

On the Civil Service of the Republic of Kazakhstan

Unofficial translation

Law of the Republic of Kazakhstan № 290-VIII ZRK of 19 May 2026

Unofficial translation

Chapter 1. GENERAL PROVISIONS

Article 1. Basic terms used throughout this Law

The following basic terms are used herein:

1) “A” corps administrative civil service positions are administrative civil service positions at management level, as specified herein and in the register of political, elected and administrative civil servants, that have a specific procedure for entry into, progression through and termination of civil service in the Republic of Kazakhstan, as well as specific qualification requirements;

2) an administrative civil servant is a civil servant who performs his or her duties on a permanent professional basis in administrative civil service positions of categories “A” and “B”, exercising official powers within public authorities, unless otherwise prescribed by the laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan;

3) the category of administrative civil service positions is a group of administrative civil service positions as set out in the register of positions for political, elected and administrative civil servants;

4) a senior civil service position (hereinafter referred to as a senior position) is a civil service position that has civil servants reporting to it and is vested with the authority to organise their work;

5) “B” corps administrative civil service positions are administrative civil service positions specified in the register of political, elected and administrative civil servants, which ensure organisational, legal, informational, analytical, financial and economic, and other functional support for the activities of public authorities, the fulfilment of the State’s functions and tasks within the remit of the relevant public authority, and which do not fall within the category of “A” administrative civil service positions;

6) bonus is a cash payment awarded to a civil servant following an appraisal of their performance, as established by the legislation of the Republic of Kazakhstan;

7) qualification requirements are the requirements regarding education, work experience and competencies applicable to citizens of the Republic of Kazakhstan who are applying for a public office;

8) workplace means a structurally designated and organised place where a civil servant is stationed on a permanent or temporary basis, intended for the performance of their official duties, including a place that is equipped and organised to take account of the individual capabilities of a person with a disability;

9) a veteran of the civil service of the Republic of Kazakhstan is a person who has at least twenty-five years' service in the civil service, has an impeccable reputation, has reached retirement age pursuant to the Social Code of the Republic of Kazakhstan, or whose service in the civil service has been extended beyond retirement age consistent with this Law;

10) the civil service of the Republic of Kazakhstan (hereinafter referred to as the civil service) means the professional activities of citizens of the Republic of Kazakhstan who hold paid public office in public authorities and exercise official powers aimed at fulfilling the functions and tasks of the state and/or the powers of public authorities consistent with the purpose and specific features of the civil service, stipulated by this Law and other regulatory legal acts of the Republic of Kazakhstan;

11) operational necessity means circumstances or conditions requiring a temporary change to the nature or scope of a civil servant's work or working conditions, to ensure the smooth and efficient performance of a public body's duties;

12) an official is a person who, on a permanent, temporary or special mandate basis, exercises the functions of a representative of the authorities or performs organisational, managerial, administrative or economic functions within public authorities;

13) official powers are rights and duties associated with a specific public office, which are consistent with the aims and objectives of the public authorities where civil servants are employed;

14) the civil service talent reserve is a list, drawn up as required by law, of citizens of the Republic of Kazakhstan who possess the required professional and personal qualities, intended for their subsequent appointment to vacant civil service positions, as well as for ensuring that public authorities are staffed with the appropriate number of qualified experts;

15) a civil servant is a citizen of the Republic of Kazakhstan who, as established by the legislation of the Republic of Kazakhstan, holds a post remunerated from the republican or local budgets or from the funds of the National Bank of the Republic of Kazakhstan and (or) the Special State Fund established by the laws of the Republic of Kazakhstan on the return to the state of unlawfully acquired assets, a public office as specified in the register of political, elected and administrative civil servants, as well as in other regulatory legal acts of the Republic of Kazakhstan, and who exercises official powers to implement the functions and objectives of the state;

16) professional ethics for civil servants (hereinafter referred to as professional ethics) means the rules of conduct for civil servants laid down by this Law and the Code of Ethics for Civil Servants of the Republic of Kazakhstan, which establish ethical principles and standards of professional ethics;

17) the competence of a civil servant is the combination of knowledge, abilities and skills required to perform professional duties efficiently in a specific civil service position;

18) an immediate superior of a civil servant is the person of higher rank to whom the civil servant is directly subordinate as per their job description;

19) competent authority for civil service matters (hereinafter referred to as the competent authority) refers to the central government body charged with implementing a unified state policy in the field of the civil service;

20) a public office is a structural position within a public authority, to which a scope of official powers has been assigned as established by the regulatory legal acts of the Republic of Kazakhstan for the direct performance of the functions and objectives of the state and/or the powers of public authorities, and which is included in the register of political, elected and administrative civil servants;

21) the head of a public authority means the head of a central public authority, its department or their territorial subdivisions; the head of an executive body funded from the local budget; the chairman of an audit commission; or the head of an administrative office which is a public authority, in the cases prescribed by the laws of the Republic of Kazakhstan;

22) a contract employee of a public authority (hereinafter referred to as a contract employee) is a citizen of the Republic of Kazakhstan recruited by a public authority under a contract, subject to the specific provisions laid down herein, for the implementation of national and other projects, the types whereof are established by the Government of the Republic of Kazakhstan;

23) a contract for a contract-based employee of a public authority is an employment contract between a public authority and a citizen of the Republic of Kazakhstan, establishing their rights and obligations, working conditions, and terms of remuneration linked to performance (quantitative and/or qualitative indicators), liability for failure to achieve performance targets (quantitative and/or qualitative indicators) and other individual terms and conditions;

24) a State Digital Personnel System is a state digital system designed to collect, store, process, use, transmit and analyse information on civil servants and employees of organisations under the jurisdiction of public authorities, to exercise personnel management functions, and to monitor compliance with the legislation of the Republic of Kazakhstan;

25) an elected public position is a position of akim to which a citizen of the Republic of Kazakhstan is elected based on universal, equal and direct suffrage by secret ballot, as per the Constitutional Law of the Republic of Kazakhstan “On Elections in the Republic of Kazakhstan”;

26) an elected public official is a citizen of the Republic of Kazakhstan who holds an elected public office;

27) a political civil servant is a person appointed to and removed from office by the President of the Republic of Kazakhstan, the Government of the Republic of Kazakhstan or

the Kurultai of the Republic of Kazakhstan, or by other persons (bodies) consistent with the Constitution of the Republic of Kazakhstan and the laws of the Republic of Kazakhstan, who participates in the formulation and/or implementation of state policy and bears political responsibility for the achievement of its aims and objectives;

28) entry-level position refers to an administrative civil service position in Category “B” which, pursuant to the staffing table of the public authority, is a lower-ranking civil service position;

29) a temporarily vacant civil service position is a civil service position that is vacant for the duration of the absence of the civil servant holding that position, due to secondment, social leave or training, temporary suspension from official duties, or the imposition of a preventive measure in the form of house arrest or detention against him or her pursuant to the criminal procedure legislation of the Republic of Kazakhstan, absence from work for more than two consecutive months due to illness, where the illness is included in the list of conditions for which a longer period of incapacity for work has been established, as approved by the competent health authority;

30) allowance is a monetary supplement to the basic salary, granted to a civil servant pursuant to the procedure laid down by the legislation of the Republic of Kazakhstan;

31) staffing table is a document establishing the organisational structure, composition and number of civil service positions within a public authority;

32) secondment refers to a civil servant holding a public office in another public body, a diplomatic mission of the Republic of Kazakhstan, or a position in another organisation, as established by the legislation of the Republic of Kazakhstan.

Article 2. Legislation of the Republic of Kazakhstan regarding civil service

1. The legislation of the Republic of Kazakhstan governing the civil service rests on the Constitution of the Republic of Kazakhstan and comprises the Labour Code of the Republic of Kazakhstan, this Law, and other regulatory legal acts of the Republic of Kazakhstan.

2. This Law shall be applicable to:

1) all civil servants, unless the Constitution of the Republic of Kazakhstan, constitutional laws or other laws of the Republic of Kazakhstan establish a different legal status for them;

2) citizens of the Republic of Kazakhstan applying for service in law enforcement agencies and civil defence authorities, with regard to testing and the appraisal of personal qualities;

3) political civil servants serving in specific types of civil service, including law enforcement, service in specialised public authorities, military service and service in civil defence authorities, subject to the specific provisions laid down by the laws of the Republic of Kazakhstan;

4) political civil servants of the National Bank of the Republic of Kazakhstan and the designated authority responsible for the regulation, control and supervision of the financial

market and financial organisations, subject to the specific provisions laid down in the laws of the Republic of Kazakhstan;

5) citizens of the Republic of Kazakhstan who are members of the civil service talent reserve, and citizens of the Republic of Kazakhstan undergoing training with a view to entering the civil service, insofar as this is governed by this Law;

6) persons who assist in the performance of the State's functions and objectives, as well as persons working in public authorities under an employment contract, insofar as this is governed by this Law.

Article 3. The purpose and objectives of this Law

1. The purpose of this Law is to regulate social relations in the field of civil service, as well as social relations associated with facilitating the implementation of the functions and objectives of the state.

2. The objectives of this Law shall include:

1) defining the purpose of the civil service, its features and the principles governing civil service;

2) governing the status, rights, duties, responsibilities, and legal, social, and other guarantees of civil servants, as well as other individuals in the civil service;

3) establishing the legal framework for entry into, service in, and termination of the civil service;

4) establishing the organisational framework for the management of civil service personnel, the procedures for exercising state oversight of the observance of the Republic of Kazakhstan's legislation on the civil service, and the monitoring and analysis of the causes of breaches of the Republic of Kazakhstan's legislation on the civil service.

Article 4. Principles of the legislation of the Republic of Kazakhstan in the field of the civil service

1. The legislation of the Republic of Kazakhstan governing the civil service shall be based on the following principles:

1) legality – the activities of civil servants shall be exercised in strict conformity with the Constitution of the Republic of Kazakhstan, the laws of the Republic of Kazakhstan and other regulatory legal acts of the Republic of Kazakhstan, and in strict compliance therewith;

2) the primacy of human and civil rights and freedoms – the human and civil rights and freedoms of citizens of the Republic of Kazakhstan, as guaranteed by the Constitution of the Republic of Kazakhstan and the laws of the Republic of Kazakhstan, shall be recognised as the highest value and shall be observed and protected by civil servants;

3) accountability, supervision and responsibility – civil servants shall be accountable to the public, subject to supervision by higher-level public authorities and officials, and obliged to implement their decisions, taken consistent with the Constitution of the Republic of Kazakhstan and the laws of the Republic of Kazakhstan, and, within the limits of their official powers, shall be held accountable for their decisions, actions or omissions to the extent

established by the Constitution of the Republic of Kazakhstan and the laws of the Republic of Kazakhstan;

4) equal right of access to the civil service – citizens of the Republic of Kazakhstan shall be guaranteed an equal right of access to the civil service, subject to their complying with the conditions for entry into the civil service;

5) transparency of procedures – procedures for recruitment to the civil service and career progression must be transparent, objective and ensure equal opportunities for all citizens of the Republic of Kazakhstan;

6) meritocracy – the selection of citizens of the Republic of Kazakhstan for civil service shall be based on their professional competences, their performance of official duties, and their fulfilment of the qualification requirements;

7) prohibition on the abuse of formal requirements – a civil servant shall be prohibited from taking any action aimed at refusing to grant, restricting or terminating the rights of natural and legal persons, or at imposing and enforcing requirements solely on formal grounds, unless such grounds prevent the matter from being dealt with on its merits;

8) continuous professional development for civil servants – civil servants shall undergo regular training with the aim of enhancing their professional competence and ensuring the efficient performance of their duties;

9) legal and social protection – civil servants shall be guaranteed remuneration, social and compensation payments, pension provision, legal protection, as well as other forms of material, social and legal support stipulated by the legislation of the Republic of Kazakhstan;

10) other principles laid down by the laws of the Republic of Kazakhstan.

Article 5. The civil service and its unity

1. The civil service shall constitute a unified system of public authorities, brought together by mechanisms for coordinated operation and interaction, to ensure the efficient performance of the State's functions and objectives consistent with the legislation of the Republic of Kazakhstan.

2. The unity of the civil service system of the Republic of Kazakhstan shall be based on:

1) a unitary structure of the state;

2) a unified system of legal regulation based on the Constitution of the Republic of Kazakhstan, the laws of the Republic of Kazakhstan and other regulatory legal acts of the Republic of Kazakhstan;

3) the coordinated functioning and interaction of public authorities, and their responsibilities and accountability;

4) the demarcation of responsibilities between public authorities and of powers between civil servants;

5) the retention of civil servant status in the event of a change of post;

6) funding and logistical support from the republican or local budgets, or from the National Bank of the Republic of Kazakhstan and/or the Special State Fund established under

the legislation of the Republic of Kazakhstan on the return to the state of unlawfully acquired assets, unless additional sources of funding are specified by the laws of the Republic of Kazakhstan.

3. The civil service shall also encompass its specific branches:

- 1) the law enforcement service, pursuant to the legislation of the Republic of Kazakhstan on the law enforcement service;
- 2) military service, pursuant to the legislation of the Republic of Kazakhstan on military service and the status of military personnel;
- 3) service in special public authorities consistent with the legislation of the Republic of Kazakhstan on special public authorities;
- 4) service in the civil defence authorities consistent with the legislation of the Republic of Kazakhstan on civil defence;
- 5) the state courier service as per the laws of the Republic of Kazakhstan on the state courier service.

Chapter 2. ASSIGNMENT TO AND PERFORMANCE OF CIVIL SERVICE DUTIES

Article 6. Purpose and features of the civil service

1. The purpose and, at the same time, the mission of the civil service shall be to implement the functions and objectives of the state as set out in the Constitution of the Republic of Kazakhstan, the laws of the Republic of Kazakhstan and other statutory instruments of the Republic of Kazakhstan; to ensure the realisation of the rights, freedoms and legitimate interests of individuals and citizens of the Republic of Kazakhstan; and to ensure the quality and accessibility of civil services available to them.

