

## **On territorial defence of the Republic of Kazakhstan**

### *Unofficial translation*

Law of the Republic of Kazakhstan dated June 30, 2025 № 201-VIII LRK

#### **Unofficial translation**

This Law shall regulate public relations in the sphere of territorial defence of the Republic of Kazakhstan.

## **Chapter 1. GENERAL PROVISIONS**

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

The following basic concepts shall be used in this Law:

- 1) territorial defence zone - a part of the territory of the Republic of Kazakhstan defined by the borders of the corresponding regions, cities of republican significance, the capital;
- 2) territorial defence plan - a set of interrelated documents defining the procedure for carrying out measures for the preparation, deployment and functioning of territorial defence;
- 3) volunteer - a citizen of the Republic of Kazakhstan enrolled on a voluntary basis in the formation of self-defence, with the exception of cases established by the Laws of the Republic of Kazakhstan;
- 4) territorial bodies of territorial troops of the Armed Forces of the Republic of Kazakhstan - tactical bodies of military command of regions, cities of republican significance, the capital and their subdivisions, functioning in peacetime as military units of the Armed Forces of the Republic of Kazakhstan;
- 5) territorial troops of the Armed Forces of the Republic of Kazakhstan (hereinafter referred to as territorial troops) - military command bodies, military units and their subdivisions that shall be an integral part of the Armed Forces of the Republic of Kazakhstan, formed within the border of the administrative-territorial unit and designed to perform the tasks of territorial defence of the Republic of Kazakhstan;
- 6) objects of territorial defence of the Republic of Kazakhstan (hereinafter referred to as objects of territorial defence) - objects of military and state significance, as well as other objects, regardless of the form of ownership;
- 7) territorial defence of the Republic of Kazakhstan (hereinafter referred to as territorial defence) - a set of military and national measures in the defence system carried out by territorial defence forces during mobilization, martial law and in wartime;
- 8) formation of self-defence - a formation formed and staffed by military command and control bodies during martial law and in wartime from among volunteers to participate in the preparation and performance of territorial defence tasks.

## **Article 2. Legislation of the Republic of Kazakhstan in the field of territorial defence**

1. The legislation of the Republic of Kazakhstan in the field of territorial defence shall be based on the Constitution of the Republic of Kazakhstan and shall consist of this Law and other regulatory legal acts of the Republic of Kazakhstan.

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

## **Article 3. Purpose and objectives of territorial defence**

1. The purpose of territorial defence shall be to protect the population, objects of territorial defence and the territory of the Republic of Kazakhstan from enemy actions during mobilization, martial law and in wartime.

2. The objectives of territorial defence shall be:

1) protection and defence of the territory of the Republic of Kazakhstan, settlements, protection of the population;

2) protection and defence of territorial defence facilities in accordance with territorial defence plans;

3) participation in ensuring the martial law regime throughout the Republic of Kazakhstan or in its individual localities;

4) participation in hostilities, including in the border space of the Republic of Kazakhstan;

5) participation in the fight against landing and sabotage and reconnaissance forces of the enemy and terrorist groups;

6) conducting armed struggle on the territory of the Republic of Kazakhstan temporarily captured (occupied) by the enemy;

7) other tasks in accordance with the Laws of the Republic of Kazakhstan.

## **Article 4. Principles of territorial defence**

The principles of territorial defence shall be:

1) legality;

2) one-man management;

3) territoriality and mass character;

4) unity of approaches to the organization of territorial defence;

5) the obligation to carry out territorial defence measures;

6) sufficiency of financing of territorial defence measures;

7) minimum time for deployment and bringing the territorial defence forces to readiness for action.

## **Article 5. International cooperation of the Republic of Kazakhstan**

Cooperation of the Republic of Kazakhstan with other states in the exchange of experience in the field of territorial defence shall be carried out in accordance with international treaties ratified by the Republic of Kazakhstan.

