilis of the Parliament of the Republic of Kazakhstan.

Draft legislative act on paper and electronic media is submitted to the Majilis of the Parliament of the Republic of Kazakhstan in the Kazakh and Russian languages.

2. The submitted materials on a draft legislative act should contain the following annexes:

1) an explanatory note to the draft legislative act with justification of the need to adopt the draft, the detailed description of the goals, objectives, basic provisions, and a special message

- for draft legislative acts, submitted to the Majilis of the Parliament of the Republic of Kazakhstan in the manner of the legislative initiative of the President of the Republic of Kazakhstan;

2) composition of a working group in the event of its creation;

3) a list of approvals with the interested state bodies, except for cases determined by the President of the Republic of Kazakhstan, when the draft legislative acts, introduced as a legislative initiative of the President of the Republic of Kazakhstan, did not pass the approval procedure, as well as the cases of introducing a draft legislative act in the manner of legislative initiative of the deputies of the Parliament of the Republic of Kazakhstan;

4) conclusion of scientific expertise in accordance with Article 30 of this Law and expert opinions of members of the expert council, the National Chamber of Entrepreneurs of the Republic of Kazakhstan, recommendations of public councils, if any;

5) financial and economic calculations, if the draft law provides for a reduction in state revenues or an increase in public expenditure, forecasts of possible economic, social, legal, environmental consequences of the law, and, if available, statistical data, with the exception of draft laws submitted to the Majilis of the Parliament of the Republic of Kazakhstan in the manner of a legislative initiative of the President of the Republic of Kazakhstan;

6) analysis of regulatory impact in cases provided for by the Entrepreneurial Code of the Republic of Kazakhstan in respect of draft regulatory legal acts affecting the interests of private business entities.

7) draft by-law regulatory legal act (draft by-law regulatory legal acts) - for the draft law introduced in the Majilis of the Parliament of the Republic of Kazakhstan in the order of legislative initiative of the Government of the Republic of Kazakhstan.

A draft legislative act on introducing amendments and / or additions to the legislative acts is attached with a comparative table of the current and proposed versions of the structural elements of the legislative act with the appropriate justification for amendments and / or additions introduced.

3. Draft laws that provide for reduction of state revenues or increase in public expenditure may be submitted only if there is a positive conclusion of the Government of the Republic of Kazakhstan.

For draft legislative acts that are submitted to the Majilis of the Parliament in the manner of the legislative initiative of the President of the Republic of Kazakhstan, the existence of such a conclusion is not required.

4. The President of the Republic of Kazakhstan, the deputies of the Parliament of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan have the right to withdraw a draft legislative act from the Parliament of the Republic of Kazakhstan, introduced by them in the manner of the legislative initiative, at any stage of its consideration.

**Footnote. Article 29 as amended by the Law of the Republic of Kazakhstan dated 24.05.2018 № 156-VI (shall be enforced upon expiration of ten calendar days after the day of**

its first official publication); dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

## **Chapter 6. SCIENTIFIC EXAMINATION OF DRAFT NORMATIVE LEGAL ACTS**

### **Article 30. Tasks of scientific expertise**

1. According to the draft regulatory legal acts, scientific expertise (legal, anti-corruption, linguistic, economic and other) can be carried out depending on the legal relations regulated by these acts.

The conduct of scientific expertise is mandatory on the draft normative legal acts submitted for consideration to the Parliament of the Republic of Kazakhstan, depending on the social relations regulated by them, except for the cases when draft legislative acts are introduced in the manner of the legislative initiative of the President of the Republic of Kazakhstan, when scientific expertise may not be conducted.

2. Scientific expertise is carried out for:

- 1) assessment of quality, validity, timeliness, legality of the draft, compliance of the draft with the human and citizen rights, enshrined in the Constitution of the Republic of Kazakhstan;
- 2) determination of possible effectiveness of a normative legal act;
- 3) identification of possible negative consequences of adoption of the draft as a normative legal act.

3. Scientific legal, scientific economic and scientific anti-corruption expertise shall not be carried out on draft laws on the republican budget, on guaranteed transfer from the National Fund of the Republic of Kazakhstan, on the volumes of transfers of a general nature between the republican and regional budgets, budgets of cities of republican significance, the capital and on draft laws on amendments and additions to them, as well as on other acts established by this chapter.

4. The procedure for conducting scientific expertise is determined by the legislation of the Republic of Kazakhstan.

**Footnote.** Article 30 as amended by the Law of the Republic of Kazakhstan dated 26.11.2019 № 273-VI (shall be enforced from 01.01.2020); dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

### **Article 31. Persons performing the examination**

**Footnote.** Title of the Article 31 as amended by the Law of the RK dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

1. Scientific examination of draft regulatory legal acts shall be carried out by scientific institutions, an authorized organization determined by the Government of the Republic of Kazakhstan, experts attracted from among scientists and specialists, depending on the content

of the project under consideration. The examination may be entrusted to one or more experts (expert commission).

2. A scientific linguistic expertise regarding the authenticity of texts in the Kazakh and Russian languages is carried out by the authorized organization for the draft laws developed by the state bodies of the Republic of Kazakhstan and subject to submission to the Parliament of the Republic of Kazakhstan.

2-1. Scientific legal examination of objects of scientific legal examination shall be carried out by a scientific legal expert (scientific legal experts).

3. A complex examination of the draft may be conducted by experts of various specialties or independent expertise of various types, and if necessary - a re-examination.

4. Organizations and persons who did not take part in preparation of the draft may be involved as experts.

5. Specialists from other states and international organizations may be involved as experts

The draft can be sent for scientific examination to foreign and international organizations.

**Footnote. Article 31 with the change introduced by the Law of Republic of Kazakhstan dated 21.01.2019 № 217-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

## **Article 32. Initiative for sending draft normative legal acts for examination**

1. A decision on examination of a draft normative legal act can be made:

1) by the President of the Republic of Kazakhstan or, on his behalf, by the Head of the Administration of the President of the Republic of Kazakhstan, deputies of the Parliament of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan, who submit a draft to the Majilis of the Parliament of the Republic of Kazakhstan as legislative initiative;

2) by the authorized body;

3) by the body-developer, if such a right is granted to these persons and structural subdivisions by the regulations of this body or other normative legal acts.

2. In cases where a draft normative legal act is prepared on a contractual basis, an expertise of a draft can be carried out upon the decision of the draft's customer.

## **Article 33. Scientific linguistic examination of draft normative legal acts**

1. Scientific linguistic expertise is carried out on draft legislative acts in terms of authenticity of their texts in Kazakh and Russian languages.

1-1. Scientific linguistic expertise shall be conducted by an authorized organization, determined by the Government of the Republic of Kazakhstan.

2. excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 № 223-VII (shall be enforced ten calendar days after the date of its first official publication).