2. The remit of the civil service shall encompass the following areas:

- 1) ensuring the protection of the labour rights of citizens of the Republic of Kazakhstan, occupational health and safety, the implementation of measures relating to social security and pensions, social insurance, the provision of specialised social services, and social support for socially vulnerable groups of citizens of the Republic of Kazakhstan;
- 2) ensuring that the rights of citizens of the Republic of Kazakhstan to health protection and disease prevention are upheld; ensuring the availability and guaranteed provision of healthcare services; and meeting the needs of citizens of the Republic of Kazakhstan for efficient, high-quality and affordable medicines;
- 3) ensuring that citizens of the Republic of Kazakhstan can exercise their right to a guaranteed secondary education at no cost to them; offering quality and accessible education at all levels; protecting the rights and legitimate interests of children; and promoting the development of science and technology;
- 4) ensuring environmental protection, the country's ecological safety, the rational use and restoration of natural resources, the management of forests and specially protected natural areas, and the protection, reproduction and use of wildlife;

5) ensuring the protection, rational use and restoration of the country's water resources; securing the water needs of the population and economic sectors; preserving the water resources; and protecting water bodies from pollution, silting and depletion;

6) promoting the development of tourism, mass and professional sport, and ensuring that sporting events are accessible to all sections of the population;

7) ensuring the support and development of culture, the development of the state language and other languages, the information sector and public institutions, as well as ensuring the implementation of state policy in the field of religious activities;

8) ensuring the development of the agro-industrial complex, aquaculture, seed production, cereal crops and plant quarantine, livestock breeding, veterinary medicine and beekeeping;

9) ensuring the management of land resources, the rational use and protection of land, the regulation of land relations, the maintenance of the land register and the monitoring of land;

10) ensuring the implementation of transport policy, satisfying the transport needs of the economy and the population of the Republic of Kazakhstan, ensuring the accessibility and quality of transport services, and developing transport infrastructure;

11) promoting the development of industry, the mining and metallurgical sector, mechanical engineering, the construction industry, the regulation of subsoil use, as well as housing and public utilities;

12) ensuring that the energy and energy resource needs of the population and economic sectors are met; the development of petroleum products and gas production, gas supply, the electricity sector, heat supply, the use of nuclear energy, the development of renewable energy sources, and uranium mining;

13) ensuring cybersecurity, the efficient digital transformation of the economy, the development of digital infrastructure, and the protection of personal data, electronic documents and electronic digital signatures;

14) ensuring the planning and implementation of the budget, tax administration, public debt management, regulation in the field of customs, public procurement, and the management of state property;

15) ensuring the formulation and implementation of the state's monetary policy, the functioning of payment systems, and the exercise of foreign exchange regulation and control;

16) ensuring the stability of the financial system, regulating and developing the financial market, monitoring the financial market and financial institutions, and protecting the interests of consumers of financial services;

17) ensuring the implementation of a unified state policy in the field of the civil service and monitoring compliance with quality standards in the provision of public and socially responsible services, as well as formulating and refining state policy in the field of statistical activities;

18) promoting the development of entrepreneurship, public-private partnerships, the regulation of natural monopolies, the protection of competition and the restriction of monopolistic practices;

19) ensuring the development and regulation of foreign trade and domestic trade, the development and promotion of exports of non-commodity goods and services, and the protection of consumer rights;

20) developing and implementing measures concerning the Republic of Kazakhstan's foreign policy and foreign economic activities; ensuring the protection of national interests on the international stage; and safeguarding the rights and legitimate interests of citizens and legal entities of the Republic of Kazakhstan abroad;

21) safeguarding the foundations of the constitutional order, state sovereignty, territorial integrity, and the Republic of Kazakhstan's economic, scientific, technical and defence capabilities; protecting the state border of the Republic of Kazakhstan; maintaining and ensuring government communications; and countering terrorism and extremism;

22) ensuring the state's defence capability, the combat and mobilisation capability of the Armed Forces of the Republic of Kazakhstan, other troops and military formations, and the special state and law enforcement agencies of the Republic of Kazakhstan, as well as the armed defence of the country's territorial integrity and sovereignty;

23) ensuring the safety of protected persons and protected sites;

24) maintaining public order, combating crime, ensuring public safety and road safety;

25) ensuring the prevention and resolution of natural and man-made emergencies and their consequences, and the functioning and development of the state civil defence system;

26) ensuring the protection and restoration of the human and civil rights and freedoms of citizens of the Republic of Kazakhstan, the rights and legitimate interests of legal entities, society and the state; investigating and eliminating breaches of the law, the causes and conditions contributing to them, as well as their consequences;

27) ensuring the formulation and implementation of anti-corruption policy, and the detection, prevention, disclosure and investigation of corruption offences;

28) combating the legalisation (laundering) of proceeds of crime, the financing of terrorism and the financing of the proliferation of weapons of mass destruction;

29) other areas specified by the legislation of the Republic of Kazakhstan.

3. The distinguishing features of the civil service from other forms of employment shall cover:

1) the special legal status of civil servants, including additional rights, duties, benefits, guarantees and restrictions laid down by the laws of the Republic of Kazakhstan;

2) the specific conditions and procedures for entry into, service within and termination of the civil service;

3) the public-law nature of civil servants' activities, which includes the exercise of official powers aimed at fulfilling the functions and tasks of the state, safeguarding the interests of the

state and society, and ensuring the realisation of the human and civil rights and freedoms of citizens of the Republic of Kazakhstan as stipulated in the Constitution of the Republic of Kazakhstan and the laws of the Republic of Kazakhstan.

Article 7. The basis for civil service

Civic service shall be grounded in commitment to public policy, public trust in the civil service, and the civil servant's loyalty to the oath they have taken.

Civil service shall impose requirements on civil servants regarding patriotism towards Kazakhstan, professionalism, a customer-focused approach, openness, ethical conduct and an impeccable reputation, as well as zero tolerance for offences and conflicts of interest.

Article 8. Kazakhstani patriotism

Civil service in the Republic of Kazakhstan shall be exercised by citizens of the Republic of Kazakhstan with a sense of patriotism towards Kazakhstan, expressed through the conscientious performance of their official duties, serving the people as the sole source of state power, ensuring the protection of the foundations of the constitutional order and the national interests of the Republic of Kazakhstan, and preventing actions that harm the interests of the civil service.

Article 9. Professionalism

1. A civil servant's professionalism shall be measured by their education, the possession of the competences required for the proper performance of their duties, their work experience – where this is established by the qualification requirements – and the efficiency with which they perform their duties.

2. The efficiency of the performance of official duties shall comprise the achievement of the objectives set out in the Constitution of the Republic of Kazakhstan and the laws of the Republic of Kazakhstan, the performance indicators for public authorities—including those set out in the documents of the State Planning System of the Republic of Kazakhstan—and the timely and proper performance of official duties, instructions and acts issued by higher-level public authorities and officials.

3. The qualifications and competencies of a candidate applying for a public office shall be confirmed by their compliance with the qualification requirements set for that specific public office.

4. Efficient performance of official duties shall be measured based on this Law and acts of the President of the Republic of Kazakhstan.

Article 10. Customer-focused approach

1. A customer-focused approach shall incorporate a set of requirements governing the organisation of activities and the conduct of civil servants in the performance of their duties, aimed at creating the conditions required for efficient interaction with natural persons and/or legal entities, whilst observing their rights, freedoms and legitimate interests.

2. A civil servant must review appeals from natural persons and/or legal entities within the time limits laid down by the legislation of the Republic of Kazakhstan and submit complete and comprehensive replies to them within the scope of their official powers.

3. A civil servant must take steps to organise the activities of a public body with a view to ensuring the realisation of the rights, freedoms and legitimate interests of natural and/or legal persons, including:

1) without a request from them, where the point at which their rights arise can be established and with their consent;

2) based on a single request, where it is possible to ensure the simultaneous exercise of several interrelated rights of natural persons and/or legal entities;

3) regardless of the place of residence of natural persons or the registered office of legal entities, unless otherwise specified by the laws of the Republic of Kazakhstan;

4) preventing refusal to examine an application on procedural grounds by allowing the applicant to rectify any errors, inaccuracies or inconsistencies in the application and accompanying documents, and to submit any missing documents or documents that have expired, provided that their submission is required by a regulatory legal act of the Republic of Kazakhstan.

4. With a view to improving the efficiency of interactions with natural persons and legal entities, a civil servant shall take measures to continuously improve the work of the public authority, including:

1) making proposals for the optimisation and automation of public services, including reducing the timeframes and number of stages involved in their delivery, and the volume of documents required;

2) identifying and eliminating the causes and conditions that contribute to bureaucracy and paperwork, including administrative, digital and legal barriers, as well as excessive and duplicative requirements that hinder the efficient performance of public functions and/or the exercise of the rights, freedoms and legitimate interests of natural persons and/or legal entities

5. A civil servant's customer-focused approach shall be reflected in the performance of their official duties, including when rendering public services, drafting regulatory legal acts of the Republic of Kazakhstan, establishing and developing digital systems, and in other cases as established by the laws of the Republic of Kazakhstan.

When interacting with natural persons and/or legal entities within the scope of their official duties, civil servants shall demonstrate a customer-focused approach consistent with the Code of Ethics for Civil Servants of the Republic of Kazakhstan.

Article 11. Transparency

1. Transparency in the activities of civil servants shall ensure access to information as established by the Constitution of the Republic of Kazakhstan, the Law of the Republic of

Kazakhstan “On Access to Information”, and other regulatory legal acts of the Republic of Kazakhstan.

A civil servant shall ensure the transparency of their activities within the scope of the official powers conferred by their public office, excluding information subject to restricted access.

2. When exercising their official powers, civil servants must not unreasonably refuse to disclose information to natural persons and/or legal entities, including on formal grounds, must not unreasonably delay the disclosure of information, and must not provide inaccurate and/or incomplete information, unless otherwise required by the laws of the Republic of Kazakhstan.

Information may be withheld from natural persons and/or legal entities in the cases and on the grounds stipulated by the Constitution of the Republic of Kazakhstan and the laws of the Republic of Kazakhstan.

A civil servant may refuse to respond to requests for information if they are not related to the performance of their official duties or the agenda of a public speech and/or public event, contain questions of an unethical or offensive nature, or relate to their private life.

3. A civil servant shall be entitled not to consider anonymous communications, unless they contain information regarding criminal offences that are being planned or have been committed, or threats to national or public security, which must be immediately forwarded to the state authorities authorised to deal with them within the scope of their remit.

Article 12. Ethics and an impeccable reputation

1. A civil servant shall comply with the code of conduct, maintain an impeccable reputation, and refrain from any actions or behaviour that might provoke a negative public reaction or bring the civil service into disrepute.

The Code of Ethics for Civil Servants of the Republic of Kazakhstan shall be approved by the President of the Republic of Kazakhstan.

Any violation of professional ethics by a civil servant shall result in disciplinary action as stipulated by this Law, up to and including dismissal from their civil service post.

2. The impeccable reputation of a civil servant or a person applying for a public office shall comprise a combination of personal, ethical and professional qualities, and shall be characterised by the absence of any circumstances that would prevent entry into the civil service or the performance of duties therein.

A civil servant or a person applying for a civil service post shall not be regarded as a person of impeccable reputation if there are grounds for refusing their appointment to the civil service, or if they have an outstanding disciplinary sanction for committing a disciplinary offence that brings the civil service into disrepute, or for failing to observe professional ethics

Article 13. Zero tolerance for misconduct and conflicts of interest

1. A civil servant must comply with the Constitution of the Republic of Kazakhstan, the laws of the Republic of Kazakhstan and other regulatory legal acts of the Republic of Kazakhstan; must not allow the rights, freedoms and legitimate interests of natural and/or legal persons to be infringed; and must report any offences of which they become aware in the course of their official duties.

A civil servant shall be obliged to combat corruption, report corruption offences and implement measures set forth in the Law of the Republic of Kazakhstan “On Combating Corruption”. Civil servants who assist (or have assisted) in combating corruption shall be afforded state-guaranteed protection pursuant to the laws of the Republic of Kazakhstan.

Where a civil servant is publicly accused of corruption, they must, within one month of the date on which such an accusation comes to light, make efforts to refute it and/or challenge it in court, apart from cases involving anonymous accusations.

Within ten calendar days of receiving the information, the management of the public body must take action in response to a civil servant’s report concerning corruption offences or instances of inducement to commit such offences, including by organising investigations and referring the matter to the competent authorities as prescribed by the competent authority.

2. A civil servant shall be prohibited from exercising their official powers if there is a conflict of interest pursuant to the Law of the Republic of Kazakhstan “On Combating Corruption”.

Interest conflicts shall be prevented and resolved pursuant to the procedure laid down in the Law of the Republic of Kazakhstan “On Combating Corruption”.

Article 14. Restrictions associated with holding office in the civil service

1. A civil servant or a person temporarily performing the duties of a civil service position shall be prohibited from:

- 1) serving as a member of a representative body;
- 2) acting as a representative on behalf of third parties in the government body in which they are employed, or in an organisation directly subordinate to or under the control of that government body;
- 3) using, for non-official purposes, the material, technical, financial and information resources supporting their official duties, other state property and official information;
- 4) taking part in actions that hinder the normal functioning of state bodies and the performance of official duties, including strikes;
- 5) using, for personal purposes, the services of natural persons and/or legal entities due to the performance of official duties;
- 6) engaging in any other paid work apart from teaching, research or creative work, or military service in the reserves.

payment for overtime, work on public holidays and at weekends, and night work for civil servants who are members of electoral commissions during the period of preparation for and conduct of elections shall be made from the funds allocated for the conduct of elections;

7) participating in the management of a commercial or non-commercial organisation, unless this forms part of their official duties pursuant to the legislation of the Republic of Kazakhstan, or is required for the management of the shares referred to in sub-paragraph 9) of this paragraph, or represents unpaid participation in the management of a political party, a trade union, a consumers' co-operative or a housing and construction co-operative;

8) engaging in business activities;

9) acquiring securities, excluding the acquisition and/or disposal, as established by the legislation of the Republic of Kazakhstan, of units in open-ended and interval unit-based investment funds, bonds and shares in commercial organisations (ordinary shares not exceeding five per cent of the total number of voting shares in such organisations).

2. A civil servant may not engage in joint civil service (work) with close relatives, spouses or in-laws, as stipulated in the Law of the Republic of Kazakhstan "On Combating Corruption".

3. The formation of political parties within public authorities shall be prohibited.

In the performance of their official duties, civil servants shall be guided by the requirements of the legislation of the Republic of Kazakhstan and shall not be bound by the decisions of political parties, religious and public organisations or their bodies.

A civil servant must be impartial and independent in the performance of their duties.

4. The Chairman of the National Bank of the Republic of Kazakhstan and their deputies; the Chairman of the authorised body for the regulation, control and supervision of the financial market and financial organisations, and their deputies:

1) within thirty calendar days of the date of their appointment to the specified public offices, they shall transfer to a trust and present to the personnel management department (HR department) at their place of work a notarised copy of the trust management agreement relating to their investment fund units, bonds and shares in commercial organisations;

2) they shall not be entitled to purchase units in investment funds, bonds or shares in commercial organisations.

5. In line with the legislation of the Republic of Kazakhstan, within thirty calendar days of taking up their post, civil servants and persons temporarily performing the duties of a public office must transfer to a trust for the duration of their civil service any property owned by them or subject to other rights in real property, the use thereof entailing the receipt of income, with the exception of cash, bonds, units in open-ended and closed-ended unit-based investment funds, shares in commercial organisations (ordinary shares not exceeding five per cent of the total number of voting shares in such organisations), and digital assets lawfully belonging to them, as well as any property transferred under a property lease (rental agreement), as well as deliver a notarised copy of the trust management agreement to the human resources department at their place of work within the specified time limit.

Upon entering the civil service, a member of a peasant or farming household or a sole trader must take steps to cease their business activities and/or dispose of their property within

a period not exceeding six months from the date of taking up a public office. Until these procedures have been completed, they shall remain prohibited from engaging in business activities and from participating in the management of their own assets. The cessation of business activities and/or the disposal of assets shall be confirmed by documents filed with the personnel management department (human resources department).

Failure to take the measures set out in this paragraph shall result in dismissal from public office.

6. A civil servant or a person temporarily performing the duties of a public office shall have the right to receive income from property placed under trust management.

A civil servant, or a person temporarily performing the duties of a public office, shall have the right to let (rent out) a dwelling owned by them and to receive income from such letting, as well as to receive income from property placed under trust management and from other lawful sources.

7. The procedure for transferring the assets of civil servants and persons temporarily performing the duties of a public office to a trust shall be established by the empowered authority.

8. A civil servant, as well as any person temporarily performing the duties associated with a public office, shall be obliged to refrain from participating in gambling and/or betting within thirty calendar days of taking up that public office, as governed by the Law of the Republic of Kazakhstan “On the Gambling Industry”.

9. Restrictions associated with holding public office and anti-corruption restrictions applicable to civil servants and persons temporarily performing the duties of a public office shall be governed by this Law, the Law of the Republic of Kazakhstan “On Combating Corruption” and other laws of the Republic of Kazakhstan.

Chapter 3. LEGAL STATUS OF CIVIL SERVANTS

Article 15. Status of civil servants

1. The status of a civil servant shall encompass the general rights, freedoms and duties of a civil servant as a citizen of the Republic of Kazakhstan, subject to the restrictions laid down herein and in other laws of the Republic of Kazakhstan relating to service in the civil service, as well as the rights, duties and responsibilities arising from the specific nature of the civil service.

Any restrictions on the rights and freedoms of civil servants shall be offset by additional rights and safeguards established by the laws of the Republic of Kazakhstan.

2. Citizens of the Republic of Kazakhstan shall acquire the status of civil servants from the moment of their appointment or election to a public office and shall lose that status upon termination of their civil service as stipulated by the legislation of the Republic of Kazakhstan governing the civil service.