## **Article 6. Territorial defence measures**

In order to fulfil the tasks of territorial defence, the following measures shall be taken:

- 1) planning of territorial defence;
- 2) adoption of a list of territorial defence facilities;
- 3) development and approval of regulatory legal acts of the Republic of Kazakhstan in the field of territorial defence;
- 4) creation, staffing, equipping and maintenance of territorial defence forces in readiness for the fulfilment of territorial defence tasks;
- 5) preparation for the tasks of territorial defence of local executive bodies, the population and territorial defence forces;
- 6) provision and maintenance of engineering and technical strength and anti-sabotage safety of territorial defence facilities;
- 7) organization of interaction between central and local executive bodies, state bodies of the Republic of Kazakhstan, directly subordinate and accountable to the President of the Republic of Kazakhstan, organizations regardless of ownership, as well as territorial defence forces;
- 8) special deployment of territorial troops;
- 9) protection and defence of settlements, territorial defence facilities in accordance with territorial defence plans;
- 10) strengthening the protection of public order and ensuring public safety;
- 11) planning and carrying out evacuation measures in accordance with the legislation of the Republic of Kazakhstan on civil protection;
- 12) advance information and notification of the population about the immediate security threat;
- 13) organization of communication in accordance with the legislation of the Republic of Kazakhstan;
- 14) leadership of territorial defence forces;
- 15) other measures provided for by the rules for the preparation and conduct of territorial defence of the Republic of Kazakhstan.

## **Article 7. Territorial defence plans**

1. The territorial defence plan of the Republic of Kazakhstan shall be an integral part of the defence plan of the Republic of Kazakhstan and includes plans for territorial defence zones. The plan of territorial defence of the Republic of Kazakhstan shall be being developed by the General Staff of the Armed Forces of the Republic of Kazakhstan.

2. Plans for territorial defence zones shall be developed and approved by akims of regions, cities of republican significance, the capital in agreement with the General Staff of the Armed Forces of the Republic of Kazakhstan.

3. Plans of territorial defence of administrative-territorial units (village, settlement, rural district, district in the city, city, district), if necessary, are developed and approved by the

akims of the corresponding administrative-territorial units in agreement with akims of regions, cities of republican significance, the capital, and shall be an integral part of the plans of territorial defence zones.

## **Chapter 2. STATE REGULATION IN THE SPHERE OF TERRITORIAL DEFENCE**

### **Article 8. Powers of the President of the Republic of Kazakhstan**

President of the Republic of Kazakhstan shall:

- 1) make a decision on conscription of those liable for special military training in order to fulfil the tasks of territorial defence;
- 2) determine the system of organization of territorial defence;
- 3) exercise other powers in accordance with the Constitution of the Republic of Kazakhstan and the Laws of the Republic of Kazakhstan.

### **Article 9. Competence of the Government of the Republic of Kazakhstan**

Government of the Republic of Kazakhstan shall:

- 1) carry out organization, planning of territorial defence and direct management of it, as well as, within its competence, determine the activities and scope of tasks for the preparation and conduct of territorial defence to central and local executive bodies, coordinate their actions;
- 2) manage the activities of central and local executive bodies in the field of territorial defence;
- 3) ensure the implementation of territorial defence measures;
- 4) approve the rules for the preparation and conduct of territorial defence of the Republic of Kazakhstan;
- 5) approve the list of objects of territorial defence of the Republic of Kazakhstan;
- 6) perform other functions assigned to it by the Constitution of the Republic of Kazakhstan, Laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan.

### **Article 10. Competence of the authorized body in the field of territorial defence**

1. The Ministry of Defence of the Republic of Kazakhstan shall be an authorized body in the field of territorial defence (hereinafter referred to as the authorized body).

2. Authorized body shall:

- 1) submit proposals to the Government of the Republic of Kazakhstan on the main areas in the field of territorial defence, as well as its planning;
- 2) approve regulatory legal acts of the Republic of Kazakhstan in the field of territorial defence within its competence;
- 3) provide territorial troops with weapons and military equipment;
- 4) develop rules for the preparation and conduct of territorial defence of the Republic of Kazakhstan;
- 5) develop a list of objects of territorial defence of the Republic of Kazakhstan;

6) exercise state control in the field of territorial defence;

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

**Article 11. Competence of the General Staff of the Armed Forces of the Republic of Kazakhstan**

The General Staff of the Armed Forces of the Republic of Kazakhstan within its competence shall:

1) develop regulatory legal acts of the Republic of Kazakhstan in the field of territorial defence;

2) coordinate the activities of the councils of defence of regions, cities of republican significance, the capital;

3) coordinate the actions of the forces and means of territorial defence;

4) plan the use of territorial troops and carries out general management of their actions;

5) make a decision on the use of territorial troops outside the relevant territorial defence zones;

6) perform other functions in the field of planning the use and management of the Armed Forces of the Republic of Kazakhstan, their interaction with other troops and military formations in accordance with the legislation of the Republic of Kazakhstan.