Footnote. Article 33 as amended by the Law of the Republic of Kazakhstan № 217-VI dated 21.01.2019 (shall be enforced upon the expiration of 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 33-1. Scientific anti-corruption expertise of draft regulatory legal acts**

1. The goals of scientific anti-corruption expertise of draft regulatory legal acts are to identify corruptogenic norms, as well as to develop recommendations aimed at their elimination.

2. In addition to draft legislative acts submitted to the Parliament of the Republic of Kazakhstan, drafts of other regulatory legal acts are also subject to scientific anti-corruption expertise, with the exception of regulatory resolutions of the Parliament of the Republic of Kazakhstan and its Chambers, regulatory legal decrees of the President of the Republic of Kazakhstan, regulatory resolutions of the Constitutional Court of the Republic of Kazakhstan and the Supreme Court of the Republic of Kazakhstan, regulatory legal resolutions of the Central Election Commission of the Republic of Kazakhstan, as well as regulatory legal acts, determined by the legislation of the Republic of Kazakhstan.

3. Excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 № 223-VII (shall be enforced ten calendar days after the date of its first official publication).

Footnote. Chapter 6 is supplemented with Article 33-1 in accordance with the Law of the Republic of Kazakhstan dated 26.11.2019 № 273-VI (shall be enforced from 01.01.2020); as amended by the Law of the Republic of Kazakhstan dated 05.11.2022 № 157-VII (shall be enforced from 01.01.2023); dated 19.04.2023 № 223-VII (shall be enforced ten calendar days after the date of its first official publication).

#### **Article 33-2. Scientific legal expertise of draft laws**

1. The object of scientific legal expertise is a draft law, to which, in the cases provided for by this Law, a consultative document and drafts of subordinate regulatory legal acts necessary for its implementation must be attached.

2. The provision of scientific legal expertise shall be carried out by an authorized organization determined by the Government of the Republic of Kazakhstan.

3. Excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 № 223-VII (shall be enforced ten calendar days after the date of its first official publication).

Footnote. Chapter 6 as added by the Article 33-2 according to the Law of the RK dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); as amended by the Law of the Republic of Kazakhstan dated 05.11.2022 № 157-VII (shall be enforced from 01.01.2023); dated 19.04.2023 № 223-VII (shall be enforced ten calendar days after the date of its first official publication).



### **Article 33-3. Rights and obligations of a scientific legal expert**

1. The scientific legal expert may:

- 1) receive materials for scientific legal expertise, including on issues arising during scientific expert activities, to the extent necessary to give an opinion;
- 2) receive remuneration for the work performed;
- 3) suspend expert activities for a period of not more than six months on the basis of a written statement.

The suspension of expert activity shall not deprive the expert of the opportunity to use the above rights under the previous conclusion.

2. A scientific legal expert may not:

- 1) negotiate with other persons not involved in the process of scientific legal expertise on issues related to the production of expertise;
- 2) involve third parties in the implementation of scientific legal expertise;
- 3) disclose materials constituting the subject of scientific legal expertise and other information that became known to him in connection with the implementation of scientific legal expertise;
- 4) disclose the name and content of the draft regulatory legal act, according to which scientific legal expertise shall be carried out, as well as the content of the expert opinion until its official publication in accordance with the rules of organization and conduct of scientific legal expertise, as well as the selection of scientific legal experts.

3. The scientific legal expert shall:

- 1) conduct a comprehensive, complete and objective scientific legal examination on the basis of the information and materials provided to him, give a scientifically justified independent and objective written conclusion on the issues posed in accordance with the requirements for expert opinion;
- 2) refuse to conduct scientific legal expertise in cases provided for by the rules of organization and conduct of scientific legal expertise, as well as the selection of scientific legal experts;
- 3) provide advice and explanations on issues related to the earlier conclusion;
- 4) participate in the discussion of the draft law in the Parliament of the Republic of Kazakhstan to clarify the conclusion given by him earlier.

The participation of a scientific legal expert in the discussion of the draft law in the Parliament of the Republic of Kazakhstan can be made using videoconferencing means with the place in which he is located or lives. The procedure for the technical use of videoconferencing facilities is determined by the body providing organizational and logistical support for the activities of the Parliament of the Republic of Kazakhstan.

**Footnote. Chapter 6 as added by the Article 33-3 according to the Law of the RK dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**



#### **Article 33-4. Withdrawal of a scientific legal expert**

1. In the event of circumstances precluding the participation of a scientific legal expert in a scientific legal examination, the scientific legal expert must refuse to conduct it by notifying the authorized organization determined by the Government of the Republic of Kazakhstan within two working days from the date of sending to the scientific legal expert materials for scientific legal examination.

2. A scientific legal expert may not participate in a scientific legal examination if:

1) has previously participated in the process of agreeing on a consultative document and a draft law sent to him/her for scientific legal expertise;

2) be an employee of the development body;

3) the subject of scientific legal expertise goes beyond his scientific knowledge or the materials submitted to him are insufficient to give an opinion, or there are other circumstances that exclude the giving of an objective and independent expert opinion of scientific legal expertise.

**Footnote. Chapter 6 as added by the Article 33-4 according to the Law of the RK dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); as amended by the Law of the Republic of Kazakhstan dated 05.11.2022 № 157-VII (shall be enforced from 01.01.2023).**

#### **Article 33-5. Grounds for termination of the agreement with the scientific legal expert**

1. The grounds for termination of the agreement with the scientific legal expert shall be:

1) failure to perform or repeated (three or more times) improper fulfillment of obligations by a scientific legal expert;

2) execution by a scientific legal expert of the powers of a deputy of the Parliament of the Republic of Kazakhstan, a member of the Constitutional Court of the Republic of Kazakhstan, a deputy of the Maslikhat;

3) statement of a scientific legal expert;

4) other grounds stipulated by the contract.

2. After the termination of the contract with the scientific legal expert on the basis provided for in subparagraph 1), paragraph 1, of this Article, the contract with it is not concluded for one year, except if the court decides to satisfy or partially satisfy the claim.

**Footnote. Chapter 6 as added by the Article 33-5 according to the Law of the RK dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); as amended by the Law of the Republic of Kazakhstan dated 05.11.2022 № 157-VII (shall be enforced from 01.01.2023).**

### **Chapter 7. PROCEDURE FOR ADOPTION OF NORMATIVE LEGAL ACT**

#### **Article 34. Determination of procedure for adoption of normative legal acts**

1. The procedure for adoption of normative legal acts is determined by the Constitution of the Republic of Kazakhstan and this Law.

2. The specifics of the procedure for adoption of various types of normative legal acts are also determined:

1) for Codes – by this Law.