Article 16. Fundamental rights of civil servants

A civil servant shall have the right:

- 1) to enjoy the rights and freedoms guaranteed by the Constitution of the Republic of Kazakhstan and the laws of the Republic of Kazakhstan;
- 2) to legal and social protection pursuant to the legislation of the Republic of Kazakhstan;
- 3) to the guarantees and compensation stipulated by the laws of the Republic of Kazakhstan;
- 4) to a pension and other forms of social security;
- 5) to respect for personal dignity, and to be treated fairly and with respect by public officials and natural persons;
- 6) to the protection of labour and health, and to working conditions that are safe and essential for efficient work;
- 7) to require their immediate superior to clearly specify their duties and the scope of their official powers consistent with the public office they hold;
- 8) in keeping with established procedures, to receive the information and materials they need to perform their official duties;
- 9) to participate, within the scope of their official powers, in the consideration of matters and the making of decisions thereon, and to require that such decisions be implemented by the relevant officials, natural persons and legal entities;
- 10) to visit organisations as prescribed in order to exercise their official powers;
- 11) to have unrestricted access to documents relating to their civil service career and, where required, to provide personal explanations;
- 12) to request an internal investigation in the event of allegations which, in the civil servant's opinion, are unfounded;
- 13) to incentives and remuneration based on work performance, professional experience and other grounds established by the laws of the Republic of Kazakhstan;
- 14) to training, retraining and professional development funded from the relevant budget or from the National Bank of the Republic of Kazakhstan, unless additional sources of funding are specified by the laws of the Republic of Kazakhstan;
- 15) to be transferred to another post or promoted within the civil service;
- 16) to resign from the civil service of their own accord, unless otherwise specified by this Law;
- 17) to use digital systems based on artificial intelligence technologies pursuant to the procedure laid down by the legislation of the Republic of Kazakhstan.

Other rights of civil servants shall be laid down herein and in other laws of the Republic of Kazakhstan.

Article 17. Primary duties of a civil servant

A civil servant must:

- 1) observe the Constitution of the Republic of Kazakhstan, the laws of the Republic of Kazakhstan and other statutory instruments of the Republic of Kazakhstan;

2) take the oath of office as prescribed by the President of the Republic of Kazakhstan and abide by it;

3) abide by the requirements and restrictions laid down by the legislation of the Republic of Kazakhstan;

4) to observe professional discipline;

5) to perform the duties assigned to them conscientiously and professionally;

6) to ensure the transparency of their activities within the limits established by the laws of the Republic of Kazakhstan;

7) to observe professional ethics and the requirements for an impeccable reputation as laid down herein and in the acts of the President of the Republic of Kazakhstan;

8) to conduct their activities in a customer-focused manner;

9) to take measures to prevent and resolve conflicts of interest;

10) to prevent offences from being committed and to deter acts of corruption by subordinate civil servants and other subordinates;

11) to comply with orders and instructions issued by the heads of public authorities, and with decisions and directives issued by higher-level public authorities and officials within the scope of their official powers;

12) to ensure that the rights, freedoms and legitimate interests of natural persons and legal entities are respected and protected; to examine their appeals and adopt the measures required in response to them in line with the procedures and within the time limits laid down by the laws of the Republic of Kazakhstan;

13) to keep state secrets and other information protected by the laws of the Republic of Kazakhstan confidential, including after leaving the civil service, for the period specified by the laws of the Republic of Kazakhstan;

14) not to disclose information obtained in the course of their official duties which affects the private life, honour and dignity of individuals and citizens, and not to require them to provide such information, unless otherwise specified by the laws of the Republic of Kazakhstan;

15) to ensure the safety of state property and to use entrusted state property solely for official purposes;

16) to ensure cybersecurity when working with the digital resources of a public authority as required by the legislation of the Republic of Kazakhstan;

17) to refrain from making public statements that damage the image and interests of the civil service.

Other duties of civil servants shall be laid down herein and in other laws of the Republic of Kazakhstan.

Chapter 4. PREPARATION FOR ENTRY INTO THE CIVIL SERVICE

Article 18. Preparation for entry into the civil service

1. The preparation of citizens of the Republic of Kazakhstan for entry into the civil service shall consist of a range of educational and training activities aimed at developing the professional and personal competencies of citizens of the Republic of Kazakhstan required for entry into and service in the civil service, and shall cover:

- 1) training for entry-level positions as part of early career guidance;
- 2) training for managerial positions.

2. The procedure for selecting citizens of the Republic of Kazakhstan for preparation for entry into the civil service, and for the organisation and delivery of such preparation, shall be governed by the rules on preparation for entry into the civil service, as approved by the competent authority.

3. A training agreement shall be concluded with a citizen of the Republic of Kazakhstan who is undergoing training for entry-level positions as part of early career guidance, or training for managerial posts; this agreement shall set out obligations to serve a period of service following the completion of training, as well as to avoid any conduct that would constitute grounds for refusal of appointment to the civil service.

The form of the study contract, and the procedures for its conclusion, renewal, amendment, termination and expiry, shall be governed by the admission regulations approved by the educational institutions.

Where a training contract is entered into with persons under the age of eighteen (the age of majority), the consent of their parents, adoptive parents, guardians or trustees shall be required.

4. A citizen of the Republic of Kazakhstan who has completed training for entry-level positions as part of an early career guidance programme must work in the civil service for a period of three years from the date of completion of their training, following the procedure established by the competent authority for science and higher education in consultation with the relevant authority and as set out in the training agreement.

5. A citizen of the Republic of Kazakhstan who has completed training for senior civil service posts must serve as a civil servant for a period of three years from the date of completion of their training, pursuant to the procedures set out in the regulations governing preparation for entry into the civil service and as specified in their training agreement.

6. A citizen of the Republic of Kazakhstan who has completed training for entry-level positions as part of early career guidance, or training for managerial positions, must reimburse the costs incurred from the budget for their training, in proportion to the period actually worked, in the event of failure to fulfil the obligation to serve, including where there are grounds for refusal of appointment to the civil service.

The grounds and procedure for the suspension and early termination of work obligations for persons who have completed training for entry-level positions as part of early career guidance shall be governed by the legislation of the Republic of Kazakhstan on education.

The grounds and procedure for the suspension and early termination of work obligations for citizens of the Republic of Kazakhstan who have completed training for senior management positions shall be established by the rules governing preparation for entry into the civil service.

Article 19. Training for entry-level positions

1. Preparation for entry-level positions as part of early career guidance involves training aimed at developing the professional competencies of civil servants and the skills required to perform their duties efficiently, as well as at strengthening patriotism towards Kazakhstan, fostering a culture of the rule of law, and ensuring adherence to professional ethics within the civil service.

2. The list of priority areas for the training of specialists for entry-level positions within the framework of the educational grant shall be drawn up annually by the competent authority on the basis of strategic and policy documents specifying staffing requirements, in consultation with the competent authority responsible for science and higher education.

Educational grants may be allocated to other fields of study as prescribed by acts of the President of the Republic of Kazakhstan.

3. A citizen of the Republic of Kazakhstan shall acquire the status of a person undergoing training for entry-level positions as part of early career guidance, from the date of enrolment on a bachelor's degree programme at higher education and/or postgraduate institutions, and shall lose that status from the date of completion or termination of their studies pursuant to the rules governing preparation for entry into the civil service.

A citizen of the Republic of Kazakhstan shall not be eligible for training for entry-level positions as part of early career guidance in the cases referred to in sub-paragraphs 1), 4), 5), 6), 7), 8), 9), 10), 11), 12), 13), 14), 15), 16), 17), 18) and 19) of the first part of paragraph 2 of Article 21 hereof.

4. For the duration of the training programme, a person taking part in training for entry-level positions as part of early career guidance shall undertake not to engage in any conduct that would constitute grounds for refusal of appointment to the civil service.

Failure to observe the obligations set out in the first part of this paragraph shall result in the termination of studies and expulsion from the higher and/or postgraduate education institution as prescribed by the legislation of the Republic of Kazakhstan governing education

5. A citizen of the Republic of Kazakhstan who has completed training for entry-level positions as part of early career guidance may take up an entry-level position in executive bodies, funded from the local budget, within two years of the date of completion of their training, without having to sit a competitive examination, subject to agreement with the territorial divisions of the competent authority as envisaged by the procedure set out in the rules governing preparation for entry into the civil service.

Article 20. Preparation for senior positions

1. Training for senior positions shall involve study on a Master's degree programme funded by the state educational commission at educational institutions under the President of the Republic of Kazakhstan.

2. A citizen of the Republic of Kazakhstan who has completed training for entry-level positions as part of the early career guidance programme and has fulfilled their obligation to serve in the civil service following the completion of that training may be enrolled on a training programme designed to prepare them for senior positions.

A citizen of the Republic of Kazakhstan shall be prohibited from undertaking training for senior management positions in the cases referred to in paragraphs 2 and 3 of Article 21 hereof.

3. A citizen of the Republic of Kazakhstan shall acquire the status of a person undergoing training for senior civil service positions from the date of enrolment on a course and shall lose that status from the date of completion or termination of their studies as established by the rules governing preparation for entry into the civil service.

4. For the duration of the training programme, a person participating in training for senior management positions shall undertake to observe professional ethics and to avoid any conduct that would constitute grounds for refusal of appointment to the civil service.

Failure to observe the obligations set out in the first part of this paragraph shall result in the termination of studies and the reimbursement of costs incurred by the state in funding those studies.

5. A citizen of the Republic of Kazakhstan referred to in paragraph 2 of this Article who has completed training for senior management positions may hold a senior management position in central government bodies and executive bodies funded from the local budget, excluding elected public offices, pursuant to the procedure established by the competent authority.

Chapter 5. ENTRY INTO THE CIVIL SERVICE

Article 21. Conditions for entry into the civil service

1. Citizens of the Republic of Kazakhstan who are of impeccable character, meet the qualification requirements, and are capable, by virtue of their personal and professional qualities and level of education, of performing the duties assigned to them, and who have not yet reached the retirement age established by the Social Code of the Republic of Kazakhstan, shall be eligible for appointment to the civil service.

Citizens of the Republic of Kazakhstan who enter the civil service shall assume restrictions associated with their service in the civil service, as well as anti-corruption restrictions.

The age restriction set forth in the first part of this paragraph shall not apply to political public offices where the terms of office are established by the Constitution of the Republic of Kazakhstan and the laws of the Republic of Kazakhstan.

In cases not covered by this article, a citizen of the Republic of Kazakhstan who has reached the retirement age established by the Social Code of the Republic of Kazakhstan may be appointed to a political public office only by the President of the Republic of Kazakhstan.

Age restrictions for citizens of the Republic of Kazakhstan applying for positions in the armed forces, law enforcement agencies, specialised government agencies and civil defence agencies shall be laid down by the laws of the Republic of Kazakhstan.

2. A citizen of the Republic of Kazakhstan may not be appointed to the civil service if:

1) their citizenship of the Republic of Kazakhstan has been terminated as a result of loss, deprivation or renunciation of citizenship of the Republic of Kazakhstan;

2) they are under the age of eighteen, unless the legislation of the Republic of Kazakhstan sets out different requirements for the relevant public offices;

3) they do not satisfy the qualification requirements established by this Law and other regulatory legal acts of the Republic of Kazakhstan;

4) they have been declared by a court to be legally incapacitated or to have limited legal capacity;

5) they are registered with organisations rendering medical care in the field of mental health to persons with mental or behavioural disorders (illnesses), or they have a condition that prevents them from performing their official duties, based on a medical assessment from a healthcare institution consistent with the list of conditions preventing the performance of official duties, as well as the health requirements for holding public office, as approved by the competent authority in the field of healthcare;

6) they have refused to accept the restrictions laid down herein, in the Law of the Republic of Kazakhstan “On Combating Corruption” and in other laws of the Republic of Kazakhstan;

7) they have a criminal record which, at the time of entering the civil service, has not been expunged or removed as required by the laws of the Republic of Kazakhstan;

8) they disqualified by a court from holding public office for a specified period;

9) they, within two years prior to entering the civil service, were dismissed for committing a disciplinary offence that brought the civil service into disrepute, or they, within one year prior to entering the civil service, were dismissed for failing to observe the restrictions laid down by the laws of the Republic of Kazakhstan or the code of professional conduct;

10) they, within the two years prior to entering the civil service, were dismissed on disciplinary grounds from law enforcement, military service, special government agencies, civil defence agencies or the state courier service, or whose judicial office was terminated on disciplinary grounds.

The provisions of the first part of this sub-paragraph shall not cover persons whose term of office as a judge has been terminated on the basis of a decision by the Commission on the Quality of Justice attached to the Supreme Court of the Republic of Kazakhstan, finding them unsuitable for the position due to professional incompetence;

dismissed for being absent from work without valid reason for three or more consecutive hours;

11) within two years prior to entering the civil service, they were dismissed or removed from their position, or whose term of office was terminated on the grounds that their expenditure was inconsistent with their income as established by the Law of the Republic of Kazakhstan “On Combating Corruption”;

12) within the two years prior to entering the civil service, they were dismissed from a political public office on the grounds of a loss of confidence;

13) within the three years prior to entering the civil service, they were subject to an administrative penalty for committing an administrative offence relating to corruption, excluding cases where, as a civil servant, they were held administratively liable for the first time for employing a person who had failed to submit a declaration of assets and liabilities;

14) within the three years prior to entering the civil service, they have been convicted by a court of a criminal offence, or within the three years prior to entering the civil service, they have been exempted from criminal liability for a criminal offence pursuant to paragraphs 3), 4), 9), 10) and 12) of Part One of Article 35 or Article 36 of the Code of Criminal Procedure of the Republic of Kazakhstan;

15) within the five years prior to entering the civil service, they have been convicted by a court of a minor offence, or, within the five years prior to entering the civil service, they have been exempted from criminal liability for a minor offence on the basis of paragraphs 3), 4), 9), 10) and 12) of Part One of Article 35 or Article 36 of the Code of Criminal Procedure of the Republic of Kazakhstan;

16) within the eight years prior to entering the civil service, they have been convicted by a court of a crime of moderate gravity, or, within the eight years prior to entering the civil service, they have been exempted from criminal liability for committing a crime of moderate gravity on the basis of paragraphs 3), 4), 9), 10) and 12) of Part One of Article 35 or Article 36 of the Code of Criminal Procedure of the Republic of Kazakhstan (furthermore, a citizen of the Republic of Kazakhstan who has or has had a criminal record, or who has been exempted from criminal liability under paragraphs 3), 4), 9), 10) and 12) of Part One of Article 35 or Article 36 of the Code of Criminal Procedure of the Republic of Kazakhstan, shall be ineligible for civil service for committing a crime of moderate gravity against the person, the family and minors; against peace and the security of humankind; against the foundations of the constitutional order and the security of the state; against property; against the interests of commercial and other organisations; against public safety and public order; against public health and morality; against the interests of the civil service and public administration; against the administration of justice and the enforcement of sentences; justice and the administration of sentences, constitutional proceedings, as well as for committing a crime of moderate gravity in the sphere of economic activity);

17) they have committed a corruption offence; 18) who has previously been convicted or exempted from criminal liability pursuant to sub-paragraphs 3), 4), 9), 10) and 12) of Part 1 of Article 35 or Article 36 of the Code of Criminal Procedure of the Republic of Kazakhstan for committing serious or particularly serious offences;

19) in other cases prescribed by the laws of the Republic of Kazakhstan.

The existence of any of the circumstances specified in the first part of this paragraph shall be grounds for refusing admission to the civil service.

3. For the purpose of holding a senior position, the limitation periods referred to in sub-paragraphs 9), 10), 11), 12), 13), 14), 15) and 16) of the first part of paragraph 2 of this Article shall be extended by three years.