**Article 12. Competence of central executive bodies, state bodies of the Republic of Kazakhstan, directly subordinate and accountable to the President of the Republic of Kazakhstan**

1. The Ministry of Internal Affairs of the Republic of Kazakhstan within its competence shall:

1) participate in territorial defence planning;

2) carry out comprehensive training and ensure the constant readiness of the internal affairs bodies of the Republic of Kazakhstan to fulfil the tasks of territorial defence;

3) determine the composition of structural subdivisions of the Ministry of Internal Affairs of the Republic of Kazakhstan, departments, territorial bodies and organizations subordinate to the Ministry of Internal Affairs of the Republic of Kazakhstan allocated for the implementation of territorial defence tasks;

4) protect and defend territorial defence facilities in accordance with territorial defence plans;

5) protect public order and ensure public safety;

6) plan and participate in evacuation measures;

7) ensure, when martial law is introduced and in wartime, the subordination of the internal affairs bodies of the Republic of Kazakhstan to the relevant military command and control bodies;

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

2. Other law enforcement agencies of the Republic of Kazakhstan within their competence :

- 1) participate in territorial defence planning;
- 2) carry out comprehensive training and ensure the constant readiness of law enforcement agencies of the Republic of Kazakhstan to fulfil the tasks of territorial defence;
- 3) protect and defend subordinate facilities in accordance with territorial defence plans;
- 4) plan and carry out evacuation measures;
- 5) exercise other powers provided for by this Law, other laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan.

3. The Ministry of Emergency Situations of the Republic of Kazakhstan, within its competence shall:

- 1) participate in territorial defence planning;
- 2) carry out comprehensive training and ensure the constant readiness of civil protection bodies to perform territorial defence tasks;
- 3) provide advance information and notification of the population about an immediate security threat based on information received from military command and control bodies;
- 4) organize evacuation measures in cooperation with central and local executive bodies;
- 5) protect and defend subordinate facilities in accordance with territorial defence plans;
- 6) create special formations and provide them with material and technical means on the basis of the mobilization task;
- 7) exercise other powers provided for by this Law, other Laws of the Republic of Kazakhstan, acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan.

4. The National Security Committee of the Republic of Kazakhstan within its competence shall:

- 1) participate in territorial defence planning;
- 2) carry out comprehensive training and ensures the constant readiness of the national security bodies of the Republic of Kazakhstan to fulfil the tasks of territorial defence;
- 3) protect and defend subordinate facilities in accordance with territorial defence plans;
- 4) plan and carry out evacuation measures;
- 5) exercise other powers provided for by this Law, other Laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan.

5. The State Security Service of the Republic of Kazakhstan within its competence shall:

- 1) participate in territorial defence planning;
- 2) exercise other powers provided for by this Law, other Laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan.

6. Other central executive bodies of the Republic of Kazakhstan within their competence shall:

- 1) participate in territorial defence planning;
- 2) organize the protection and defence of territorial defence facilities, if available, in cooperation with the territorial defence forces;
- 3) plan and carry out evacuation measures;
- 4) create special formations and provide them with material and technical means on the basis of the mobilization task;
- 5) carry out measures on engineering and technical strengthening and anti-sabotage safety of territorial defence facilities, if any;
- 6) exercise other powers provided for by this Law, other Laws of the Republic of Kazakhstan, acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan.

### **Article 13. Competence of local executive bodies**

1. Local executive bodies within their competence shall:

- 1) make a decision on the organization of territorial defence of the administrative-territorial unit on the basis of the defence plan of the Republic of Kazakhstan;
- 2) participate in the development of documents for the implementation of territorial defence plans;
- 3) give orders to the territorial defence forces, organizations, regardless of ownership, organize interaction between them and management;
- 4) ensure the deployment of military units and divisions of territorial troops;
- 5) coordinate their activities in the field of territorial defence with the military command and control bodies in accordance with the legislation of the Republic of Kazakhstan;
- 6) inform the General Staff of the Armed Forces of the Republic of Kazakhstan about the activities of territorial defence and the state of territorial defence;
- 7) plan and carry out evacuation measures;
- 8) exercise in the interests of local government other powers assigned to local executive bodies by the legislation of the Republic of Kazakhstan.