Codes, amendments and additions to them are adopted in at least two readings by successive consideration at separate sessions of the Chambers of the Parliament of the Republic of Kazakhstan;

1-1) Changes and additions to the codes may be made and adopted in special procedures established by the respective codes;

2) for consolidated laws and laws – by the Constitution of the Republic of Kazakhstan, legislative acts on the President of the Republic of Kazakhstan, the Parliament of the Republic of Kazakhstan, the republican referendum, other legislative acts, including the regulations of Parliament and its Chambers;

2-1) for a temporary resolution of the Government of the Republic of Kazakhstan, having the force of law, - the Constitution of the Republic of Kazakhstan, a legislative act on the Government of the Republic of Kazakhstan, other legislative acts, acts of the Government of the Republic of Kazakhstan;

3) for resolutions of the Parliament and its Chambers - by the Constitution of the Republic of Kazakhstan, by legislative acts on the Parliament of the Republic of Kazakhstan;

4) for decrees of the President of the Republic of Kazakhstan – by the Constitution of the Republic of Kazakhstan, the legislative act on the President of the Republic of Kazakhstan, as well as acts of the President of the Republic of Kazakhstan regulating this order;

5) for resolutions of the Government of the Republic of Kazakhstan – by the Constitution of the Republic of Kazakhstan, the legislative act on the Government of the Republic of Kazakhstan, the acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan;

6) for regulatory legal acts of the central executive and other central state bodies, both included and not included in the structure of the Government of the Republic of Kazakhstan and departments of central state bodies, including the National Bank of the Republic of Kazakhstan, the authorized body for regulation, control, and supervision of the financial market and financial organizations and the Supreme Audit Chamber of the Republic of Kazakhstan, - legislative acts on the Government of the Republic of Kazakhstan and such bodies, acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan, decrees of the President of the Republic of Kazakhstan, resolutions of the Government of the Republic of Kazakhstan regulating the activities of such bodies;

6-1) for technical regulations - legislation of the Republic of Kazakhstan in the field of technical regulation;

7) for normative resolutions of the Constitutional Court of the Republic of Kazakhstan - a legislative act on the Constitutional Court of the Republic of Kazakhstan;

8) for normative resolutions of the Supreme Court of the Republic of Kazakhstan – by the legislation on courts of the Republic of Kazakhstan;

9) for normative resolutions of the Central Election Commission (Central Referendum Commission) – by the legislative acts on elections and republican referendum;

10) for normative decisions of local representative and executive bodies and audit commissions – by the legislative acts on these bodies, other legislative acts, acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan.

When adopting regulatory legal acts specified in subparagraph 1), paragraph 2 of Article 7 of this Law, a program of information support and clarification of the adopted law shall be approved by the regulatory legal act development body.

The information and clarification programme refers to a list of measures to inform citizens about amendments in the legislation of the Republic of Kazakhstan affecting their rights and legitimate interests, and to explain them, as well as to ensure the effective implementation of the adopted law.

The program of information support and clarification is necessarily coordinated with the Ministry of Justice of the Republic of Kazakhstan and the authorized body in the field of mass media in accordance with the procedure determined by the rules of legislative activity of the Government of the Republic of Kazakhstan.

3. Adoption of a regulatory legal act by the authorized body shall be allowed only in cases when the competence of the authorized body to adopt this act is provided for by the legislation of the Republic of Kazakhstan.

At the same time, the list of subordinate regulatory legal acts arising from higher regulatory legal acts shall be determined by the Government of the Republic of Kazakhstan in the regulations on state bodies. The list of subordinate regulatory legal acts arising from higher regulatory legal acts, the developers of which are state bodies directly subordinate and accountable to the President of the Republic of Kazakhstan, shall be determined by the President of the Republic of Kazakhstan.

**Footnote. Article 34 with the change introduced by the Law of the Republic of Kazakhstan dated 21.01.2019 № 217-VI (shall be enforce upon the expiration of ten calendar days after the day of its first official publication); dated 30.12.2020 № 397-VI (shall enter into force upon expiry of six months after the day of its first official publication); dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 05.11.2022 № 157-VII (see Article 3 for the procedure of entry into force); dated 19.06.2024 № 94-VIII (effective sixty calendar days after the date of its first official publication).**

**Article 35. Persons authorized to sign normative legal acts**

1. Official texts of normative legal acts are signed by the following officials:

1) the Constitution, laws, making amendments and additions to the Constitution, constitutional laws, codes, consolidated laws, laws of the Republic of Kazakhstan, decrees of the President of the Republic of Kazakhstan - by the President of the Republic of Kazakhstan; temporary resolution of the Government of the Republic of Kazakhstan, having the force of law, - by the Prime Minister of the Republic of Kazakhstan;

2) resolutions of the Parliament of the Republic of Kazakhstan – by the Chairman of the Majilis of the Parliament of the Republic of Kazakhstan; resolutions of the Majilis of the Parliament of the Republic of Kazakhstan – by the Chairman of the Majilis of the Parliament of the Republic of Kazakhstan, resolutions of the Senate of the Parliament of the Republic of Kazakhstan – by the Chairman of the Senate of the Parliament of the Republic of Kazakhstan;

3) resolutions of the Government of the Republic of Kazakhstan – by Prime Minister of the Republic of Kazakhstan;

4) decisions of the maslikhat - by the chairman of the maslikhat;

5) resolutions of akimat, decisions of akim – by the akim;

6) another normative legal act – by the head of the body that adopted (issued) it.

2. When adopting a normative legal act of a derived type by means of a normative legal act of the basic type, the authorized person signs only the normative legal act of the basic type

**Footnote. Article 35 as amended by the Law of the Republic of Kazakhstan dated 11.07.2017 № 91-VI (comes into force 10 calendar days after the day of its first official publication); dated 30.06.2021 № 60-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 05.11.2022 № 157-VII (shall be enforced from 01.01.2023).**

**Article 35-1. State registration of regulatory legal acts of central state bodies, their departments, as well as maslikhats, akimats, akims and revision commissions of regions, cities of republican significance, the capital as a condition for their entry into force**

1. The regulatory legal acts specified in subparagraphs 6), 7), 8) and 9), paragraph 2 of Article 7 of this Law shall be subject to state registration with the judicial authorities. Such registration shall be a prerequisite for its entry into force.

2. State registration of regulatory legal act shall include:

1) legal examination by the judicial authorities in relation to the regulatory legal act previously agreed by the judicial authorities, in accordance with paragraph 6 of Article 18 of this Law;

2) entry of information on regulatory legal act into the Register of state registration of regulatory legal acts with assignment of the number of state registration.