4. To hold an elected public office, citizens of the Republic of Kazakhstan must satisfy the requirements outlined herein, in the Constitutional Law of the Republic of Kazakhstan “On Elections in the Republic of Kazakhstan” and in the Law of the Republic of Kazakhstan “On Local Public Administration and Self-Government in the Republic of Kazakhstan”.

5. Restrictions on the recruitment of citizens of the Republic of Kazakhstan into the law enforcement service, military service, the civil defence service, the state courier service and special government agencies shall be laid down by the laws of the Republic of Kazakhstan.

6. Failure to furnish or the deliberate misrepresentation of the information specified in the first part of paragraph 2 of this Article shall constitute grounds for refusal of appointment to the civil service or for termination of civil service.

7. Citizens of the Republic of Kazakhstan entering the civil service, and their spouses, shall file a declaration of assets and liabilities with the state revenue authorities as required by the tax legislation of the Republic of Kazakhstan and within the time limits set out in the Law of the Republic of Kazakhstan “On Combating Corruption”.

Citizens of the Republic of Kazakhstan who have entered the civil service, and their spouses, shall be obligated to file personal income tax returns with the state revenue authorities as required by the tax legislation of the Republic of Kazakhstan.

8. Citizens of the Republic of Kazakhstan applying for service in law enforcement agencies and civil defence bodies shall undergo testing, including an assessment of personal qualities by the competent authority, excluding persons:

1) applying for admission to educational institutions of law enforcement agencies and civil defence organisations;

2) applying for initial vocational training for the ranks of rank-and-file and junior non-commissioned officers;

3) as prescribed by paragraph 8 of Article 6, paragraph 3 of Article 7 and paragraph 1 of Article 7-1 of the Law of the Republic of Kazakhstan “On the Law Enforcement Service”.

The procedures and programmes for testing citizens of the Republic of Kazakhstan applying to join the law enforcement agencies and the civil defence services shall be

established by the competent authority in consultation with the law enforcement agencies and the competent authority responsible for civil defence.

Article 22. Special vetting

1. Citizens of the Republic of Kazakhstan entering the civil service for the first time, or re-entering the civil service after a break in service, excluding the persons mentioned in paragraphs 2 and 5 of this article, must pass a mandatory special vetting conducted by the national security authorities of the Republic of Kazakhstan, to verify compliance with the conditions for entry into the civil service pursuant hereto and to the legislation of the Republic of Kazakhstan on combating corruption.

Within thirty calendar days of the date on which citizens of the Republic of Kazakhstan are hired for a position, whether they are entering the civil service for the first time or rejoining it after a break, the relevant government body shall forward their documents to the national security authorities of the Republic of Kazakhstan for a mandatory special security vetting.

2. A civil servant shall not be regarded as having newly entered the civil service if they take up another civil service position as a result of a transfer.

3. A mandatory special vetting of candidates for public office shall be completed within three months.

A special vetting of candidates for elected public office shall be performed within thirty calendar days of the date of receipt of the required documents by the national security authorities of the Republic of Kazakhstan.

4. Citizens of the Republic of Kazakhstan who enter the civil service pursuant hereto, excluding political civil servants appointed by the President of the Republic of Kazakhstan or elected by the Kurultai of the Republic of Kazakhstan, shall temporarily perform the duties associated with their civil service position until the results of the mandatory special vetting are received.

Employment relationships with them shall be governed pursuant to the labour legislation of the Republic of Kazakhstan.

While the mandatory special vetting is being conducted, the provisions herein shall apply to such citizens of the Republic of Kazakhstan in respect of the duties and responsibilities of civil servants and the restrictions relating to their service in the civil service. The rights of such citizens of the Republic of Kazakhstan shall be governed by their employment contract.

Appointment to a position shall be formalised by a document issued by a public authority.

The period served in a temporary capacity in a public office shall be included in the length of service in the civil service.

In the event of a negative outcome of the mandatory special vetting, the employment relationship with citizens of the Republic of Kazakhstan shall be terminated.

5. With regard to citizens of the Republic of Kazakhstan who have left the civil service and rejoined it within three months, excluding cases where they left the civil service for

disciplinary reasons, the results of a performance appraisal or assessment, shall not apply to the requirements to undergo a mandatory special vetting or to file a declaration of income and assets, on condition that, during the said three-month period, they were not in an employment relationship with natural persons and/or legal entities, and did not leave the Republic of Kazakhstan.

Article 23. Classification of public office positions and qualification requirements

1. Civil service positions shall be established pursuant to the Constitution of the Republic of Kazakhstan, the laws of the Republic of Kazakhstan, acts of the President of the Republic of Kazakhstan and other regulatory legal acts of the Republic of Kazakhstan.

2. Categories of administrative civil service positions shall be established for administrative civil servants. No categories of civil service positions shall be established for political civil servants.

The rules for calculating the ratio of managerial to operational staff amongst administrative civil servants shall be approved by the competent authority.

3. The register of positions of political, elected and administrative civil servants shall be approved by the President of the Republic of Kazakhstan on the recommendation of the competent authority.

4. The qualification requirements for administrative civil service positions in Category “B” shall be drawn up with due regard to the main areas of activity of the government body and its structural units, and the official powers of administrative civil servants.

The qualification requirements for administrative civil service positions in Category “B” shall be approved by the official (or body) authorised to appoint civil servants, in consultation with the competent authority or its regional office, based on the standard qualification requirements for administrative civil service positions.

The standard qualification requirements for administrative civil service positions in Category “B” shall be approved by the competent authority.

The procedure for drawing up and approving the qualification requirements for administrative civil service positions in Category “B” shall be established by the competent authority.

5. Qualification requirements may be established for certain political public offices by decision of the President of the Republic of Kazakhstan.

6. Specific qualification requirements for “A” corps administrative civil service positions shall be approved by the President of the Republic of Kazakhstan upon the recommendation of the competent authority.

7. The eligibility requirements for elected public offices shall be approved by the President of the Republic of Kazakhstan on the recommendation of the competent authority.

Compliance with the eligibility requirements shall be verified by the competent authority based on the documents filed by the relevant local electoral commission.

To verify that they meet the eligibility requirements, citizens of the Republic of Kazakhstan standing for election to a public office must submit the required documents to the relevant territorial electoral commission; the list of these documents shall be established by the competent authority in conjunction with the Central Electoral Commission of the Republic of Kazakhstan.

8. The eligibility requirements for public office in law enforcement agencies and civil defence bodies shall be established by the legislation of the Republic of Kazakhstan.

9. The eligibility requirements for public service positions in the diplomatic service shall be established pursuant to the legislation of the Republic of Kazakhstan.

Article 24. Civil service personnel reserve

1. The civil service personnel reserve shall include citizens of the Republic of Kazakhstan who have been enrolled in the Presidential Youth Personnel Reserve, the regional youth personnel reserve of the capital, the regions, and cities of national importance.

Citizens of the Republic of Kazakhstan shall acquire the status of reservist from the date on which a decision is taken to enrol candidates in the civil service personnel reserve, and shall lose that status from the date of their removal from the civil service personnel reserve in the cases prescribed by the acts of the President of the Republic of Kazakhstan.

2. Citizens of the Republic of Kazakhstan who have been enrolled in the Presidential Youth Personnel Reserve, the regional youth personnel reserve of the capital, a region or a city of national importance, may be appointed to public office without a competitive selection process, as prescribed by this Law and by the acts of the President of the Republic of Kazakhstan.

Citizens of the Republic of Kazakhstan who have been enrolled in the Presidential Youth Personnel Reserve shall be appointed within three years of the date of their enrolment in the Presidential Youth Personnel Reserve, by decision of the authorised commission under the President of the Republic of Kazakhstan, pursuant to the procedures and on the terms set forth herein and in the acts of the President of the Republic of Kazakhstan.

Appointments of citizens of the Republic of Kazakhstan who have been enrolled in the regional youth personnel reserve of the capital, a region or a city of national significance shall be made within two years of the date of their enrolment in that reserve, following the procedures and conditions set out herein and in the acts of the President of the Republic of Kazakhstan.

3. The establishment of the Presidential Youth Personnel Reserve, the regional youth personnel reserve for the capital, the region and cities of national importance, and appointments to public office from the civil service personnel reserve shall be made in the manner established by the President of the Republic of Kazakhstan.

Article 25. Holding a political public office

1. A political public office shall be held by appointment or on other grounds laid down by the legislation of the Republic of Kazakhstan.

Appointments to political public office and removals from such office shall be effected by an official (or body) authorised to do so in pursuance of their powers, or by another official (or body) to whom such powers have been delegated.

2. Appointment to a political public office shall be subject to the approval required for holding that office, in the cases established by the laws of the Republic of Kazakhstan or other regulatory legal acts of the Republic of Kazakhstan.

Candidates for political public office must meet the eligibility criteria for that office, where such criteria exist.

A political civil servant who, during the year prior to their appointment, was dismissed because a civil servant directly subordinate to them had committed a corruption offence, may not be assigned to a political public office.

Article 26. Election to public office

1. Elections to public office shall be held in line with the Constitutional Law of the Republic of Kazakhstan “On Elections in the Republic of Kazakhstan”, the Law of the Republic of Kazakhstan “On Local Public Administration and Self-Government in the Republic of Kazakhstan”, this Law in respect of matters not regulated by the laws of the Republic of Kazakhstan, and other regulatory legal acts of the Republic of Kazakhstan.

2. The term of office of an elected civil servant shall commence upon their registration by the local electoral commission pursuant to the Constitutional Law of the Republic of Kazakhstan “On Elections in the Republic of Kazakhstan”.

Article 27. Holding an administrative civil service position in corps “A”

1. Appointment to an administrative civil service position in corps “A” shall be made by appointment without a competitive selection process.

Appointments to and dismissals from administrative civil service positions in Corps “A”, excluding positions of heads of executive bodies in the capital, regions and cities of national significance financed from the local budget, as well as heads of territorial divisions of central government bodies and their departments in the capital, regions, cities of national significance, shall be effected by an official (body) authorised to do so by virtue of their powers, or by another official (body) to whom such powers have been delegated, in consultation with the authorised commission.

Appointments to the positions of heads of executive bodies in the capital, regions and cities of national importance, which are funded from the local budget, as well as heads of territorial divisions of central public authorities and their departments in the capital, regions, cities of national importance, which fall within the scope of “A” Corps administrative state positions, shall require approval by the competent authority as prescribed by that authority.

The President of the Republic of Kazakhstan shall assign citizens of the Republic of Kazakhstan to administrative state positions in the “A” corps and remove them from office without consultation.

2. When a citizen of the Republic of Kazakhstan shall be engaged in an “A” corps administrative civil service position, an employment contract shall be concluded with them.

The procedure for concluding, renewing and terminating an employment contract with an “A” Corps administrative civil servant shall be established by the competent authority.

3. When a civil service post is converted into an “A” Corps administrative civil service position, or when two or more “A” Corps administrative civil service positions are merged into a single “A” Corps administrative civil service position, recruitment to that civil service position shall be effected by way of this Law within three months of the date of such conversion.

A civil servant whose civil service position has been converted into an “A” Corps administrative civil service position shall be offered another vacant civil service position by the public authority that corresponds to their qualifications.

If there is no vacant civil service position or if a civil servant declines the position offered, they shall be dismissed. In such cases, a civil servant with at least three years’ service in the civil service shall be paid a severance payment by the public authority amounting to four times their average monthly salary.

A civil servant whose civil service position has been converted into an “A” Corps administrative civil service position shall be entitled to continue performing their duties until they or another person is appointed to an “A” Corps administrative civil service position.

4. When an administrative civil service position in Corps “A” is converted into a political, elected civil service position or an administrative civil service position in Corps “B”, public servants holding such a position the public authority shall offer them another vacant civil service position stipulated in the establishment plan, assuming they meet the established qualification requirements.

Where there is no vacant civil service position and/or a civil servant declines the position offered, they shall be dismissed. In such cases, a civil servant with at least three years’ service in the civil service shall be paid a severance payment by the public authority amounting to four times their average monthly salary.

Article 28. Holding an administrative civil service position in Corps “B”

1. Appointments to administrative civil service positions in Corps “B” shall be made on a competitive basis, excluding cases stipulated herein, as well as appointments made by local representative bodies pursuant to the laws of the Republic of Kazakhstan.

Appointments to administrative civil service positions in Corps “B” and dismissals (removals) from such positions shall be effected by an official (or body) authorised to do so by virtue of their powers, or by another official (or body) to whom such powers have been delegated.

2. The competition for filling administrative civil service positions in Corps “B” shall be conducted via the national digital recruitment system.

Citizens who have previously undergone the testing procedures as prescribed by the designated authority may participate in the competition.

The procedure for conducting a competition for a civil service positions in Corps “B” shall be established by the competent authority.

Where appropriate, the competition shall be conducted by other means as prescribed by the competent authority.

A decision on the outcome of the competition may be appealed to the competent authority as established by the legislation of the Republic of Kazakhstan, or to a court.

3. Where a civil service positions in Corps “B” remains vacant and/or temporarily vacant for more than three months, a competition to fill that position shall be automatically advertised via the state digital recruitment system, excluding cases where persons are recruited pursuant to paragraph 4 of this Article.

4. Citizens of the Republic of Kazakhstan may be appointed to temporarily perform the duties associated with a temporarily vacant administrative civil service positions in Corps “B” without a competitive selection process.

Employment relationships with citizens of the Republic of Kazakhstan who are not civil servants are governed by the labour legislation of the Republic of Kazakhstan and shall be established based on a standard employment contract approved by the competent authority.

The employment relationship shall be for a period agreed between the parties, but not exceeding one year.

Citizens of the Republic of Kazakhstan who temporarily hold a vacant administrative civil service position in Corps “B” shall be governed by the provisions of the Labour Code of the Republic of Kazakhstan in respect of the rights, freedoms and guarantees of employees, as well as by this Law in respect of the duties and responsibilities of civil servants, and the restrictions associated with holding and remaining in civil service. The rights of such persons shall be governed by their employment contract.

The period spent temporarily performing the duties associated with a temporarily vacant administrative civil service positions in Corps “B” shall be counted towards the length of civil service.

5. Pursuant to a decision by the authorised commission, the following persons may be appointed to an administrative civil service positions in Corps “B” without a competitive selection process:

1) serving judges, members of the Kurultai of the Republic of Kazakhstan, and members of the maslikhats who work on a full-time basis;

2) international staff and judges who have served for at least six months and have ceased to hold office, excluding those whose term of office has ended for negative reasons;

3) political civil servants who have held office for at least six months and have ceased to hold office, excluding those who have ceased to hold office for negative reasons, subject to their positions being classified as political civil service positions pursuant to the register of

positions for political, elected and administrative civil servants in force at the time the authorised commission's decision was taken;

4) who have at least five years' work experience in international, foreign or transnational organisations, or foreign government bodies;

5) who have at least two years' professional experience in their field and have completed doctoral programmes (PhD, specialist doctorate) at leading foreign higher education institutions, as designated by the Republican Commission for Overseas Training;

6) enrolled in the Presidential Youth Personnel Reserve.

6. Subject to the approval of a competent authority or its regional office, the following persons may be appointed to administrative civil service positions in Corps "B" without a competitive selection process:

1) "A" Corps administrative civil servant for a period of one year following the end of their term of office;

2) elected civil servants for a period of one year following the end of their term of office;

3) those who have completed their training and passed the qualifying examination at the Academy of Justice under the Supreme Judicial Council of the Republic of Kazakhstan, within one year of completing their training – to administrative civil service positions in Corps "B" within an authorised public authority in the field of judicial administration and its regional branches;

4) those who have completed postgraduate programmes at educational institutions under the President of the Republic of Kazakhstan with an academic result not lower than the threshold set by the competent authority, within two years of completing their studies – for administrative civil service positions in Corps "B" within executive bodies funded from the local budget, the administrative offices of maslikhats, audit commissions, territorial divisions of central public authorities and their departments (excluding executive bodies funded from the local budget, the administrative offices of maslikhats, audit commissions, and territorial divisions of central public authorities and their departments in the capital and its districts);

5) those who have completed their studies at educational institutions under higher and/or postgraduate education programmes, achieving a result no lower than the threshold set by the competent authority, within one year of completing their studies:

to lower-level positions within the administrative offices of the akim and the maslikhat of a district or a city of region-level significance (excluding a city of region-level significance that is the administrative centre of the region);

to a non-managerial position in the executive body of a district or a city of regional significance (other than a city of regional significance that is the administrative centre of the region), funded from the local budget;

to a non-managerial position in the administrative office of the akim of a town of district significance, a village, a settlement or a rural district;

to a non-managerial position in a regional branch of a central government body or its department in a district or city of regional significance (excluding a city of regional significance that is the administrative centre of the region);

6) those enrolled in the regional youth personnel reserve of the capital, the region or a city of national importance.