2. Local executive bodies of regions, cities of republican significance, the capital, along with the competencies specified in paragraph 1 of this Article, within their competence:

- 1) create councils of defence of regions, cities of republican significance, the capital in accordance with the legislation of the Republic of Kazakhstan;
- 2) provide territorial bodies of territorial troops within the number and structure approved by the authorized body, in accordance with in-kind standards (supply standards) office premises, vehicles, technical means of information, telecommunications and communications, furniture and barracks equipment, including their maintenance, maintenance and repair, purchase of fuels and lubricants, office supplies, as well as utility bills, electricity, heating and communication services, creation of stocks of material and technical means in accordance

with the standard requirements of wartime, conducting a special deployment of territorial troops, conducting military training with military units of territorial troops;

3) provide maintenance of employees performing maintenance and functioning of military units and subdivisions of territorial troops;

4) develop and, in agreement with the General Staff of the Armed Forces of the Republic of Kazakhstan, approve a list of territorial defence facilities of the corresponding territorial defence zones.

3. Akim shall be the head of territorial defence of the corresponding administrative-territorial unit and shall be responsible for the organization and state of territorial defence.

#### **Article 14. Functions of organizations regardless of ownership**

Organizations regardless of ownership shall:

1) participate in territorial defence activities;

2) carry out measures for engineering and technical strengthening and anti-sabotage safety of territorial defence facilities, if any;

3) create special formations and provide them with material and technical means on the basis of a mobilization order;

4) during the period of mobilization, martial law and in wartime for the needs of territorial defence, land plots, buildings, structures, vehicles and other property owned by them, with subsequent equivalent compensation by the state of their value in the manner determined by the Government of the Republic of Kazakhstan;

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

#### **Article 15. Rights and obligations of citizens of the Republic of Kazakhstan and other individuals**

1. Citizens of the Republic of Kazakhstan during martial law and in wartime shall have the right to voluntarily participate in territorial defence activities by joining self-defence formations in accordance with the rules for the preparation and conduct of territorial defence of the Republic of Kazakhstan.

Enrolment of citizens of the Republic of Kazakhstan by volunteers in self-defence formations shall not be a basis for exemption from conscription.

2. Citizens of the Republic of Kazakhstan during the period of mobilization and martial law, as well as in wartime, shall be involved in the tasks of territorial defence.

Citizens of the Republic of Kazakhstan during the period of mobilization, martial law and in wartime shall take part in defence work, eliminating the consequences of the use of weapons by the enemy, restoring damaged, destroyed objects, and life support systems for the population.



3. Citizens of the Republic of Kazakhstan and other individuals shall be obliged to provide land plots, buildings, structures, vehicles and other property owned by them during the period of mobilization, martial law and in wartime for the needs of territorial defence, with subsequent equivalent reimbursement by the state of their value in the manner determined by the Government of the Republic of Kazakhstan.

4. Citizens of the Republic of Kazakhstan who shall be registered with the military, from the moment of the announcement of mobilization, the introduction of martial law, as well as in wartime, travel outside the settlement on the basis of the written permission of the relevant head of the local military administration body.

#### **Article 16. Territorial defence leadership**

1. During the period of mobilization, martial law and in wartime, the general leadership of territorial defence shall be carried out by the Headquarters of the Supreme High Command of the Armed Forces of the Republic of Kazakhstan, direct leadership shall be by the Government of the Republic of Kazakhstan, and in territorial defence zones - by the defence councils of regions, cities of republican significance, the capital.

2. The defence councils of regions, cities of republican significance, the capital shall follow the instructions of the military command and control bodies in accordance with the legislation of the Republic of Kazakhstan.

### **Chapter 3. TERRITORIAL DEFENCE FORCES**

#### **Article 17. Territorial defence forces and their purpose**

1. Territorial defence forces shall include:

- 1) forces and means of law enforcement agencies;
- 2) forces and means allocated by the Armed Forces of the Republic of Kazakhstan, other troops and military formations, with the exception of the Special Forces of the State Security Service of the Republic of Kazakhstan, to carry out territorial defence tasks;
- 3) territorial troops;
- 4) special formations;
- 5) self-defence formations.

2. Territorial defence forces perform territorial defence tasks.

The purpose and functioning of the territorial defence forces shall be determined by the rules for the preparation and conduct of territorial defence of the Republic of Kazakhstan.