3. The requirements of paragraph 1 of this Article shall not apply to:

1) regulatory legal acts containing state secrets;

2) regulatory legal acts regulating the procedure for interaction of authorized bodies with other state bodies and not applicable to third parties;

3) regulatory legal acts defining the status and powers of the state body;

4) regulatory legal acts developed on the basis of model regulatory legal acts and containing no additional norms of law;

4-1) regulatory legal decisions of maslikhats on approval or clarification of budgets;

4-2) regulatory legal acts of central and local executive bodies, as well as akims, providing for the adoption of decisions on the establishment (cancellation) of a quarantine zone with the introduction of a quarantine regime in the relevant territory, the establishment (removal) of quarantine and (or) restrictive measures in cases provided for by the legislation of the Republic of Kazakhstan in the field of veterinary medicine, as well as on declaring a natural and man-made emergency;

**Note!**

**Subparagraph 4-3) is provided to be deleted by the Law of the Republic of Kazakhstan dated 06.04.2024 № 71-VIII (effective from 31.12.2025).**

4-3) regulatory legal acts on the approval of threshold retail prices for socially significant food products and the size of maximum allowable retail prices for socially significant food products;

5) regulatory legal acts, the list of which is approved by the Ministry of Justice of the Republic of Kazakhstan.

4. Grounds for refusal of state registration shall be:

1) submission for state registration of a regulatory legal act subject to such registration, in violation of the requirements of the rules for the development, coordination and state registration of regulatory legal acts;

2) identification of contradiction to regulatory legal acts of the higher level adopted or entered into force in the period after the legal examination;

3) non-compliance with the requirements established by this Law.

The refusal of State registration of a regulatory legal act may be appealed by the state body concerned in court.

5. Regulatory legal acts subject to state registration, which shall not be registered in accordance with the procedure established by the legislation of the Republic of Kazakhstan, must be canceled by the body that issued them.

**6. Excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 № 223-VII (shall be enforced ten calendar days after the date of its first official publication).**

**Footnote. Chapter 7 as added by the Article 35-1 according to the Law of the RK dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); as amended by the Law of the RK dated 30.06.2021 № 60-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 31.12.2021 № 100 (shall be enforced upon expiry of ten calendar days**

after the day of its first official publication); dated 05.11.2022 № 157-VII (shall be enforced upon expiry of 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 36. Rights to amend, supplement, terminate and suspend operation of normative legal acts in case of reorganization or liquidation of an authorized body**

In case of reorganization or liquidation of an authorized body, entitled to adopt normative legal acts, the successor or the authorized body that receives the functions of the liquidated authorized body, within its competence, along with the right to adopt normative legal acts, also receives the right to amend, supplement, terminate and suspend action of normative legal acts.

### **Chapter 8. PUBLICATION OF NORMATIVE LEGAL ACTS**

#### **Article 37. Obligation of official publication of normative legal acts**

1. Official publication of normative legal acts concerning the rights, freedoms and duties of citizens is an indispensable condition for their application.

The official publications shall be the “Vedomosti” of the Parliament of the Republic of Kazakhstan, the Collection of Acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan, and the “Vestnik” of the National Bank of the Republic of Kazakhstan.

2. Official publication of legislative acts is also carried out by periodicals that receive such a right on a competitive basis in the manner determined by the Government of the Republic of Kazakhstan.

Official publication of normative legal acts is also carried out in the Reference Control Bank of the normative legal acts of the Republic of Kazakhstan in electronic form.

3. The first official publication of normative legal acts must be carried out simultaneously in the Kazakh and Russian languages within thirty calendar days after the day of their entry into force.

4. Excluded by the Law of the Republic of Kazakhstan dated 24.05.2018 № 156-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).

5. In law enforcement practice, the official publications of normative legal acts shall be used.

6. Informal publication of normative legal acts is allowed only after their official publication.

Footnote. Part three of item 2 was effective until 01/01/2017 in accordance with the Law of the Republic of Kazakhstan dated 06.04.2016 № 480-V (the procedure for enactment see



Article 67); № 156-VI dated 24.05.2018 (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

#### **Article 38. Official publication of regulatory legal acts of central executive and other central state bodies of the Republic of Kazakhstan**

Footnote. Article 38 excluded by the Law of the RK dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

#### **Article 39. Official publication of regulatory legal decisions of maslikhats, regulatory legal decisions of akimats, regulatory legal decisions of audit commissions and regulatory legal decisions of akims**

Footnote. Article 39 excluded by the Law of the RK dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

#### **Article 40. Inadmissibility of publication of normative legal acts in incomplete statement**

1. Official publication of normative legal acts in an incomplete statement is not allowed, except for normative legal acts containing state secrets and other secrets protected by law, as well as normative legal acts that bear the mark "For official use", "Without publication in the press", "Not for publication."

2. If, due to a significant volume of a normative legal act, its text is published in several issues of a periodical publication, the day of its official publication is the day of publication of the final part of the text of the normative legal act in the Kazakh and Russian languages.

#### **Article 41. Control over the official publication of regulatory legal acts of central executive and other central state bodies, as well as maslikhats, akimats, audit commissions and akims**

Footnote. Article 41 excluded by the Law of the RK dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

### **Chapter 9. OPERATION OF NORMATIVE LEGAL ACTS IN TIME, SPACE AND A SCOPE OF PERSONS**

#### **Article 42. Time of entry into force and enactment of normative legal acts**

1. Normative legal acts, except for the normative legal acts specified in part two of this paragraph, come into force after their signing.

Regulatory legal acts subject to state registration with the judicial authorities in accordance with Article 35-1 of this Law shall enter into force from the date of state registration.

2. An obligatory condition for enactment of normative legal acts concerning the rights, freedoms and duties of citizens is their official publication.

3. Normative legal acts shall come into force within the following terms:



1) legislative acts of the Republic of Kazakhstan, except for resolutions of the Parliament of the Republic of Kazakhstan and its Chambers, normative legal decrees of the President of the Republic of Kazakhstan, Chairman of the Security Council of the Republic of Kazakhstan , normative legal resolutions of the Government of the Republic of Kazakhstan - upon expiration of ten calendar days after the day of their first official publication, if the acts or acts on their introduction into effect are not specified other terms;

2) resolutions of the Parliament of the Republic of Kazakhstan and its Chambers, normative resolutions of the Supreme Court of the Republic of Kazakhstan - from the date of the first official publication, unless the acts themselves specify other terms;

3) resolutions of the Constitutional Court of the Republic of Kazakhstan - from the date of their adoption;

4) regulatory legal orders of the ministers of the Republic of Kazakhstan and other heads of central state bodies and their departments, regulatory legal resolutions of the Central Election Commission of the Republic of Kazakhstan, the Supreme Audit Chamber of the Republic of Kazakhstan, the National Bank of the Republic of Kazakhstan and other central state bodies, regulatory legal decisions of maslikhats, regulatory legal resolutions of akimats, regulatory legal resolutions of audit commissions and regulatory legal decisions of akims – upon expiration of ten calendar days after the day of their first official publication, unless other terms are indicated in the acts themselves.