The provisions of sub-paragraphs 5) and 6) of the first part of this paragraph shall not apply to the persons listed in paragraph 5 of Article 19 and paragraph 5 of Article 20 hereof.

7. Subject to approval by the competent authority, persons may be appointed to the “B” Corps administrative civil service positions without a competitive selection process:

- 1) of the head of an independent organisational unit of a central government body;
- 2) the deputy head of a central government body.

8. Appointments to administrative civil service positions in Corps “B” – as assistants or advisers to heads of public authorities, or as press secretaries – may be made without a competitive selection process.

The subsequent transfer within a public authority of persons who have held administrative public office pursuant to the procedure laid down in the first part of this paragraph shall be prohibited.

9. Subject to agreement with the senior officials of public authorities, and without a competitive selection process, persons may be appointed to administrative civil service positions in Corps “B” following the procedure set out in the laws of the Republic of Kazakhstan “On Special State Bodies of the Republic of Kazakhstan”, “On the Law Enforcement Service” and “On Military Service and the Status of Military Personnel”.

10. The procedure for approving the appointment of persons to administrative civil service positions in Corps “B” without a competitive selection process shall be established by the competent authority.

Note: For the purposes of this Article, ‘international staff’ shall mean citizens of the Republic of Kazakhstan who are not civil servants, who are employed by international organisations and who are recognised as international staff under international treaties ratified by the Republic of Kazakhstan.

Article 29. Recruitment of citizens of the Republic of Kazakhstan while the public authority is being established

1. When establishing a public authority, citizens of the Republic of Kazakhstan may be employed for a period not exceeding three months to perform, on a temporary basis, the duties associated with a civil service position.

When establishing a public authority, citizens of the Republic of Kazakhstan may be employed for a period not exceeding three months to perform, on a temporary basis, the duties associated with a civil service position.

Employment relationships with such citizens of the Republic of Kazakhstan who are not civil servants shall be governed by the labour legislation of the Republic of Kazakhstan.

Whilst temporarily performing the duties associated with official positions, the provisions hereof regarding the duties and responsibilities of civil servants, and the restrictions associated with holding public office, shall apply to these citizens of the Republic of Kazakhstan. The rights of these citizens of the Republic of Kazakhstan shall be governed by their employment contract.

Employment shall be recorded in a document issued by a public authority.

The period of temporary performance of the duties associated with a public office shall be included in the length of service in the civil service.

2. Recruitment for the temporary performance of duties associated with administrative civil service positions in Corps “A” shall be based on candidates who meet the specific qualification requirements established for administrative civil service positions in Corps “A” and any other requirements laid down herein.

3. The number of citizens of the Republic of Kazakhstan recruited to perform, on a temporary basis, the duties associated with a public office must not exceed twenty per cent of the authorised staff of the public authority.

The provisions of this paragraph shall not apply to public authorities with a staff complement of fewer than twenty-five units.

Article 30. Procedures for entry into the civil service

1. When processing the recruitment of citizens of the Republic of Kazakhstan into the civil service, the public authority shall ensure compliance with the requirements of the legislation of the Republic of Kazakhstan governing the civil service and the fight against corruption.

2. Public authorities shall maintain personal files and records containing civil servants’ personal data and information on their professional activities. The list of documents required for maintaining a civil servant’s personal file shall be established by the competent authority.

Civil servants’ personnel files shall be kept in electronic form within the government’s digital human resources system. Where required, personnel files may be kept in paper form.

3. Human resources departments (personnel departments) shall draw up service records for civil servants. The format of the service record shall be approved by the competent authority.

Within thirty calendar days of a citizen of the Republic of Kazakhstan taking up a post in the civil service, the Human Resources Department (HR Department) shall record in writing the restrictions applicable to that citizen, as laid down by this Law and other laws of the Republic of Kazakhstan.

Standard forms for civil service personnel records shall be established by the competent authority.

4. An administrative civil servant, excluding the civil servant referred to in the third sub-paragraph of this paragraph, shall be issued with an identity card, which shall be a document confirming their civil service status and official powers.

The description of identity cards, and the procedures for their issue and use, shall be approved by the competent authority.

A political civil servant, an administrative civil servant of Corps “A”, an administrative civil servant of the Secretariat of the Kurultai of the Republic of Kazakhstan, the Secretariat of the Security Council of the Republic of Kazakhstan, or the Executive Office of the President of the Republic of Kazakhstan, the Secretariat of the Government of the Republic of Kazakhstan shall be issued with an official identity card, which is a document confirming their public office and official powers.

The procedure for issuing an official identity card and its description shall be approved by a public authority. Where appropriate, the civil servants referred to in the third sub-paragraph of this paragraph may be issued with an identity card.

A selected civil servant shall be issued with the relevant official identity card, as established by the legislation of the Republic of Kazakhstan, confirming their civil service position and official powers. If required, they may be issued with an identity card.

Chapter 6. COMPLETION OF CIVIL SERVICE

Article 31. Taking the oath by civil servants

1. Civil servants shall take the oath as prescribed by the President of the Republic of Kazakhstan.

The text of the oath taken by civil servants shall be laid down by the laws of the Republic of Kazakhstan and by acts of the President of the Republic of Kazakhstan.

2. Civil servants shall take the oath of office once, excluding persons appointed for the first time to the public offices of Vice-President of the Republic of Kazakhstan, Prime Minister of the Republic of Kazakhstan and other members of the Government of the Republic of Kazakhstan, the Head of the Presidential Administration of the Republic of Kazakhstan, the Chairman of the Central Electoral Commission of the Republic of Kazakhstan, the Head of the Executive Office of the President of the Republic of Kazakhstan, the assistants and advisers to the President of the Republic of Kazakhstan, the Chairman of the Supreme Judicial Council of the Republic of Kazakhstan, the heads of public authorities directly subordinate to and accountable to the President of the Republic of Kazakhstan, and the akims of the capital, regions and cities of national importance, as well as citizens of the Republic of Kazakhstan who are re-entering the civil service following their dismissal on disciplinary grounds, once the restriction periods specified in sub-paragraphs 9), 10), 11), 12), 13), 14), 15) and 16) of the first part of paragraph 2 of Article 21 hereof have expired.

Refusal to take the oath shall result in termination of civil service.

Article 32. Workplace

1. A civil servant, or a person temporarily performing the duties of a civil service position, shall be guaranteed a workplace that satisfies occupational health and safety requirements, as

well as the appropriate organisational and technical conditions required to fulfil their official duties.

The place of employment of a civil servant or a person temporarily performing the duties of a civil service position shall be established by the location of the public authority, excluding cases where it is established outside that location or where remote working or a hybrid working arrangement is applicable.

2. A civil servant may be transferred to another position without their consent, excluding cases where the transfer involves a move outside the local area.

A public authority shall ensure that civil servants and persons temporarily performing the duties of a public office are equipped with the equipment, means of communication, digital systems and other resources required to fulfil their official duties, as prescribed by the legislation of the Republic of Kazakhstan.

Article 33. Job descriptions

1. The professional duties of an administrative civil servant shall be fulfilled pursuant to the job description approved by the official (body) authorised to appoint civil servants to public office and to remove them from such office, unless the civil servant's official powers are defined by the legislation of the Republic of Kazakhstan.

An administrative civil servant must familiarise themselves with their job description. 2. Job descriptions shall include the powers and responsibilities of the position, as well as a list of the duties assigned to that administrative civil service position.

The procedure for drawing up job descriptions for administrative civil servants shall be established by the competent authority.

Article 34. Mentoring

1. Mentoring shall be understood as activities aimed at the professional induction of civil servants entering the administrative civil service for the first time, the transfer to them of the professional experience, knowledge and skills required for the proper performance of their official duties, as well as activities aimed at transferring to civil servants professional experience, knowledge and skills, and to ensure methodological support with a view to ensuring continuity in the professional development of civil servants.

2. Civil servants with at least three years' experience in the civil service and who possess high professional standards shall be appointed as mentors.

3. The procedure for organising mentoring shall be established by the competent authority

4. The provisions of this article shall not apply to civil servants holding elected public office.

Article 35. Job transfers and promotion within the civil service

1. The transfer of a civil servant to a different position shall take place without termination of civil service, by means of appointment to a higher, equivalent or lower civil

service position through a competitive selection process, without a competitive selection process, by way of transfer, rotation, secondment or in other cases prescribed by this Law.

Higher-level civil service positions shall mean positions in a higher category or positions in other categories that have higher qualification requirements.

Equivalent public positions shall be understood to mean positions within the same category, or positions in other categories that have identical or essentially similar qualification requirements.

Lower-level public positions shall refer to positions in a lower category or to positions in other categories with lower qualification requirements.

Note by the ILLI!

The application of paragraph 2 of Article 35 shall be suspended until 01.01.2029; while suspended, this paragraph shall apply as revised by paragraph 2 of Article 90, unless otherwise prescribed by paragraph 3 of this Article.

2. Promotion within the civil service shall entail the appointment to higher civil service positions and/or an increase in grade, depending on the civil servant's qualifications, competences, abilities, performance and the conscientiousness with which they perform their duties.

An administrative civil servant in Corps "B" shall be assigned a grade within a particular civil service position, which dictates the amount of their basic salary.

A civil servant in Corps "B" may be demoted in the event of disciplinary action being taken or following an appraisal and performance review.

Note by the ILLI!

The application of paragraph 3 of Article 35 has been suspended until 01.01.2029; while suspended, this paragraph shall apply as revised by paragraph 2 of Article 90, unless otherwise stipulated by paragraph 3 of this Article.

3. Promotion by transfer, rotation or performance evaluation, without a competitive selection process, as well as an increase in grade, shall be prohibited for a period of six months from the date on which a civil servant is held disciplinarily liable for committing a disciplinary offence that brings the civil service into disrepute, or for breaching the rules of professional ethics.

Note by the ILLI!

The application of paragraph 4 of Article 35 has been suspended until 01.01.2029; throughout the period of suspension, this paragraph shall apply as revised by paragraph 2 of Article 90, unless otherwise prescribed by paragraph 3 of this Article.

4. The rules governing changes to the grade levels of administrative civil servants in Corps "B" shall be approved by the President of the Republic of Kazakhstan, upon the recommendation of the competent authority and in consultation with the Office of the Government of the Republic of Kazakhstan.

Note by the ILLI!

The application of paragraph 5 of Article 35 has been suspended until 01.01.2029; while suspended, this paragraph shall apply as drafted in paragraph 2 of Article 90, unless otherwise stipulated in paragraph 3 of this Article.

5. Changes to the grade levels of administrative civil servants in Corps “B” shall be made based on the results of a comprehensive evaluation of the civil servant’s competencies, performed in order to identify the need for further professional development and training.

The procedure for conducting a comprehensive evaluation of the competencies of the “B” Corps administrative civil servants, as well as the list of civil service positions subject to such evaluation, shall be established by the rules governing changes to the grade levels of the “B” Corps administrative civil servants.

Article 36. Appointment to the “B” corps administrative civil service positions by way of transfer

Civil servants may be appointed to vacant or temporarily vacant administrative civil service positions in Corps “B” by way of transfer pursuant to the procedure established by the President of the Republic of Kazakhstan on the recommendation of the competent authority.

Article 37. Rotation of civil servants

1. The rotation of civil servants shall ensure the more efficient use of their professional potential during their time in the civil service.

The rotation of political civil servants and “A” Corps administrative civil servants shall be effected by transferring them to vacant or temporarily vacant political civil service positions and “A” Corps administrative civil service positions, or between political and “A” Corps administrative civil service positions.

The rotation of the “B” Corps administrative civil servants shall be effected by transferring them to vacant ‘B’ corps administrative civil service posts or between “B” Corps administrative civil servants, excluding cases covered by the law of the Republic of Kazakhstan governing the legal framework and procedures for the organisation of the diplomatic service of the Republic of Kazakhstan.

Based on a request from a civil servant who, at the time the rotation period commences, has two years or less remaining until they reach the retirement age established by the Social Code of the Republic of Kazakhstan, an act shall be adopted exempting that civil servant from rotation.

2. The procedure and timeframes for rotation, the conditions and timeframes for extending rotation, and the list of public offices subject to rotation shall be established by the President of the Republic of Kazakhstan upon the recommendation of the competent authority, excluding cases established by the law of the Republic of Kazakhstan setting out the legal framework and the procedure for organising the activities of the diplomatic service of the Republic of Kazakhstan.

Refusal to participate in rotation, in the cases prescribed by the rules governing the rotation of civil servants, may constitute grounds for decisions to demote a civil servant or dismiss them, excluding the cases specified in part eight of this paragraph. Demotion shall be effected without competitive procedures.

However, for a period of one year, a person may not be appointed to the previous position from which they have been rotated, or from which they have been demoted or dismissed for refusing to take part in the rotation, unless the President of the Republic of Kazakhstan decides otherwise.

Where a civil servant is appointed to a position previously held within one year of leaving that position voluntarily or due to taking up another position while on rotation, the period of service previously completed shall be taken into account.

When transferred to another locality, civil servants shall be paid a relocation allowance, shall be reimbursed for the costs of transporting their personal effects, and shall be provided with official accommodation pursuant to the Law of the Republic of Kazakhstan “On Housing Relations”. Where no official accommodation is available, civil servants who have been transferred shall receive a transfer allowance for the duration of their service.

The rules governing the calculation, allocation, adjustment, payment, termination, refund, suspension and resumption of rotational allowances, relocation allowances, and the reimbursement of costs incurred by civil servants in transporting their personal effects, who have been rotated to another locality, shall be approved by the Government of the Republic of Kazakhstan upon the recommendation of the competent authority.

The rotation of the “B” Corps administrative civil servants shall be coordinated by the competent authority.

Rotation involving a move to another locality for civil servants who are persons with disabilities, pregnant women, single parents raising a child under the age of fourteen, or who have (or are the guardians of) children with disabilities, including adopted children, parents (guardians) of large families, or who have a parent (parents), a spouse with a disability, or a parent (or parents) receiving an old-age pension as a dependant, as laid down in the Social Code of the Republic of Kazakhstan, shall be permissible only with the consent of the civil servants concerned, unless otherwise specified by the law of the Republic of Kazakhstan setting out the legal framework and the procedures for the organisation of the diplomatic service of the Republic of Kazakhstan.

However, these circumstances shall constitute grounds for extending the period of a civil servant’s rotation, without exceeding the eight-year limit on their tenure in the position they hold.

The circumstances set out must be supported by documentary evidence.

3. The provisions of this article shall not apply to political civil servants appointed to office by the President of the Republic of Kazakhstan, political civil servants whose terms of

office are established by the Constitution of the Republic of Kazakhstan and the laws of the Republic of Kazakhstan, and civil servants holding elected public office.

Article 38. Secondment of civil servants

1. Civil servants may, for the purpose of fulfilling the objectives set for public authorities, be seconded to public authorities, overseas missions of the Republic of Kazakhstan, international organisations and other organisations, subject to agreement with their heads, as prescribed by the Government of the Republic of Kazakhstan, excluding cases covered by this Law.