#### **Article 18. Territorial troops**

1. The use of military units and subdivisions of territorial troops shall be carried out in accordance with the plans of territorial defence or on the basis of orders (orders) of the General Staff of the Armed Forces of the Republic of Kazakhstan.

2. Territorial troops within their competence shall:

- 1) protect and defend the territory of the Republic of Kazakhstan, settlements and protect the population;

2) protect and defend territorial defence facilities in accordance with territorial defence plans;

3) participate in strengthening the protection and defence of sections of the State border of the Republic of Kazakhstan;

4) participate in the protection and support of the evacuated population and cargo;

5) participate in security measures during the period of stay of protected persons in the area of responsibility;

6) participate in hostilities, including the border space of the Republic of Kazakhstan;

7) participate in the fight against landing and sabotage and reconnaissance forces of the enemy and terrorist groups;

8) conduct an armed struggle on the territory of the Republic of Kazakhstan temporarily captured (occupied) by the enemy;

9) perform other functions provided for by this Law, other laws of the Republic of Kazakhstan, acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan.

3. Territorial troops shall have the right to use weapons and military equipment, special means, service dogs, as well as physical force in accordance with the Laws of the Republic of Kazakhstan in terms of the conditions, procedure and limit of their use.

1. Self-defence formations shall:

1) assist the Armed Forces of the Republic of Kazakhstan, territorial police bodies (police officers) in the protection and defence of settlements, objects of territorial defence, protection of the population;

2) assist local executive bodies in carrying out territorial defence measures;

3) participate in the protection and support of the evacuated population and cargo;

4) participate in the armed struggle on the territory of the Republic of Kazakhstan temporarily captured (occupied) by the enemy;

5) create favourable conditions for the use of troops (forces) of the Armed Forces of the Republic of Kazakhstan, as well as reduce the effectiveness of the use of enemy troops (forces);

6) perform other functions provided for by this Law, other Laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan.

2. Self-defence formations shall be formed under the leadership of an authorized representative of a military command and control body, and in the absence of a representative of a law enforcement agency or a representative of a local executive body.

The training of leaders of self-defence formations shall be carried out in advance by the Armed Forces of the Republic of Kazakhstan.

3. Self-defence formations on the basis of the decision of the Headquarters of the Supreme High Command of the Armed Forces of the Republic of Kazakhstan during martial law and in wartime can be included in the Armed Forces of the Republic of Kazakhstan.

Volunteers from among the self-defence formations included in the Armed Forces of the Republic of Kazakhstan are subject to the provisions of the Law of the Republic of Kazakhstan "On military service and the status of military personnel."

4. In case of death (death) of a volunteer of self-defence formation, injury, concussion, injury, injury or illness during the performance of territorial defence tasks, material and other payments shall be reimbursed in accordance with the legislation of the Republic of Kazakhstan.

#### **Article 20. Material support of territorial defence measures and maintenance of territorial troops**

1. Material support of territorial defence measures shall be organized and carried out by central and local executive bodies, as well as organizations regardless of ownership in accordance with the legislation of the Republic of Kazakhstan.

2. The property purchased for the territorial bodies of territorial troops, with the exception of office premises, buildings and structures, shall be transferred to their balance sheet in accordance with the legislation of the Republic of Kazakhstan.

3. The safety of weapons and military equipment issued to territorial bodies of territorial troops, as well as other property in the absence of places for their storage shall be organized by local executive bodies of regions, cities of republican significance, the capital.

4. Buildings and structures of territorial bodies of territorial troops, including their capital construction, shall be provided by local executive bodies of regions, cities of republican significance, and the capital.

5. When carrying out territorial defence measures organized by local executive bodies of regions, cities of republican significance, the capital, accommodation, meals and bath and laundry services for military personnel serving in the territorial troops, as well as those liable for military service, shall be carried out by the relevant local executive bodies.

6. When carrying out territorial defence measures organized by the authorized body, accommodation, meals and bath and laundry services for military-liable territorial troops shall be carried out by the authorized body.

#### **Article 21. Supervision of compliance with the rule of law in the field of territorial defence**

The highest supervision of compliance with the rule of law in the field of territorial defence shall be carried out by the prosecution authorities of the Republic of Kazakhstan.