4. The normative legal acts or acts on enactment may specify other terms for enactment of separate sections, sub-sections, paragraphs, chapters, articles, parts, items, subparagraphs and paragraphs of articles of normative legal acts than those established for the entire act as a whole.

4-1. The deadlines for the enactment of a regulatory legal act should be established on the basis of the deadlines necessary for regulatory entities to prepare for the implementation of activities in accordance with the requirements established by the Laws of the Republic of Kazakhstan.

The time limits for the enactment of Laws or their separate standards, which establish new duties of regulatory entities, with the exception of state bodies and organizations, shall be determined on the basis of the time limits necessary for preparing for the performance of duties, and cannot be less than sixty calendar days after the day of its first official publication.

Certain standards establishing additional requirements, obligations or other increases in the burden on business entities in connection with the introduction or use of regulatory instruments, including forms and means of state regulation of entrepreneurship, cannot enter into force earlier than sixty calendar days after the day of its first official publication, necessary for them to prepare for the performance of duties.

The requirements of part three of this paragraph shall not apply to regulatory legal acts of central and local executive bodies, as well as akims, providing for the adoption of decisions on the establishment of (cancellation) of the quarantine zone with the introduction of a

quarantine regime in the relevant territory, on the establishment (withdrawal) of quarantine and (or) restrictive measures in cases stipulated by the legislation of the Republic of Kazakhstan in the field of veterinary medicine, declaration of an emergency of a natural and man-made nature, as well as regulatory legal acts regulating the activities of financial organizations, branches of banks - non-residents of the Republic of Kazakhstan, branches of insurance (reinsurance) organizations - non-residents of the Republic of Kazakhstan, branches of insurance brokers - non-residents of the Republic of Kazakhstan and persons who are members of insurance groups and banking conglomerates, as well as draft regulatory legal acts of the National Bank of the Republic of Kazakhstan and the authorized body for regulation, control and supervision of the financial market and financial organizations.

The procedure and timing of the introduction of regulatory legal acts should not be detrimental to the subjects of regulation.

The requirements established by this paragraph shall not apply to draft laws and temporary resolutions of the Government of the Republic of Kazakhstan, having the force of law, developed in accordance with part one of paragraph 15 of Article 17-1 of this Law.

5. The Law providing for legal liability for actions (inactions) that did not previously entail such liability, or establishing stricter liability than the previous one, cannot be implemented before the expiration of sixty calendar days after the day of its first official publication.

6. Regulatory legal acts that approve the qualification or permit requirements for certain types (subtypes) of activities, and the list of documents confirming compliance with the qualification or permit requirements, may not be put into effect until the expiration of sixty calendar days after the day of their first official publication, with the exception of regulatory legal acts developed by central state bodies for the introduction of a permissive procedure for the export or import of certain types of goods in order to prevent or reduce a critical shortage in the domestic market, ensure the country's defense and national security of the Republic of Kazakhstan, protect human life and health, the environment, animals, plants, cultural values, protect public morality, and law and order.

7. Normative legal acts containing state secrets or other secret protected by law shall be put into effect from the date of their adoption or within the periods specified in the act itself.

8. All normative legal acts shall specify the term for putting them into effect, taking into account the norms of this article.

Footnote. Article 42 as amended by the Law of the Republic of Kazakhstan dated 05.07.2018 № 179-VI (shall be enforced from the date of its first official publication); dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 05.11.2022 № 157-VII (see Article 3 for the procedure of entry into force,); dated 30.12.2022 № 177-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

### **Article 43. Retroactive effect of normative legal act**

1. The effect of a normative legal act does not apply to relations that arose before its enactment.

2. Exceptions to the rule of paragraph 1 of this article represent cases where the retroactive effect of a normative legal act or part thereof is provided for by it or by an act on enactment of a normative legal act, and also when the latter excludes the duties imposed on citizens or improves their condition.

3. Laws imposing new duties on citizens or worsening their situation shall not be retroactive.

4. Laws establishing or strengthening liability have no retroactive effect.

**Footnote.** Article 43 as amended by the Law of the RK dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

### **Article 44. State registration of normative legal acts of central executive and other central state bodies, their departments, as well as maslikhats, akimats and akims as a condition for their enactment**

**Footnote.** Article 44 excluded by the Law of the RK dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

### **Article 45. Duration of validity of normative legal act**

1. A normative legal act is valid for an indefinite period, unless the act itself or the act on its enactment otherwise provides herein.

2. A temporary validity period may be established for the entire normative legal act or its separate part (separate parts). In this case, it should be indicated for how long the normative legal act or its part remains effective. Before the expiry of this period, the body that issued the act may extend the validity of the act for a new term or give it an open-ended time frame.

### **Article 46. Suspension and termination of normative legal act**

1. The regulatory legal act or its separate standards may be suspended for a certain period. Suspension of a regulatory legal act or its separate standards shall be carried out by a separate regulatory legal act, except in cases provided for in part two of this paragraph.

The operation of a regulatory legal act or its individual standards may be suspended in the case and in the procedure provided for in Article 15, paragraph 2 of the Law of the Republic of Kazakhstan “On the State of Emergency”.

2. A normative legal act (its part or parts thereof) ceases to be valid in cases of:

1) expiration of the period for which the act was adopted (its part or parts thereof);

2) adoption of a new normative legal act contradicted by the provisions of a previously issued normative legal act, its part (part) or which absorbs the previously issued act or its part (parts);

3) recognition of the adopted act as unconstitutional in the manner established by the Constitution of the Republic of Kazakhstan;

4) recognition of an act or its part (parts) as invalid by the body that adopted this act, or another authorized body.

3. Publication of a normative legal act on termination or suspension of another normative legal act is carried out in the manner provided for in this Law.

**Footnote. Article 46 as amended by the Law of the RK dated 16.05.2020 № 330-VI (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

#### **Article 47. Effect of normative legal acts in space**

1. Normative legal acts of the Republic of Kazakhstan adopted by the President of the Republic of Kazakhstan, the Chairman of the Security Council of the Republic of Kazakhstan, the Parliament of the Republic of Kazakhstan, the Government of the Republic of Kazakhstan, central executive and other central state bodies shall extend their actions to the entire territory of the Republic of Kazakhstan, unless otherwise stipulated in the normative legal acts or acts on their implementation.

2. Normative legal acts adopted by local representative and executive bodies, revision commissions, operate on the territory of the respective administrative-territorial unit.

**Footnote. Article 47 as amended by the Law of the Republic of Kazakhstan dated 05.07.2018 № 179-VI (shall be enforced from the date of its first official publication).**

#### **Article 48. Effect of normative legal acts in a scope of persons**

1. Effect of normative legal acts of the Republic of Kazakhstan extends to citizens and legal entities of the Republic of Kazakhstan, as well as foreigners and stateless persons residing on its territory, legal entities of foreign states, their branches and representative offices, with the exception of cases provided for by legislative acts and international treaties ratified by the Republic Kazakhstan.