2. Seconded civil servants shall retain their previous place of work (civil service position) as well as the rights, guarantees, benefits, compensation, allowances, payments, pension provision and social protection established by this Law and other regulatory legal acts of the Republic of Kazakhstan.

3. The secondment of staff from special government agencies to administrative government positions shall be effected as established by the Law of the Republic of Kazakhstan “On Special Government Agencies of the Republic of Kazakhstan”.

4. Civil servants holding the academic degrees of Candidate of Sciences, Doctor of Sciences, as well as Doctor of Philosophy (PhD) and Doctor of Specialised Sciences may be seconded to educational organisations under the President of the Republic of Kazakhstan.

5. The provisions of this article shall not apply to civil servants holding elected public office.

6. The secondment of a civil servant to the position of ethics officer shall be implemented based on a decision by the competent authority following the procedure laid down in this Law

Article 39. Temporary assignment of duties

1. Where required by the needs of the service, a civil servant may be temporarily assigned the duties of another position without being relieved of their current (primary) position, unless otherwise stated in this Law or in acts of the President of the Republic of Kazakhstan.

The temporary assignment of duties to the heads of independent organisational units of central government bodies, the heads of territorial units of central government bodies and their departments, and the heads of executive bodies of the capital, regions and cities of national importance, funded from the local budget, district executive bodies, as well as executive bodies of cities of national importance, funded from the local budget, shall be permitted for a period not exceeding three months.

In addition to performing the duties of their main position, a civil servant may be temporarily assigned to perform the duties of only one other civil service position.

2. Issues pertaining to the course and termination of civil service, as well as the consideration of the liability of a civil servant temporarily acting in another position, shall be governed by the provisions relating to their principal position.

3. Assistants and advisers to political civil servants may not be assigned the duties of a senior position.

An elected civil servant may not be assigned the duties of a political or administrative public office. The duties of an elected public office may be temporarily assigned to an administrative civil servant. Such temporary assignment of duties shall be effected by an order of a higher-ranking akim.

An administrative civil servant in Corps “A” may not be assigned the duties of an elected civil servant or an administrative civil servant in Corps “B”.

Assistants and advisers to heads of government bodies may not be assigned the duties of a senior position.

4. A civil servant may not be temporarily assigned the duties of another position when there is evidence that they have committed a corruption offence.

5. Whilst temporarily performing the duties of another position, a civil servant shall be paid a supplementary allowance as stipulated by the legislation of the Republic of Kazakhstan, based on the basic salary applicable to the position being temporarily performed, having regard to other payments.

No additional remuneration shall be paid to civil servants whilst they are temporarily performing the duties of another post if such temporary performance of duties forms part of the civil servant’s official duties, excluding the period during which they are temporarily performing the duties of a vacant and/or temporarily vacant civil service position.

Article 40. Training for civil servants

1. Training for civil servants shall be focused on maintaining and enhancing the skills they need to perform their duties properly, and shall include initial training, retraining and further professional development for civil servants.

The training of civil servants shall encompass the process of studying for academic and research degrees through postgraduate programmes.

The retraining of civil servants shall involve training courses designed to enable them to acquire new and additional professional knowledge required for the efficient performance of their duties.

Professional development for civil servants shall comprise training seminars designed to support, expand, deepen and enhance civil servants’ competencies.

The rules governing the training, retraining and professional development of civil servants shall be approved by the Government of the Republic of Kazakhstan.

When a civil servant is sent on a retraining or further training course, their position (civil service position) and salary shall be retained.

2. Civil servants shall be trained pursuant to the state education commission, as directed by the relevant public authority, at educational institutions under the President of the Republic of Kazakhstan and at the Academy of Justice under the Supreme Judicial Council of the Republic of Kazakhstan.

The duration of postgraduate programmes and the admission procedure shall be governed by the admission regulations approved by the relevant educational institutions.

Civil servants holding permanent civil service positions in a public authority, as set out in the register of political, elected and administrative civil service positions, may participate in the competition for places on postgraduate programmes funded under the state education quota, subject to the condition that the duration of their studies and subsequent period of service do not exceed the retirement age established by the Social Code of the Republic of Kazakhstan at the time of submitting their application documents.

3. A civil servant enrolled on a master's and/or doctoral programme at an educational institution under the President of the Republic of Kazakhstan shall be granted a scholarship for the duration of their postgraduate studies, equal to their official salary at the time of enrolment, but not less than the amount of the state scholarship established for master's and doctoral students studying under the state education quota.

A training agreement shall be entered into with civil servants enrolling on a course at the Educational Institution under the President of the Republic of Kazakhstan and the Academy of Justice under the Supreme Judicial Council of the Republic of Kazakhstan; this agreement shall include a clause requiring them to serve a period of service following the completion of their training. The form of the training contract, and the procedures for its conclusion, renewal, amendment, termination and expiry, shall be governed by the rules on admission to training programmes, as approved by the Educational Organisation under the President of the Republic of Kazakhstan and the Academy of Justice under the Supreme Judicial Council of the Republic of Kazakhstan.

4. A civil servant who enrolls on a postgraduate programme under the state education quota, as directed by a public authority, must complete the course, including obtaining a degree in the relevant postgraduate programme.

Upon completion of their training, civil servants shall be required to serve in the civil service as per the procedures and within the timeframes set out in the regulations governing the training, retraining and professional development of civil servants. Failure to fulfil these obligations shall result in the person reimbursing the State for the budgetary funds allocated for their training and for any costs associated with the training. Reimbursement of expenses shall be made in proportion to the period actually worked.

The suspension and termination of the obligation to complete work placements, and exemption from that obligation, shall be governed by the rules on the training, retraining and professional development of civil servants and by the training agreement.

Implementation of the work placement requirement shall be monitored by the competent authority and the educational organisation under the President of the Republic of Kazakhstan.

The competent authority shall monitor the completion of the probationary period by civil servants who have completed their training under the state education programme.

5. A civil servant shall be sent on a professional development course consistent with the aims and objectives of the public authority.

An administrative civil servant must undertake professional development at least once every three years.

Political civil servants, elected civil servants and “A” Corps administrative civil servants shall conduct training sessions as set out in the regulations on the training, retraining and professional development of civil servants.

6. Services relating to the retraining and professional development of civil servants shall be purchased from educational institutions under the President of the Republic of Kazakhstan and their branches.

The methodology for calculating the cost of training, retraining and professional development for civil servants shall be established by the competent authority.

Further training for civil servants may also be implemented in other educational institutions specialising in the field of activity of the public authority.

The requirements for educational organisations engaged in the professional development of civil servants shall be governed by the legislation of the Republic of Kazakhstan on education and by the regulations on the training, retraining and professional development of civil servants.

Article 41. Internships for civil servants

1. Internships for civil servants shall be organised at the request of public authorities with a view to enabling them to acquire professional knowledge and experience and to advance within the civil service.

Administrative civil servants must undertake a training placement at least once every three years, excluding cases specified by the competent authority.

2. The rules governing work placements for administrative civil servants shall be approved by the competent authority.

Article 42. Performance appraisal of civil servants

1. The performance of civil servants shall be reviewed to evaluate the efficiency and quality of their work. When conducting such reviews, account shall be taken of information on the outcomes of public monitoring of the quality of services of public importance.

The procedure and timetable for the performance appraisal of civil servants shall be established by the President of the Republic of Kazakhstan on the recommendation of the competent authority.

The procedure for evaluating the performance of administrative civil servants shall be approved by the competent authority.

2. The results of the performance appraisal of “A” Corps administrative civil servants form the basis for decisions concerning bonuses, incentives, training, rotation or the renewal of their employment contracts.

An unsatisfactory performance appraisal of a Corps “A” civil servant, excluding the heads of executive bodies in the capital, regions, cities of national importance financed from the local budget, and heads of territorial divisions of central government bodies and their departments in the capital, regions and cities of national importance, shall constitute grounds for the termination of their employment contract by mutual agreement with the authorised commission.

An unsatisfactory evaluation of the performance of the heads of the executive bodies of the capital, the regions, cities of national importance financed from the local budget, and heads of territorial divisions of central public authorities and their departments in the capital, regions and cities of national importance, who hold “A” Corps administrative public office, shall constitute grounds for the termination of their employment contract by mutual agreement with the competent authority.

A performance appraisal of a Corps “A” civil servant shall not be undertaken if they have held a particular civil service position for less than three months.

3. The results of the performance appraisal of the “B” Corps administrative civil servants shall serve as the basis for decisions regarding the payment of bonuses, awards, training, rotation, promotion or demotion within the civil service, or dismissal.

Where an administrative civil servant in the Corps “B” receives unsatisfactory performance ratings consistent with the rules governing the performance appraisal of administrative civil servants, this shall result in:

- 1) a demotion where there is a lower-level position available;
- 2) in the absence of a lower-level position – demotion within the civil service, provided there is a vacant lower-level civil service position in the public authority, excluding temporarily vacant civil service positions, and provided the civil servant meets the qualification requirements (demotion within the civil service shall not require a competitive selection process).

If a civil servant declines the offered position, they shall be dismissed.

4. Civil servants shall retain the right to appeal against the results of their performance appraisals as established by the legislation of the Republic of Kazakhstan.

Article 43. Performance appraisals for administrative civil servants

1. The performance appraisal of administrative civil servants shall be performed by decision of the President of the Republic of Kazakhstan, which sets out the procedure, timeframes and categories of administrative civil servants subject to appraisal.

2. An appraisal committee, comprising at least five members, shall be established to conduct the appraisal of administrative civil servants. The appraisal committee shall be headed by a chairperson.

3. Following the performance appraisal of administrative civil servants, the appraisal committee shall adopt one of the following decisions:

- 1) corresponds to the public office held and is recommended for promotion;

2) is suitable for the public office held and is recommended for promotion to a higher position;

3) does not comply with the job grade and is recommended for demotion to the next lower job level;

4) does not fulfill the requirements of the public office held and is recommended for demotion;

5) is not fit for the public office held and is recommended for dismissal.

4. Civil servants who have failed to attend a meeting of the appraisal committee on two occasions without a valid reason shall be recommended for dismissal.

5. Administrative civil servants who have failed their performance appraisal and/or have declined to continue their civil service in public authorities, including in lower-ranking civil service positions or at lower levels of the civil service hierarchy, shall be dismissed.

6. Promotion to a higher administrative civil service position based on the results of a performance appraisal shall be effected without competitive procedures, where a higher-level administrative civil service position is vacant and the civil servant satisfies the qualification requirements established for that position.

7. Based on the results of the appraisal, the decision of the appraisal committee shall serve as the ground for appointing a civil servant to a higher administrative public office or promoting them to a higher grade, demoting a civil servant from an administrative public office or to a lower grade, or dismissing them.

8. A civil servant may appeal against the decision of the appraisal committee to the head of the public authority, to the empowered authority or its regional offices, or to a court, as established by the laws of the Republic of Kazakhstan.

Article 44. Other issues regarding civil service

1. International cooperation in the field of the civil service shall be implemented through the competent authority's participation in initiatives, programmes and projects involving foreign and international organisations, aimed at the further development and improvement of the civil service.

2. International cooperation shall encompass the following areas:

1) establishment of international organisations in the field of the civil service and participation in their activities;

2) training of civil servants abroad;

3) training for foreign civil servants and other persons in the Republic of Kazakhstan;

4) conducting joint research on civil service issues.

3. While martial law is in force, the regulatory legal acts of the Republic of Kazakhstan governing recruitment to the civil service, service within it and termination of service shall remain in force.

4. Any other matters pertaining to civil service not covered hereby shall be governed by the laws of the Republic of Kazakhstan, acts of the President of the Republic of Kazakhstan

issued on the recommendation of the competent authority, and other regulatory legal acts of the Republic of Kazakhstan.

Chapter 7. GUARANTEES FOR CIVIL SERVANTS

Article 45. Protection against unlawful acts

1. Civil servants shall be guaranteed protection against unlawful interference in their duties, unfounded accusations and persecution, and other unlawful acts.

Insulting civil servants, threatening them with violence or endangering their life, health, honour and dignity or property, or any other acts that hinder the performance of their official duties, shall incur liability as established by the laws of the Republic of Kazakhstan.

2. On behalf of a civil servant, a request for legal assistance may be made by the crime prevention service of the public authority where the civil servant is employed, pursuant to the procedure laid down herein and in other regulatory legal acts of the Republic of Kazakhstan.

In cases established by the laws of the Republic of Kazakhstan, legal assistance may be rendered to a civil servant free of charge by other persons.

Article 46. Working hours

1. A five-day workweek with two days off shall be established for civil servants.

In the cases covered by this article, a reduced workweek may be established for civil servants.

2. The daily working hours shall be limited to eight hours, excluding the cases referred to in this article and Article 47 hereof.

Normal working hours shall not exceed forty hours per week, excluding the cases stipulated in this article and Article 47 hereof.

3. At the initiative of a civil servant or a government agency, and by mutual agreement of the parties, a civil servant may be assigned part-time work with a proportional reduction in the amount of the official salary.

Part-time work shall be deemed to be any working time that is less than the standard working hours laid down in this article, including:

1) part-time work, i.e. a reduction in the length of the working day;

2) a reduced working week, i.e. a reduction in the number of working days in the working week;

3) a simultaneous reduction in the length of the working day and a reduction in the number of working days in the working week.

Part-time employment shall not result in any restrictions for a civil servant in respect of the duration of paid annual leave, additional paid leave days, the calculation of length of service in the civil service, or other rights established by this Law and other laws of the Republic of Kazakhstan.

4. Civil servants with disabilities classified in the first and second categories shall have their working hours reduced to no more than thirty-six hours per week. Their salary shall,

however, be paid in full as for a full working week, based on the established rate for the civil service position.

5. Upon written application by a pregnant woman, a parent (adoptive father or adoptive mother) with a child or children under the age of three, or a civil servant caring for a sick family member as confirmed by a medical certificate, the relevant state authority shall grant them part-time working arrangements.

6. During the course of their daily work, civil servants must be granted one break for rest and meals lasting at least one hour. The duration of the break shall not be included in working hours.

The timing and duration of the break shall be established by a decision of a public authority.

The duration of a civil servant's daily rest period between the end of one working day and the start of the next must not be less than twelve hours.

7. At the initiative of a civil servant or a public authority, and by mutual agreement between the parties, a civil servant may be assigned to work under a flexible working hours arrangement.

8. When there's a state of emergency or martial law, when a state of emergency is declared, or when other restrictive measures—including quarantine—are introduced, as well as in other exceptional circumstances that pose a threat to the life or health of civil servants, a public authority shall be entitled, by means of an administrative act, to temporarily introduce remote working or a combination of remote and on-site working until the aforementioned circumstances have been resolved.

Where a civil servant uses their own equipment, digital assets as required by the digital legislation of the Republic of Kazakhstan, and other resources to fulfill their official duties, and also incurs expenses for telecommunications services, the public authority shall pay compensation, the amount, procedure and terms thereof to be agreed with the civil servant.

When working remotely, a fixed system for recording working hours shall be established, subject to the restrictions on the daily working hours.

9. The competent authority shall approve the standard rules of conduct for civil servants.

Public authorities shall approve the rules of work organisation based on the standard rules of work organisation for civil servants.

10. The competent authority and its regional offices shall monitor the observance of working hours as required by this Law.

Article 47. Guarantees associated with working hours

1. Work on weekends and public holidays shall be permitted with the written consent of the civil servant, based on a decision by a public authority, excluding the cases covered by paragraph 3 of this article.

Civil servants shall be paid an increased rate for work carried out at weekends and on public holidays, at a rate of not less than one and a half times their daily rate.

When planning expenditure on labour costs for work on weekends and public holidays, the amount thereof shall be set at up to one per cent of the total number of staff units of the public authority, as approved for the relevant financial year.

At the request of a civil servant required to work at weekends and on public holidays, they shall be granted the corresponding days (hours) off.

Pregnant women who have presented their employer with a certificate confirming their pregnancy, and people with disabilities, shall be exempt from working at weekends and on public holidays.