### **Chapter 4. STATE CONTROL IN THE SPHERE OF TERRITORIAL DEFENCE**

#### **Article 22. State control in the field of territorial defence**

1. State control in the field of territorial defence (hereinafter referred to as state control) shall be carried out by an authorized body in order to identify violations of the requirements of the legislation of the Republic of Kazakhstan in the field of territorial defence.

2. Entities (object) of state control (hereinafter referred to as control objects) shall be:

1) state bodies involved in the performance of territorial defence tasks, with the exception of special state bodies of the Republic of Kazakhstan and cases provided for by the Laws of the Republic of Kazakhstan;

2) organizations, regardless of ownership, whose objects shall be objects to protection and defence in accordance with territorial defence plans.

### **Article 23. Procedure for state control**

1. State control shall be carried out by the authorized body in the form of inspections in the manner prescribed by this Article, in compliance with the requirements of the legislation of the Republic of Kazakhstan on state secrets.

Inspections shall be carried out by visiting the subjects of control and shall be divided into periodic and unscheduled.

2. Periodic inspections shall be carried out at intervals not more than once a year on the basis of a plan for conducting periodic inspections.

The plan for periodic inspections shall be approved by the first head of the authorized body no later than December 1 of the year preceding the year of inspections.

To include the entity (object) of control in the plans for conducting periodic inspections, one of the following sources of information is used:

- 1) results of monitoring of reports and information submitted by control subjects;
- 2) results of previous inspections;
- 3) results of the analysis of Internet resources of state bodies, documents and information on the activities of entities (objects) of control.

When analysing and selecting subjects (objects) of control, data in comparison with the previous year can be used to form plans for conducting periodic inspections.

The periodic inspection plan shall include:

- 1) number and date of plan approval;
- 2) name of the state body;
- 3) name of the inspected control subject;
- 4) location of the subject (object) of control;
- 5) subject of inspection;
- 6) inspection period;
- 7) signature of the person authorized to sign the plan.

The periodic inspection plan shall be a notification of the periodic inspection and shall be communicated to the subjects of control by the authorized body no later than December 20 of the year preceding the year of inspections, in accordance with the legislation of the Republic of Kazakhstan on state secrets.

Introduction of amendments and additions to the periodic inspection plan shall be made in cases of liquidation, reorganization of the controlled entity, change of its name or redistribution of powers between controlled entities, as well as the occurrence of a natural, man-made and social emergency, the introduction of a state of emergency, the emergence or

threat of the spread of an epidemic, foci of quarantine facilities and especially dangerous harmful organisms, infectious, parasitic diseases, poisoning, radiation accidents and related restrictions.

In case of occurrence of the cases specified in part seven of this paragraph, the inspection may be extended or suspended.

3. The grounds for unscheduled inspection shall be:

1) monitoring compliance with the requirements for eliminating the identified violations specified in the conclusion on the results of the audit;

2) confirmed appeals of individuals and legal entities on specific facts of violations of the requirements of the legislation of the Republic of Kazakhstan in the field of territorial defence ;

3) the prosecutor's demands on specific facts of infliction or threat of harm to the state;

4) appeals of state bodies on specific facts of harm to the state, as well as on specific facts of violations of the requirements of the legislation of the Republic of Kazakhstan in the field of territorial defence, the non-elimination of which entails harm to the state;

5) an order from the criminal prosecution authority on the grounds provided for by the Criminal Procedure Code of the Republic of Kazakhstan.

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

Unscheduled inspection shall be subject to facts and circumstances identified in relation to the subject (object) of control and which served as the basis for the appointment of an unscheduled inspection.

The authorized body is obliged to notify the subject (object) of control about the start of an unscheduled inspection at least one day before its start, indicating the subject of the inspection.

4. The inspection is carried out on the basis of the certificate of appointment of the inspection, which indicates:

1) date and number of the act;

2) name of the state body;

3) surname, name, patronymic (if indicated in the identity document) and position of the person (s) authorized to conduct the audit;

4) information on specialists, consultants and experts of state bodies, subordinate and other organizations involved in the audit;

5) name of the subject of control, its location and (or) location of the subject of control;

6) the subject of the appointed check;

7) type of check;

8) inspection period;

9) grounds for the inspection;

10) rights and obligations of the subject of control;

11) signature of the head of the subject of control or his authorized person on receipt or refusal to receive the certificate;

12) signature of the person authorized to sign the certificate.

The beginning of the audit is the date of delivery to the subject of control of the act on the appointment of the audit.