2. Normative legal acts of the Republic of Kazakhstan extend to diplomatic representatives and some other employees of state bodies of foreign states and international organizations within the limits provided for by international treaties and generally recognized principles and norms of international law (diplomatic immunity).

#### **Article 49. Measures to ensure legality of normative legal acts**

1. Legality of normative legal acts is ensured by the following measures:

1) harmonization of a normative legal act with the Constitution of the Republic of Kazakhstan and legislative acts;

2) suspension of operation of a normative legal act in accordance with the established procedure;

3) conducting legal monitoring of normative legal acts;

4) verification of compliance with the Constitution of the Republic of Kazakhstan and legislative acts in the state registration of normative legal acts.

2. In accordance with the competence established by the Constitution of the Republic of Kazakhstan and other legislative acts, the bodies and officials of the state that ensure legality of normative legal acts are:

1) the Constitutional Court of the Republic of Kazakhstan;

2) courts;

3) the Prosecutor General of the Republic of Kazakhstan and the prosecutors subordinate to him;

4) the Ministry of Justice of the Republic of Kazakhstan and its territorial bodies;

5) the authorized bodies - with regard to normative legal acts adopted by subordinate bodies;

6) the authorized bodies that have adopted by-law normative legal acts and (or) are their developers - with regard to the by-law normative legal acts that they have adopted and (or) the developers of which they were.

3. If the judicial authorities detect violations of Article 35-1, subparagraph 2), paragraph 4 of this Law in a regulatory legal act registered with the judicial authorities, the judicial authorities shall notify the authorized body that has adopted the relevant regulatory legal act of the need to eliminate the violations.

If the authorized body fails to take measures to bring the regulatory legal act specified in part one of this paragraph into compliance with the legislation of the Republic of Kazakhstan within the time limits established in the notification, the justice authorities apply to the court with a statement declaring such regulatory legal act illegal.

4. Excluded by the Law of the RK dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

Footnote. Article 49 as amended by the Law of the RK dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 05.11.2022 № 157-VII (shall be enforced from 01.01.2023).

## **Chapter 10. MONITORING**

### **Article 50. Legal monitoring**

1. Legal monitoring shall be carried out in order to identify in the adopted regulatory legal acts contradictions to the legislation of the Republic of Kazakhstan, duplication, gaps, inefficiently implemented, outdated and corrupt legal standards and to develop proposals for

their improvement by forecasting, analyzing and evaluating the effectiveness of the implementation of the adopted regulatory legal acts.

2. The state bodies monitor the normative legal acts adopted by them and (or) the developers of which they were or are within their competence, and take timely measures to amend them and (or) supplement or to recognize them as invalid.

3. State bodies shall conduct legal monitoring taking into account the recommendations of public and scientific organizations and citizens.

4. Excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 № 223-VII (shall be enforced ten calendar days after the date of its first official publication).

Footnote. Article 50 with the change introduced by the Law of the Republic of Kazakhstan dated 21.01.2019 № 217-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 12.03.2021 № 15-VII (shall enter into force upon expiry of 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 51. Public monitoring of normative legal acts**

1. The National Chamber of Entrepreneurs of the Republic of Kazakhstan conducts public monitoring of normative legal acts affecting the interests of private business entities.

1-1. Public councils shall have the right to conduct public monitoring of regulatory legal acts relating to the rights, freedoms and duties of citizens.

2. The results of public monitoring shall be posted annually on the official Internet resources of the relevant state body and the National Chamber of Entrepreneurs of the Republic of Kazakhstan.

3. Public monitoring of regulatory legal acts may be carried out by other interested persons.

Footnote. Article 51 as amended by the Law of the RK dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

### **Chapter 11. SYSTEMATIZATION AND RECORD OF NORMATIVE LEGAL ACTS**

#### **Article 52. Systematization of normative legal acts**

1. Authorized bodies that adopt normative legal acts record and systematize these acts, keep control copies of the acts they have adopted, in which all current amendments and additions are timely made.

2. The procedure for recording and systematization of normative legal acts by authorized bodies is determined by the Government of the Republic of Kazakhstan.

#### **Article 53. State accounting of regulatory legal acts**



1. State accounting of regulatory legal acts shall be carried out by maintaining the state register of regulatory legal acts of the Republic of Kazakhstan, the Reference Control Bank of regulatory legal acts of the Republic of Kazakhstan.

2. The State Register of Regulatory Legal Acts of the Republic of Kazakhstan and the Reference Control Bank of Regulatory Legal Acts of the Republic of Kazakhstan shall be maintained by an authorized organization determined by the Government of the Republic of Kazakhstan.

3. Authorized bodies for inclusion in the State Register of Regulatory Legal Acts of the Republic of Kazakhstan, the Reference Control Bank of Regulatory Legal Acts of the Republic of Kazakhstan shall send to the authorized organization responsible for their maintenance copies of regulatory legal acts in paper and electronic form, certified by electronic digital signature of the person authorized to sign regulatory legal acts in accordance with Article 35 of this Law.

A regulatory legal act registered by the judicial authorities in accordance with Article 35-1 of this Law shall be automatically sent electronically to the authorized organization for inclusion in the State Register of Regulatory Legal Acts of the Republic of Kazakhstan, the Reference Control Bank of Regulatory Legal Acts of the Republic of Kazakhstan.

The Reference Control Bank of regulatory legal acts of the Republic of Kazakhstan shall include a regulatory legal act in paper and (or) electronic form, certified by electronic digital signature of the person authorized to sign it in accordance with Article 35 of this Law.

4. Excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 № 223-VII (shall be enforced ten calendar days after the date of its first official publication).

5. The Ministry of Justice of the Republic of Kazakhstan shall create a unified system of legal information; shall assist central executive and other central state bodies in reference and information work.

Footnote. Article 53 in the wording of the Law of the RK dated 12.03.2021 № 15-VII (shall enter into force upon expiry of 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 54. Publicity of normative legal acts**

All authorized bodies are obliged to grant access to interested persons for acquaintance with the adopted normative legal acts, except those containing state secrets or legally protected secret.

## **SECTION 3. NON-NORMATIVE LEGAL ACTS**

### **Chapter 12. GENERAL PROVISIONS ON NON-NORMATIVE LEGAL ACTS**

## **Article 55. Types of non-legal acts**



1. Non-legal acts shall include:

- 1) acts of official explanation of regulatory legal acts;
- 2) administrative acts;
- 3) legal acts of individual application;
- 4) legal acts in the field of the state planning system.

2. The procedure for the adoption of administrative acts shall be established by the Administrative Procedural Code of the Republic of Kazakhstan, as well as other regulatory legal acts of the Republic of Kazakhstan.

3. The types and procedure for developing legal acts in the field of the state planning system shall be established by laws, acts of the Government of the Republic of Kazakhstan and authorized bodies.