2. A civil servant may be required, at the initiative of a public authority, to work beyond the prescribed working hours (overtime) only with the civil servant's written consent, based on a decision by the public authority, excluding the cases referred to in paragraph 3 of this article.

Overtime must not exceed two hours during a working day. The total duration of overtime must not exceed twelve hours per month, with the exclusion of the cases mentioned in paragraph 3 of this article.

Where a civil servant works overtime, they shall be granted days (or hours) off in lieu of the hours worked, or shall receive additional pay for overtime pursuant to the labour legislation of the Republic of Kazakhstan.

Pregnant women who have presented their employer with a certificate of pregnancy, and people with disabilities, shall not be required to work overtime.

3. A civil servant may be required to work overtime or on weekends and public holidays without their consent in the following cases:

1) to prevent emergencies, natural disasters or industrial accidents, or to deal with their consequences immediately;

2) to prevent and investigate accidents arising from work, loss of life or damage to property;

3) to complete urgent, unforeseen tasks, the timely completion thereof being essential for the subsequent normal functioning of the public authority as a whole or of its separate structural units;

4) in the event of a state of emergency or martial law being declared, or the introduction of other restrictive measures, including quarantine, as well as in other exceptional circumstances that pose a threat to human life or health;

5) in other cases prescribed by the laws of the Republic of Kazakhstan.

Article 48. Remuneration of civil servants

1. Civil servants, excluding civil servants of the National Bank of the Republic of Kazakhstan and the competent authority responsible for control and supervision of the financial market and financial organisations, shall be paid pursuant to a unified remuneration

system for employees of all authorities funded from the state budget, approved by the Government of the Republic of Kazakhstan in consultation with the President of the Republic of Kazakhstan.

Civil servants' remuneration shall be paid from the republican and local budgets, from the National Bank of the Republic of Kazakhstan and/or from the Special State Fund established under the legislation of the Republic of Kazakhstan on the return to the state of unlawfully acquired assets, unless additional sources of funding are specified by the laws of the Republic of Kazakhstan.

The procedure and conditions for the payment of bonuses, awards, financial assistance and the granting of supplements to the basic salaries of employees of the Republic of Kazakhstan's authorities, who are paid from the state budget, shall be established by the Government of the Republic of Kazakhstan.

2. The remuneration of civil servants shall be fixed based on the nature, scope and results of the work they perform.

3. The basic salary of civil servants shall be subject to indexation pursuant to the legislation of the Republic of Kazakhstan at least once every three years, following the procedure established by the Government of the Republic of Kazakhstan on the recommendation of the central authority responsible for state planning.

4. The length of service of civil servants, as specified by the legislation of the Republic of Kazakhstan, entitling them to the establishment of a post-specific salary—which is based on the unified system of financing and remuneration for employees of the Republic of Kazakhstan's authorities funded from the state budget, shall encompass the entire period of service in the civil service and any other period, as specified by the rules for calculating the length of service of civil servants entitling them to a post-specific salary, to whom the relevant legislation of the Republic of Kazakhstan applies.

The rules for calculating the length of service of civil servants, granting the right to the official salary, shall be approved by the competent authority in charge in consultation with the Executive Office of the Government of the Republic of Kazakhstan.

5. Deductions from a civil servant's salary shall be made pursuant to a court order, as well as in the cases established by the laws of the Republic of Kazakhstan and this article.

6. Deductions from a civil servant's salary to settle their debt to the public authority where they are employed may be made on the basis of a notice issued by the employer, provided the civil servant is notified thereof:

- 1) to recover any unspent or late-returned funds issued related to a business trip;
- 2) to recover any advance payment not worked off, issued to a civil servant as part of their salary;
- 3) in the event of the postponement of annual paid leave and/or additional paid leave days, or the recall of a civil servant from such leave;
- 4) in other cases, with the written consent of the civil servant.

7. Deductions from a civil servant's salary to settle their debt to the educational organisation under the President of the Republic of Kazakhstan, arising from failure to complete their studies, may be made pursuant to a notice issued by the employer, with notification given to the civil servant.

8. Where deductions are made from a civil servant's salary pursuant to several enforcement orders, as well as in the cases prescribed by the laws of the Republic of Kazakhstan and this article, the amount of the monthly deduction may not exceed fifty per cent of the salary payable to the civil servant.

9. The basic salary of citizens of the Republic of Kazakhstan employed under an employment contract to perform, on a temporary basis, the duties associated with a position in the civil service pending the results of a special vetting process, as well as of citizens of the Republic of Kazakhstan temporarily appointed to perform such official duties upon the establishment of a public authority or to a temporarily vacant administrative civil service position in Corps "B", shall be set at the minimum level established for the relevant civil service position.

Article 49. Vacation for civil servants

1. A civil servant shall be granted vacation as prescribed hereby and by the labour legislation of the Republic of Kazakhstan.

2. The granting, carry-over or cancellation of annual vacation, additional paid days of leave, or the recall of a civil servant from paid annual vacation and/or from additional paid days of leave shall be decided by the official (or authority) entitled to appoint and dismiss civil servants, or by an official empowered by that official (authority).

An elected civil servant may take leave or use additional paid leave days by issuing their own authorisation in consultation with a superior official. An elected civil servant may be recalled from their paid annual leave and/or from additional paid leave days by decision of a superior official.

3. A civil servant shall be granted paid annual vacation of thirty calendar days, along with a health allowance equivalent to two months' basic salary, during the working year, which shall consist of twelve calendar months, calculated from the first day of employment.

The health allowance shall be paid to a civil servant as a lump sum in full once per calendar year and may not be paid more than once in a single working year. Where annual paid leave is taken in instalments, the health allowance shall be paid together with one of the instalments of leave.

Upon transfer to another civil service position within the same year, the health allowance shall not be paid if it has already been granted in respect of the previous civil service position during the same calendar year.

4. Civil servants shall be granted additional paid vacation days depending on their length of service in the civil service:

- 1) with ten or more years' service – three calendar days' vacation;

- 2) with fifteen or more years' service – five calendar days' vacation;
- 3) with twenty or more years' service – lasting ten calendar days' vacation.

Civil servants shall be granted three calendar days' additional vacation time to encourage a healthy lifestyle and promote mass participation in sport.

Additional paid vacation days shall be added to the paid annual leave and may be taken either at the same time as the annual leave or separately, at the civil servant's discretion.

5. The orderliness of the granting of paid annual vacations and additional paid days of leave shall be decided each year based on the vacation schedule approved by the authorised official, keeping in mind the views of civil servants, or shall be determined outside the vacation schedule by mutual agreement between the parties.

Changes to the vacation schedule may be made by mutual agreement between the parties.

6. Paid annual vacation shall be granted to a civil servant during the working year in full for the time actually worked.

Paid annual leave and/or additional paid leave days shall be granted to civil servants as a matter of course pursuant to the vacation schedule.

At the civil servant's request, paid annual vacation and additional paid leave days may be granted in instalments. In such cases, the duration of any single instalment of paid annual vacation must be at least two calendar weeks.

Civil servants may transfer unused paid annual vacation, additional paid vacation days, or part of such vacation to the following working year, up to a maximum of thirty calendar days.

7. Payment for annual vacation, health benefits and additional paid days of vacation shall be made no later than three calendar days before the start of the vacation, and in the case of vacation granted outside the vacation schedule, payment shall be made no later than three calendar days from the date on which the vacation is granted.

8. A civil servant may be granted short-term paid vacation in full or in instalments for a period not exceeding ten calendar days during a calendar year in the following cases:

- 1) the death of members of their family, close relatives (parents, children, adoptive parents, adopted children, full and half-siblings, grandparents, grandchildren) or in-laws (brothers, sisters, parents and children of their spouse);
- 2) marriage;
- 3) the birth of a child, or the adoption of a child;
- 4) in other cases, by mutual agreement between the parties.

Short-term paid vacation shall be granted upon application by a civil servant, filed no later than thirty calendar days from the date when the relevant event occurs.

9. A civil servant sent abroad for study or a work placement under the 'Bolashak' International Scholarship Scheme shall be granted study vacation with retention of their position (civil service position).

In this regard, study vacation, including in the case of study under the state education commission for postgraduate programmes, excluding the cases referred to in the first part of this paragraph, shall be granted to a civil servant by agreement with the public authority.

A civil servant shall be granted study vacation with retention of their position (civil service position) and salary when sent on a retraining or professional development course.

A civil servant on study vacation may, in the event of a disciplinary offence that brings the civil service into disrepute or a breach of the rules of professional conduct, be recalled from their study vacation without their consent so that the matter of holding them disciplinarily liable may be reviewed.

Study vacation shall resume following a decision to impose disciplinary action on a civil servant, excluding cases where the civil servant is dismissed.

10. With their written consent, a civil servant may be recalled from their paid annual vacation and/or additional paid days of vacation if required by the service.

A civil servant may be recalled from their paid annual vacation and/or additional paid days of vacation without their consent in the following cases:

1) to prevent emergencies, natural disasters or industrial accidents, or to deal with their consequences immediately;

2) to prevent and investigate accidents arising from work, loss of life or damage to property;

3) in the event of a state of emergency or martial law being declared, or the introduction of other restrictive measures, including quarantine, as well as in other extraordinary circumstances that pose a threat to human life or health.

The remaining portion of any unused paid annual vacation and/or additional paid vacation days shall be granted to the civil servant at any other time during the calendar year; or, with the civil servant's consent, a compensatory payment shall be made to them for the days of the unused portion of their paid annual vacation and (or) additional paid vacation days.

11. Where a civil servant's civil service ends or they are relieved of their civil service position due to appointment to another civil service position in a different public authority, and they have not taken their paid annual vacation, part thereof and/or additional paid days of vacation, they shall be paid compensation for the unused days of vacation. The compensation payment shall be based on the civil servant's average salary.

12. Upon request, a civil servant may be granted unpaid leave pursuant to the procedure laid down in the labour legislation of the Republic of Kazakhstan. During the period of unpaid leave, the civil servant shall retain their workplace (civil service position).

Article 50. Guarantees associated with changes to working conditions

1. A change in the title of an administrative civil servant's position or in the name of the public authority (or organisational unit) where they work, which does not entail any changes to their terms and conditions of employment, shall not serve as grounds for their dismissal or appointment to another civil service position.

In this case, the official (or authority) with the power to appoint to a civil service position shall issue the relevant instrument of reappointment to a civil service position.

2. Where, in the case of a temporarily vacant administrative civil service position, the principal civil servant is relieved of their duties without taking up the position, the person temporarily occupying that civil service position shall be entitled to continue in that position on a permanent basis without a competitive selection process, excluding the persons listed in paragraph 4 of Article 28 hereof.

In this case, the official (or authority) with the power to appoint to a civil service position shall issue a document confirming reappointment to that civil service position.

3. Where there is a change in the management structure within a public authority, an administrative civil servant shall be appointed to a public position equivalent to the one previously held, corresponding to the official duties previously performed.

Where there is no equivalent civil service position available, an administrative civil servant shall be offered another civil service position, assuming that they satisfy the established qualification requirements. If no other civil service position is available, the administrative civil servant shall be dismissed.

Administrative civil servants may not be appointed to temporarily vacant civil service positions if another civil service position is vacant, other than in cases where they are replacing a civil servant who is temporarily absent or where the administrative civil servant themselves has given their consent.

An administrative civil servant who has received notification of a proposed civil service position shall be required to inform the relevant authority of their decision within five working days. Should no decision be reached within the specified time limit, or should the candidate decline the proposed public office, they shall be dismissed.

Upon termination of employment, a civil servant with at least three years' service in the civil service shall be paid a severance payment equivalent to four times their average monthly salary.

With less than three years' service in the civil service, a civil servant shall be paid a severance payment equivalent to one average monthly salary.

4. Where the functions, powers and/or staffing of another public authority, whether abolished (wound up) or reorganised, are transferred to a public authority, administrative civil servants who performed the transferred functions, powers and/or who occupied such staff positions, shall be offered equivalent civil service positions in the public authority to which the functions, powers and/or staff positions of another public authority—including one that has been abolished (wound up) or reorganised—have been transferred.

Where there is no equivalent civil service position available, the administrative civil servant shall be offered another civil service position within the same public authority, assuming that they satisfy the established qualification requirements. If no other civil service position is available, the administrative civil servant shall be dismissed.

Administrative civil servants may not be appointed to temporarily vacant civil service positions if another civil service position is vacant, unless they are replacing a civil servant who is temporarily absent or the administrative civil servant in question has given their consent.

An administrative civil servant who has received notification of a proposed civil service position shall be required to inform the relevant authority of their decision within five working days. If no decision is made within the specified period, or if the proposed civil service position is declined, the civil servant shall be subject to dismissal.

Upon the dismissal of an administrative civil servant with at least three years' civil service experience, by a public authority entrusted with the functions, powers and/or staffing levels of another public authority, including a public authority that has been abolished (wound up) or reorganised, shall be paid a severance payment equivalent to four times their average monthly salary. With less than three years' service in the civil service, a civil servant shall be paid a severance payment equivalent to one average monthly salary.

An administrative civil servant who has received a severance payment must repay the severance payment as per this paragraph if, within three months of their dismissal, they are appointed to a public authority where they have been offered a civil service position.

Note: For the purposes of this paragraph, another public authority shall mean a public authority registered as a separate legal entity.

5. Where the staffing levels of a public authority or the number of civil service positions are reduced, a civil servant holding a position that is to be made redundant shall be paid a severance payment equivalent to four times their average monthly salary, provided they have at least three years' service in the civil service. If the length of service in the civil service is less than three years, the civil servant shall be paid a severance payment equivalent to one average monthly salary.

6. Upon abolition (winding up) of a public authority, an administrative civil servant shall be paid a severance payment equivalent to four times their average monthly salary, provided they have at least three years' service in the civil service. If a civil servant has less than three years' service, they shall be paid a severance payment equivalent to one average monthly salary.

Article 51. Relocation of a public authority

1. The relocation of a public authority shall entail the transfer of its premises within or outside a designated settlement.

A public authority shall be relocated based on an act of the President of the Republic of Kazakhstan.

2. When a public authority is relocated, the following requirements must be met:

1) ensuring the uninterrupted performance of public functions and the provision of public services;

2) respect for the rights and interests of civil servants, including their rights to work and social security;

3) efficient use of budgetary funds allocated for the relocation of a public authority.

3. Not less than one month in advance, a public authority shall notify civil servants of their redeployment and transfer to other positions. Civil servants who have received such notification shall be required to inform the relevant authority within five working days of their decision regarding a transfer to other positions due to the relocation of the public authority. Should civil servants refuse to accept the transfer, they shall be subject to dismissal.

4. Where a public authority is relocated to another settlement, civil servants must be offered either official accommodation or housing allowances as established by the Law of the Republic of Kazakhstan “On Housing Relations”.

Rules governing the calculation, allocation, adjustment, payment, termination, refund, suspension and resumption of housing allowances, relocation allowances, and reimbursement of the costs of transporting personal effects to civil servants who have been transferred to another locality following the relocation of a state body, shall be approved by the Government of the Republic of Kazakhstan upon the recommendation of the designated authority.

Article 52. Social protection measures for civil servants

1. Civil servants shall have access to housing as set out in the Law of the Republic of Kazakhstan “On Housing Relations” and other legislation of the Republic of Kazakhstan.

Civil servants shall be entitled to participate in preferential housing schemes designed to provide them with housing. The conditions and procedures for participation in such schemes shall be governed by the legislation of the Republic of Kazakhstan.

2. Civil servants and members of their families living with them shall enjoy healthcare services in the relevant state healthcare institutions as prescribed by the established procedure.

3. Pre-school-age children of civil servants who have been rotated, redeployed or transferred to another locality (excluding civil servants appointed to their positions through a competitive selection process) shall be entitled to priority admission to pre-school institutions in their place of residence.