The act of appointment of the inspection shall be registered in the register of acts of appointment of inspections.

The procedure for maintaining and the form of the register of acts on the appointment of inspections are approved by the authorized body.

In case of inspection of the structural subdivision of the subject of control, its name and location shall be indicated in the act of appointment of the inspection.

5. Officials of the authorized body who arrived for verification are obliged to present to the subject of control:

1) inspection assignment certificate;

2) service certificate;

3) if necessary - permission of the competent authority to visit sensitive facilities.

6. The inspection period is established taking into account the subject of the inspection, as well as the volume of upcoming work and should not exceed ten working days.

The inspection period can be extended only once for no more than fifteen working days. The inspection period shall be interrupted when the inspection is suspended and continues from the moment the inspection is resumed.

The extension of the inspection period shall be carried out by the decision of the head of the authorized body. The extension of the inspection period shall be formalized by an additional act on the extension of the inspection period with a notification of the subject of control, which shall indicate the date and number of the previous act on the appointment of the inspection and the reasons for the extension.

The notification on the extension of the inspection period shall be handed over to the control subject or his authorized person by the authorized body one working day before its extension with a notification of delivery.

7. Officials of the authorized body during the inspection shall have the right to:

1) unimpeded access to the territory and premises of the subject (object) of control in accordance with the subject of the inspection in compliance with the requirements of access and introject regimes established at the subject (object) of control;

2) receive documents (information) on paper and electronic media or copies thereof for attachment to the audit report, as well as access to automated databases (information systems) in accordance with the subject of the audit;

3) perform audio, photo and video shooting;

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

5) use records of technical means of control, observation and fixation devices, photo, video equipment related to the subject of the check.

Officials of the authorized body during the inspection shall be obliged to:

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

2) conduct the inspection on the basis and in strict accordance with the procedure established by this Article;

3) not to interfere with the established mode of operation of the subjects (objects) of control during the inspection;

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

5) provide the subject of control with the necessary information related to the subject of verification;

6) hand over to the control subject an act on the results of the inspection on the day of its completion;

7) ensure the safety of documents and information obtained as a result of the audit.

8. The subjects of control or their authorized representatives during the audit shall have the right to:

1) prevent officials of the authorized body who arrived for the inspection from checking in cases of:

exceeding or expiration of the deadlines specified in the inspection appointment certificate (additional certificate of extension, if any) that do not meet the deadlines established by this article;

the absence of documents provided for in paragraph 5 of this Article;

2) not to submit documents and information if they are not related to the subject of the audit;

3) record the process of the inspection, as well as individual actions of the official of the authorized body, carried out by him within the framework of the inspection, using audio and video equipment, without creating obstacles to the activities of the official;

4) on violations revealed as a result of the audit, if additional time and (or) financial costs shall be necessary, no later than three working days, apply to the authorized body with an application to extend the time for eliminating violations;

5) appeal against the act on the results of the audit, as well as the actions (inaction) of officials of the authorized body in the manner prescribed by the legislation of the Republic of Kazakhstan;

6) not to comply with prohibitions of officials of the authorized body not based on the Law, restricting the activities of control subjects (objects).

Controlling entities or their authorized representatives shall:

1) ensure unhindered access for officials of the authorized body to the territory and premises of the entity (object) of control;

2) in compliance with the requirements of the legislation of the Republic of Kazakhstan on state secrets, on the protection of commercial, tax or other secrets protected by the Law, shall submit documents (information) on paper and (or) electronic media to officials of the authorized body or copies thereof for inclusion in the audit report, as well as access to automated databases (information systems) in accordance with the subject of the audit;

3) make a note of the receipt of the certificate of appointment of the inspection on the day of the start of the inspection and the conclusion on the results of the inspection on the day of its completion;

4) prevent introduction of amendments and additions to the documents to be checked during the inspection, unless otherwise provided by the Laws of the Republic of Kazakhstan;

5) ensure the safety of individuals who arrived at the facility for inspection from harmful and hazardous production factors of impact in accordance with the standards established for this facility;

6) ensure the stay of the head or his authorized individual at the location of the entity (object) of control within the appointed terms of the audit.