The development and adoption of legal acts in the field of the state planning system affecting the interests of business entities shall be carried out taking into account the requirements established by the Article 19 of this Law.

**Footnote. Article 55 in the wording of the Law of the RK dated 29.06.2020 № 351-VI ( shall enter into force from 01.07.2021); as amended by the Law of the Republic of Kazakhstan dated 06.04.2024 № 71-VIII (shall enter into force upon expiry of sixty calendar days after the date of its first official publication).**

#### **Article 56. Conditions for adoption of non-normative legal acts**

1. Non-normative legal acts are adopted on the basis of normative legal acts and for the purpose of their implementation.

2. Non-normative legal acts are adopted by the authorized bodies specified in this Law and other normative legal acts.

3. Specifics of adoption of non-normative legal acts may be established in other normative legal acts.

#### **Article 57. Appeal and protest against non-normative legal acts**

Non-normative legal acts may be appealed and protested in the manner and on the grounds provided for by the legislation of the Republic of Kazakhstan.

### **Chapter 13. ACTS OF OFFICIAL CLARIFICATION OF NORMATIVE LEGAL ACTS**

#### **Article 58. General provisions on acts of official clarification of normative legal acts**

1. In cases of unclearness and different understanding of normative legal acts, contradictions in the practice of their application, a formal clarification of the norms contained in the normative legal act may be given.

2. Acts of official clarification of normative legal acts do not establish the norms of law and do not fill the gap in the legislation of the Republic of Kazakhstan.

3. The official clarification of a normative legal act is given solely for the purpose of clarifying and explanation of the content of the norms of law; it may not change the meaning of the norms of law and go beyond the clarified norm.

4. Official clarification of the standards contained in regulatory legal acts shall be carried out at the initiative of authorized bodies or individuals and legal entities in the procedure established by the Administrative Procedural Code of the Republic of Kazakhstan.

5. Acts of official clarification are mandatory in implementation of the norms contained in them, including when applying them, except for the cases, provided in paragraph 4 of Article 60 of this Law and in administration of justice.

6. The procedure and conditions for the official clarification of regulatory legal acts established by this chapter shall not apply to the clarification of the law, carried out in accordance with the Constitutional Law of the Republic of Kazakhstan "On the Prosecutor's Office".

Footnote. Article 58 as amended by the Law of the Republic of Kazakhstan dated 11.07.2017 № 91-VI (comes into force 10 calendar days after the day of its first official publication); dated 29.06.2020 № 351-VI (shall enter into force from 01.07.2021); dated 05.11.2022 № 157-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

#### **Article 59. Conditions for official clarification of normative legal acts**

1. The meaning of by-laws in explaining them should be disclosed in full accordance with the Constitution of the Republic of Kazakhstan, laws and principles of legislative regulation.

2. Norms of legislative acts should be clarified in full compliance with the provisions of the Constitution of the Republic of Kazakhstan.

2-1. The provisions of the law shall be explained in accordance with the principles of legislative regulation laid down in them.

3. Is excluded by the Law of the Republic of Kazakhstan dated 11.07.2017 № 91-VI (comes into force 10 calendar days after the day of its first official publication).

Footnote. Article 59 as amended by the Law of the Republic of Kazakhstan dated 11.07.2017 № 91-VI (comes into force 10 calendar days after the day of its first official publication); dated 12.03.2021 № 15-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

#### **Article 60. State bodies, officials carrying out official clarification of normative legal acts**

1. Is excluded by the Law of the Republic of Kazakhstan dated 11.07.2017 № 91-VI (comes into force 10 calendar days after the day of its first official publication).

2. An official clarification of the normative legal acts of the Government of the Republic of Kazakhstan is carried out on behalf of the Prime Minister by the Ministry of Justice of the Republic of Kazakhstan jointly with the interested state bodies.

3. An official clarification of the normative legal acts specified in subparagraphs 6), 7), 8) and 9) of paragraph 2 of Article 7 of this Law is given by the authorized bodies or officials who adopted (issued) them.

4. State bodies conducting state policy, carrying out regulation and management in a certain industry (field of activity) or whose competence includes the solution of relevant issues, or other state bodies, in accordance with the powers granted to them for the applications of individuals or legal entities, shall be obliged to give explanations of regulatory legal acts in relation to specific subjects or in relation to a specific situation within their competence.

Such explanations should:

1) be exhaustive within the scope of the issues raised in the appeal;

2) be published by summarizing similar appeals in a publicly accessible mode on the Internet resource of the relevant state body, with the exception of information containing personal data and (or) constituting a secret protected by the laws of the Republic of Kazakhstan.

Such explanations are not legally binding and shall be advisory in nature.

The activity of a specific entity that has sent an appeal and received an explanation from a state body in relation to itself or in relation to a specific situation, carried out in accordance with the received explanation, cannot be qualified as a violation of the relevant mandatory requirements, including if such an explanation was subsequently withdrawn, recognized as erroneous or given a new, different explanation in relation to the same regulatory legal act, the content of which has not changed..

**Footnote. Article 60 as amended by the Law of the Republic of Kazakhstan dated 11.07.2017 № 91-VI (comes into force 10 calendar days after the day of its first official publication); dated 30.12.2021 № 95-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).**

## **Article 61. Structure of acts of official clarification of normative legal acts**

1. An act of an official clarification of a normative legal act consists of introductory, descriptive and resolute parts.

2. The introductory part of the act of an official clarification of a normative legal act specifies:

1) the name of the authorized body clarifying the normative legal act;

2) the name of the act of official clarification with an indication of the structural element of the normative legal act, which contains the clarified norm, the date of adoption and the number of the normative legal act containing the clarified norm;

- 3) place and date of adoption of the act of official clarification of the normative legal act;
- 4) the name of a body or an individual or a legal entity which initiated clarification of the normative legal act.

3. The descriptive part of the act of an official clarification of a normative legal act should contain a description and an analysis of the content of the clarified norm.

4. The resolute part of the act of official clarification of the normative legal act should contain the conclusion of the authorized body, clarifying the meaning and content of the normative legal act.

## **Article 62. Publication of acts of official clarification of normative legal acts**

1. Publication of acts of official clarification of normative legal acts is carried out on the Internet resource of the authorized body (official), which clarified the norms contained in the normative legal act.

2. The requirements of this article are not applied in cases specified in paragraph 4 of Article 60 of this Law.

**Footnote. Article 62 as amended by the Law of the Republic of Kazakhstan dated 11.07.2017 № 91-VI (comes into force 10 calendar days after the day of its first official publication).**

### **Article 62-1. Informing about the procedures for compliance with mandatory requirements**

1. State bodies conducting state policy, carrying out regulation and management in a certain industry (field of activity) or whose competence includes the solution of relevant issues, or other state bodies, in accordance with the powers granted to them shall ensure informing of a wide range of persons who are obliged to comply with mandatory requirements on the procedure for compliance with mandatory requirements, the rights and obligations of subjects of control and supervision, the powers of state bodies exercising state control (supervision) and their officials, and other issues of proper compliance with mandatory requirements.

2. Informing the subjects of control and supervision shall be carried out, among other things, by issuing guidelines on compliance with mandatory requirements.

The guideline on compliance with mandatory requirements includes explanations on how to comply with mandatory requirements, examples of compliance with mandatory requirements, and recommendations on the adoption of specific measures to ensure compliance with mandatory requirements by the subjects of control and supervision.

This guideline may not contain new mandatory requirements.

3. The guideline for compliance with mandatory requirements shall be approved by the head of the relevant state body and published in a publicly accessible mode on the Internet resource of the state body, as well as in the unified system of legal information.

4. The guideline for compliance with mandatory requirements shall be applied by the subjects of control and supervision on a voluntary basis and shall be advisory in nature.

5. The activities of the subjects of control and supervision and (or) their employees, carried out in accordance with the guideline for compliance with mandatory requirements, cannot be qualified as a violation of mandatory requirements.

**Footnote.** Chapter 13 is supplemented by Article 62-1 in accordance with the Law of the Republic of Kazakhstan dated 30.12.2021 № 95-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

## **Chapter 14. LEGAL ACTS OF INDIVIDUAL APPLICATION**

### **Article 63. General provisions on legal acts of individual application**

**Footnote.** Article 63 as excluded by the Law of the RK dated 29.06.2020 № 351-VI (shall enter into force from 01.07.2021).

### **Article 64. Requirements for legal acts of individual application and their formulation**

1. A legal act of individual application must meet the following requirements:

1) not to contradict the Constitution of the Republic of Kazakhstan, legislation and legal acts of higher state bodies;

2) its structure should provide comprehensive disclosure of the subject of regulation, and the content should provide a unified understanding and application, clearly state the content of the proposed measures, exhaustively determine the range of persons who are responsible for their implementation within the established time frame.

2. Legal acts of individual application that contradict the requirements of the Constitution of the Republic of Kazakhstan and the legislation of the Republic of Kazakhstan are null and void from the moment of adoption and should not be applied in the territory of the Republic of Kazakhstan.

2-1. Legal acts of individual application that are recognized as unconstitutional, including those infringing on the rights and freedoms of a person and citizen enshrined in the Constitution, are abolished and are not subject to application.

3. In case of contradiction of legal acts of individual application adopted by authorized bodies of different levels, a legal act of a higher authorized body shall be applied if the adoption of such an act was within its competence.

4. In case of contradiction of the legal acts of individual application adopted by the authorized bodies of the same level, the legal act of the authority whose competence includes the adoption of this decision shall be applied. At the request of the person concerned, the decision on the priority of one legal act over another is made by a higher-level authorized body or court.

5. A legal act of individual application, in addition to the requirements provided for in paragraph 1 of this article, must also contain the following requisites:

1) the name of the legal act ;

- 2) the heading, indicating the subject of consideration of this act;
- 3) place and date of adoption of the act;
- 4) signature (signatures) of the person (persons) authorized (entitled) to sign the relevant act;
- 5) seal of the body, except for cases stipulated by the legislation of the Republic of Kazakhstan.

The procedures for adoption of legal acts of individual application, the organization of their formulation, execution and control over the execution are determined by this Law and other normative legal acts.

**Footnote. Article 64 as amended by the Law of the Republic of Kazakhstan dated 11.07.2017 № 91-VI (comes into force 10 calendar days after the day of its first official publication); dated 29.06.2020 № 351-VI (shall enter into force from 01.07.2021);**

#### **Article 65. Entry into force and termination of legal acts of individual application**

1. A legal act of individual application comes into force from the moment of adoption, if it does not specify a later period.

2. A legal act of individual application ceases to be valid from the moment of execution of its requirements or the instructions contained therein by persons to whom this legal act is addressed.

3. Until termination, a legal act of individual application may be suspended, amended and / or supplemented or canceled by the authorized body that adopted this legal act, a higher state body or court.

**4. Is excluded by the Law of the Republic of Kazakhstan dated 29.06.2020 № 351-VI (shall enter into force from 01.07.2021).**

**Footnote. Article 65 as amended by the Laws of the Republic of Kazakhstan dated 02.07.2018 № 168-VI (shall be enforced from 01.01.2019); dated 03.07.2019 № 262-VI (shall be enforced from 01.01.2020); dated 29.06.2020 № 351-VI (shall enter into force from 01.07.2021).**

### **Chapter 15. TRANSITIONAL AND FINAL PROVISIONS**

#### **Article 66. Transitional Provisions**

State enterprise that maintains the State Register of normative legal acts of the Republic of Kazakhstan, the Reference Control Bank of the normative legal acts of the Republic of Kazakhstan:

1) provides formation of the Reference Control Bank of normative legal acts of the Republic of Kazakhstan, adopted before January 1, 2015, in electronic and digital form from an Internet resource determined by the Government of the Republic of Kazakhstan;

2) until January 1, 2018 ensures harmonization of the established normative legal acts adopted before January 1, 2015, in electronic and digital form with normative legal acts in printed form.

#### **Article 67. Order of enactment of this Law**

1. This Law shall enter into force upon expiry of ten calendar days after the date of its first official publication.

2. Part three of paragraph 2 of Article 37, paragraph 3 of Article 38 and paragraph 3 of Article 39 shall be valid until January 1, 2017.

3. To recognize as invalid the Law of the Republic of Kazakhstan dated March 24, 1998 "On normative legal acts" (Bulletin of the Parliament of the Republic of Kazakhstan, 1998, № 2-3, art. 25; 2001, № 20, art. 258; 2002, № 5, art. 50; 2004, № 5, art. 29; № 13, art. 74; 2005, № 17-18, art. 73; 2006, № 3, art. 22; № 24, art. 148; 2007, № 2, art. 18; № 12, art. 86; № 13, art. 100; № 19, art. 147; 2008, № 13-14, art. 55; № 21, art. 97; 2009, № 15-16, art. 74; № 18, art. 84; № 22, art. 94; 2010, № 5, art. 23; № 7, art. 29; № 24, art. 146; 2011, № 1, art. 7; № 7, art. 54; № 11, art. 102; № 12, art. 111; 2012, № 8, art. 64; № 15, art. 97; 2013, № 5-6, art. 30; № 14, art. 72; № 15, art. 81; 2014, № 10, art. 52; № 19-I, 19-II, art. 94, 96; № 23, art. 143; 2015, № 21-I, art. 121; № 22-I, art. 141; № 22-II, art. 145).

*President of the  
Republic of Kazakhstan*

*N. NAZARBAYEV*