9. Based on the results of the inspection, the officials of the authorized body draw up a report on the results of the inspection, which shall indicate:

1) number, date and place of the certificate;

2) name of the state body;

3) number and date of the certificate of appointment of the inspection (additional certificate of extension, if any);

4) surname, name, patronymic (if indicated in the identity document) and position of the person (s) who conducted (conducted) the audit;

5) information on specialists, consultants and experts of state bodies, subordinate and other organizations involved in the audit;

6) name of the subject (object) of control, its location;

7) subject of inspection;

8) type of check;

9) inspection period and period;

10) information on the results of the audit, including the revealed violations, their nature;

11) requirements for elimination of revealed violations of the legislation of the Republic of Kazakhstan in the field of territorial defence, indicating the period of their execution and taking measures against persons who committed violations;

12) information on familiarization or refusal to familiarize with the report on the results of the audit of the head of the subject of control or his authorized person, as well as persons present during the audit, their signatures or a record of refusal to sign;

13) signature of the official (s) who conducted the inspection (s).



The inspection results report shall be accompanied by documents related to the inspection results (if any) or copies thereof.

10. The first copy of the report on the results of the audit is handed over to the control subject (the head or his authorized person) for familiarization and taking measures to eliminate the violations and other actions, the second copy remains with the authorized body.

11. In case of refusal to accept the act on the results of the audit, an act is drawn up, which is signed by the officials who conducted the audit and the head of the subject of control or his authorized representative.

The subject of control has the right to refuse to sign the act, giving a written explanation of the reason for the refusal.

12. The completion of the inspection period is considered to be the day of delivery to the subject of control of the act on the results of the inspection no later than the deadline for the completion of the inspection specified in the act on the appointment of the inspection (additional act on the extension of the inspection period, if any).

13. If there is no violation of the requirements established by the legislation of the Republic of Kazakhstan in the field of territorial defence, when conducting an audit, a corresponding entry is made in the report on the results of the audit.

14. If there are comments and (or) objections based on the results of the audit, the controlling entity shall state them in writing and send them to the authorized body within three working days from the date of delivery of the report on the results of the audit. Comments and /or objections shall be attached to the inspection results report and marked accordingly.

The authorized body must consider the comments and (or) objections of the subject of control and within fifteen working days give a reasoned response.

15. Requirements for elimination of identified violations specified in the inspection results act shall be binding for the control entities.

Upon expiry of the period for eliminating the identified violations of the requirements of the legislation of the Republic of Kazakhstan in the field of territorial defence established in the act on the results of the audit, the entity of control shall be obliged to provide the authorized body with information on eliminating the identified violations within the period established in the act on the results of the audit.

In case of failure to provide or incomplete provision by the control entity within the established period of information on elimination of revealed violations specified in the inspection results act, the authorized body shall appoint an unscheduled inspection in accordance with subparagraph 1) of paragraph 3 of this Article.

To the information provided on the elimination of identified violations, the entity of control shall attach materials proving the fact of elimination of the violation. In this case, an unscheduled inspection shall not be required.

16. The deadlines for fulfilling the requirements for eliminating the identified violations specified in the inspection results act shall be determined taking into account the

circumstances affecting the real possibility of their fulfilment, but not less than ten calendar days from the date of delivery of the inspection results act.

17. When determining the terms of execution of the inspection results report, the following shall be taken into account:

1) the control subject shall have organizational and technical capabilities to eliminate violations;

2) deadlines for obtaining mandatory conclusions, approvals and other documents established by the Laws of the Republic of Kazakhstan from state bodies;

3) features of the technical condition of the objects used.

18. Inspections shall be considered invalid if they are carried out in violation of the requirements for conducting inspections established by this article.

19. In case of violation of the rights and legitimate interests of the subject of control during the audit, the subject of control has the right to appeal the decisions, actions (inaction) of officials of the authorized body to a higher official or to a court in the manner prescribed by the legislation of the Republic of Kazakhstan.

Filing a complaint does not suspend the execution of the act on the results of the audit.

## **Chapter 5. FINAL PROVISIONS**

### **Article 24. Responsibility for violation of the legislation of the Republic of Kazakhstan in the field of territorial defence**

Violation of the legislation of the Republic of Kazakhstan in the field of territorial defence shall entail liability established by the Laws of the Republic of Kazakhstan.

### **Article 25. Procedure for enactment of this Law**

This Law shall enter into force upon expiry of sixty calendar days after the day of its first official publication.

*President  
of the Republic of Kazakhstan*

*K. TOKAYEV*