4. Civil servants who are transferred to a new position requiring them to move from one locality to another – excluding those appointed to a civil service position through a competitive selection process – shall be granted housing allowances and a relocation allowance, and shall be reimbursed for the costs of transporting their personal effects.

Rules for calculating the amount, awarding, recalculation, payment, termination, refund, suspension and resumption of housing allowances, removal allowances, and reimbursement of the costs of transporting personal effects to civil servants posted to another locality shall be approved by the Government of the Republic of Kazakhstan upon the recommendation of the designated authority.

The list of civil service positions eligible, upon posting to another locality, for housing allowances, a relocation allowance and reimbursement of the costs of transporting personal effects shall be governed by the rules for calculating the amount, granting, recalculation, payment, termination, repayment, suspension and resumption of housing allowances, relocation allowances and reimbursement of the costs of transporting personal effects to civil servants posted to another locality.

5. Administrative civil servants in Corps “B” who work and live-in rural areas shall be provided with additional social support measures as established by the legislation of the Republic of Kazakhstan.

6. Upon the death of a civil servant, their family members shall be paid a lump-sum benefit equivalent to three times the average monthly salary at their last place of employment within a public authority; however, the amount of the benefit may not be less than that specified in the Social Code of the Republic of Kazakhstan.

7. Where a civil servant is required to undergo compulsory health examinations, or is temporarily released from duty to discharge state or public duties, their place of work (civil service position) and salary shall be retained.

Article 53. Specific aspects of civil service in the event of temporary incapacity for work

1. Using the funds allocated for this purpose, a public authority must pay temporary incapacity benefits to civil servants.

Temporary incapacity benefits shall not be paid:

1) to a civil servant whose temporary incapacity to work arose whilst performing their official duties, and which resulted from their commission of a criminal offence, where their guilt has been established by a final and binding conviction;

2) when an employee is temporarily unfit for work as a result of illness or an accident at work caused by the consumption of alcohol, narcotic drugs, psychotropic substances, their analogues or precursors;

3) for days of temporary incapacity for work falling during paid annual vacation, additional days of vacation, short-term vacation, or unpaid vacation;

4) for days of temporary incapacity for work falling within a period of unpaid childcare leave until the child reaches the age of three;

5) in other cases, stipulated by the labour legislation of the Republic of Kazakhstan.

2. The period of temporary incapacity for work of a civil servant must not exceed two consecutive months or, in total, exceed six months for various illnesses during a working year, unless the illness is included in the list of conditions that qualify for a longer period of incapacity for work, as approved by the competent state health authority.

The expiry of the specified period of temporary incapacity for work shall be grounds for the dismissal of a civil servant.

This paragraph shall not apply to cases where a civil servant is on leave due to pregnancy, childbirth or the adoption of a newborn child (or children).

There shall be no time limit on the period during which a civil servant is on sick leave following work-related injuries or harm (wounds, concussions, injuries) sustained whilst performing their official duties.

Article 54. Pension and social security for civil servants

Pension and social security provisions for civil servants shall be implemented pursuant to the Social Code and other regulatory legal acts of the Republic of Kazakhstan.

Article 55. Guarantees and compensation for civil servants on official business trips

1. Civil servants shall be reimbursed for expenses incurred on official business trips, including those to foreign countries, as established by the legislation of the Republic of Kazakhstan.

Civil servants shall enjoy the guarantees and rights established by the legislation of the Republic of Kazakhstan, including the right to receive a daily allowance whilst on official business travel and to be reimbursed for travel expenses to and from their destination, as well as for the cost of renting accommodation.

2. Civil servants on secondment shall retain their place of work (civil service position) and their salary.

Article 56. Guarantees and compensation for members of the diplomatic service of the Republic of Kazakhstan

The guarantees and compensation for staff of the diplomatic service of the Republic of Kazakhstan shall be established by the Law of the Republic of Kazakhstan “On the Diplomatic Service of the Republic of Kazakhstan”.

Article 57. Guarantees regarding the conscription of civil servants into military service

Civil servants who are called up for military service (excluding call-ups under mobilisation, martial law or in wartime) or military training exercises, as required by the legislation of the Republic of Kazakhstan, shall be granted leave without pay, and their place of employment (civil service position) shall be retained for the duration of their military service (military training exercises), and, in the event of entering into a contract for military service in the reserves, their place of employment (civil service position) shall be retained while they are attending training or combat readiness exercises, or crisis response exercises.

Chapter 8. CIVIL SERVICE DISCIPLINE

Article 58. Civil service discipline

1. Discipline in the civil service shall mean mandatory compliance by civil servants with the legislation of the Republic of Kazakhstan, the regulations of public authorities and their official duties.

2. Heads of public authorities and of the organisational units within a public authority shall bear responsibility for the level of disciplinary conduct amongst their subordinate civil servants.

3. The relevant executive shall not be held liable for criminal or administrative offences committed by civil servants outside the premises of public authorities, outside working hours, and not associated with their official duties or the interests of the civil service, excluding the commission of corruption offences.

4. Incentives, disciplinary sanctions and legal measures not associated with disciplinary sanctions, as established herein may be applied to ensure and strengthen professional discipline amongst civil servants.

Article 59. Incentives

1. Incentives for civil servants shall be applied for exemplary performance of official duties, impeccable civil service, the completion of tasks of particular importance and complexity, other achievements in their work, and based on the results of performance appraisals.

2. The following incentives may be awarded to civil servants, with specific merits set out in a decision issued by a public authority:

- 1) a one-off cash bonus;
- 2) a letter of thanks;
- 3) a valuable gift;
- 4) a certificate of commendation; 5) an honorary title;
- 6) early lifting of a disciplinary sanction;
- 7) other forms of recognition, including the awarding of departmental honours.

When disciplinary action is lifted early, no other forms of reward may be applied at the same time for a period of one month.

Standard rules governing the application of incentives to civil servants, excluding bonuses in the form of a one-off cash payment and the early lifting of disciplinary sanctions, shall be approved by the competent authority.

3. For outstanding service, civil servants may be nominated for state honours under the Law of the Republic of Kazakhstan “On State Awards of the Republic of Kazakhstan”.

4. On the occasion of national, public, professional and other holidays, veterans of the civil service of the Republic of Kazakhstan may be nominated for departmental awards pursuant to the procedures laid down in acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan, as well as other regulatory legal acts of the Republic of Kazakhstan.

5. Upon retirement, a civil servant who has been honored with a state award or a departmental award from the competent authority and who has at least twenty-five years’ service in the civil service shall be paid a lump-sum payment equivalent to four months’ basic salary.

Article 60. Liability of civil servants

1. Civil servants shall be held legally liable for failure to perform and/or improper performance of their official duties, and for breaches of the legislation of the Republic of

Kazakhstan and the regulations of public authorities as established by the laws of the Republic of Kazakhstan.

Legal liability shall cover criminal, administrative, civil and disciplinary liability.

2. Political liability shall arise for the improper implementation and/or failure to achieve the aims and objectives of state policy.

Political liability shall entail the termination of the powers of political civil servants following resignation, loss of confidence, or a decision to terminate their powers taken by an official (or authority) authorised to appoint them to a civil service position and to relieve them of that position.

Political civil servants shall bear political and legal responsibility.

3. Elected civil servants shall be legally liable.

Elected public officials shall also be accountable to the public for failing to achieve the aims and objectives of their election programme and/or for decisions taken or implemented by them within the scope of their official powers; this liability shall encompass the termination of their term of office following resignation or in other circumstances stipulated by the laws of the Republic of Kazakhstan.

4. Administrative civil servants shall bear legal liability.

5. Officials shall be prohibited from issuing orders or instructions that are unrelated to the performance of their official duties and/or intended to contravene the legislation of the Republic of Kazakhstan.

Following a command or instruction that is known to be unlawful shall not exempt a civil servant from liability.

Should there be any doubt as to the lawfulness of an order or instruction received for execution, a civil servant must immediately report this in writing to their immediate superior and to the head of the department who has issued the order or instruction. Where a civil servant's immediate superior and the head of the civil servant's department confirm an order or instruction in writing, the civil servant must comply with them, provided that doing so does not entail actions constituting criminal offences or administrative offences.

The immediate superior or the superior who approved the order or instruction shall be liable for the consequences of a civil servant implementing an unlawful order or instruction.

6. Civil servants shall retain the right to appeal against decisions taken by a public authority in relation to them, or against the actions (or omissions) of its officials, to a higher public authority and/or the competent authority, or to a court.

7. Heads of public authorities and their deputies, akims and their deputies, heads of administrative offices, and heads of structural units of public authorities, unless otherwise stipulated by this Law, shall be held disciplinarily liable under the laws of the Republic of Kazakhstan for corruption offences committed by persons directly subordinate to them or under their supervision, provided that all of the following conditions are met:

1) a link has been established between a corruption offence and culpability for the failure to perform, or the improper performance of, official duties relating to the prevention of corruption offences;

2) there is a final and binding court ruling holding the persons in question criminally liable for a corruption offence, or the criminal proceedings for the commission of a corruption offence have been discontinued by a criminal prosecution authority or a court pursuant to paragraphs 3), 4), 9), 10), 11) and 12) of part one of Article 35 or Article 36 of the Code of Criminal Procedure of the Republic of Kazakhstan.

8. A civil servant shall be held financially liable for damage caused to a public authority in the circumstances and to the extent prescribed by the legislation of the Republic of Kazakhstan.

9. A civil servant must compensate a public authority for any direct and actual loss caused to it.

10. A civil servant shall not be held financially liable for damage caused to a public authority if the damage resulted from force majeure or a state of necessity, legitimate self-defence, or the failure of the public authority to fulfil its duty to ensure appropriate conditions for the safekeeping of public property entrusted to the civil servant.

Article 61. Disciplinary offences committed by civil servants and disciplinary sanctions

1. A disciplinary offence committed by a civil servant (hereinafter referred to as a ‘disciplinary offence’) shall be deemed to be unlawful, culpable failure to perform or improper performance by a civil servant of the duties assigned to them, abuse of official powers, breach of official discipline and professional ethics, as well as failure to take measures to remedy such breaches.

2. Disciplinary sanctions shall constitute disciplinary measures.

The following types of disciplinary sanctions shall be imposed on civil servants for committing disciplinary offences:

- 1) a reprimand;
- 2) a warning;
- 3) a severe reprimand;
- 4) a warning regarding unsatisfactory performance;
- 5) a reduction in a civil servant’s official rank;
- 6) a reduction in civil service rank, excluding elected civil servants;
- 7) a finding that an elected civil servant is unsuitable for the position held;
- 8) a dismissal from the civil service position held, excluding elected civil servants.

The laws of the Republic of Kazakhstan may establish other types of penalties.

3. A disciplinary sanction in the form of demotion in a civil service position shall be imposed if there is a vacant lower-ranking civil service position within the civil service body – excluding temporarily vacant civil service positions – and provided that the civil servant satisfies the qualification requirements established for that civil service position. Appointment

to a lower-ranking civil service position shall be made without a competitive selection process

A disciplinary sanction in the form of demotion of a civil servant shall be imposed provided that a lower-ranking post is available. Where no such post is available, a disciplinary sanction in the form of demotion within the civil service shall be imposed as stipulated in the first sub-paragraph of this paragraph.

A disciplinary sanction in the form of dismissal from a public office and a finding that an elected civil servant is unsuitable for the post held shall be imposed on the grounds specified herein.

4. A civil servant who has taken up another political or administrative public office shall be held disciplinarily liable for the disciplinary offence committed whilst holding their previous public office, with due regard to the time limits for imposing disciplinary sanctions as established by the legislation of the Republic of Kazakhstan.

5. Disciplinary sanctions:

1) shall be imposed by an official (or authority) with such powers, or by another official (or authority) to whom those powers have been delegated (hereinafter referred to as the person authorised to impose a disciplinary sanction);

2) may not be imposed a second time for the same offence, assuming that the first disciplinary sanction has been lawfully imposed and is proportionate to the severity of the offence;

3) shall be enforced hereunder and the procedure for imposing disciplinary sanctions on civil servants, as prescribed by the President of the Republic of Kazakhstan.

6. The following persons shall be recognised as authorised to impose disciplinary sanctions:

1) the imposition of a disciplinary sanction on a political civil servant – the official (authority) with the power to appoint a political civil servant to office and to remove them from office, or an official (authority) authorised by that official;

2) the imposition of a disciplinary sanction on an elected civil servant – a superior official ;

3) a disciplinary sanction may be imposed on an administrative civil servant – other than an administrative civil servant appointed by a local representative body – by the official (authority) authorised to appoint and dismiss administrative civil servants, or by an official (authority) authorised by that official (authority);

4) the imposition of a disciplinary sanction on an administrative civil servant appointed by a local representative body – by a local representative body or by an official authorised by it (a competent authority).

7. Decisions regarding disciplinary liability of a civil servant shall be adopted by the person authorised to impose disciplinary sanctions.

Disciplinary proceedings against a civil servant shall be examined by a collegial body pursuant to the procedure for imposing disciplinary sanctions on civil servants, as established by the President of the Republic of Kazakhstan.

8. Where a disciplinary sanction in the form of a finding that an elected civil servant is unsuitable for the position held is imposed, a copy of the relevant decision shall be forwarded to the local representative body, which shall examine the matter within one month to decide whether to terminate the elected civil servant's term of office or allow them to continue performing their duties.

Where a decision is taken to terminate the term of office of an elected public official, a copy of the decision of the local representative body shall be forwarded to the relevant territorial electoral commission.

Based on a decision by the local representative body, the territorial electoral commission shall take note of the fact that an elected civil servant has ceased to hold office.

Article 62. Disciplinary offences that bring the civil service into disrepute

1. For the purposes hereof, the following acts committed by civil servants shall be deemed to be disciplinary offences that bring the civil service into disrepute:

- 1) unlawful interference in the activities of other public authorities or organisations;
- 2) using one's official powers when dealing with issues tied to the advancement of one's own financial interests or those of close relatives or in-laws;
- 3) the granting of advantages not prescribed by the laws of the Republic of Kazakhstan (protectionism, nepotism) in relation to recruitment and promotion within the civil service;
- 4) giving undue preference to natural persons and/or legal entities when preparing and adopting decisions;
- 5) providing any person with assistance, whether or not prohibited by the legislation of the Republic of Kazakhstan, to engage in business or other income-generating activities;
- 6) the use, for personal or group gain, of information obtained in the course of performing public duties, where such information is not intended for official dissemination;
- 7) unjustified refusal to disclose information to natural persons and/or legal entities, where such disclosure is required by the legislation of the Republic of Kazakhstan, or any delay in such disclosure, or the provision of inaccurate or incomplete information;
- 8) a request for information from natural persons and/or legal entities, the provision thereof by such persons not being required under the legislation of the Republic of Kazakhstan;
- 9) the transfer of public financial and material resources to the election funds of individual candidates;
- 10) presenting gifts and providing non-official services to certain persons in order to obtain, by means of those persons' official powers, financial gain, benefits or advantages;
- 11) the deliberate obstruction of natural persons and/or legal entities in the exercise of their rights, freedoms and legitimate interests;

12) gross violations of the requirements governing the organisation and conduct of state supervision of business entities, as outlined in sub-paragraphs 1), 2), 3), 4) and 7) of Article 151, and sub-paragraphs 2), 6) and 8) of paragraph 2 of Article 156 of the Entrepreneurial Code of the Republic of Kazakhstan;

13) the delegation of powers regarding state regulation of business activities to natural persons or legal entities engaged in such activities, as well as powers relating to the control and supervision of such activities;

14) the delegation of state control and supervisory functions to organisations that do not have the status of a public authority;

15) accepting, in return for the performance of one's official or equivalent duties, any remuneration in the form of money, services or other forms from organisations where the person does not perform the relevant duties, as well as from natural persons, unless otherwise specified by the legislation of the Republic of Kazakhstan.

Any funds credited to a civil servant's account without that person's knowledge, as well as any funds received by them from performing their duties in breach of the first part of this sub-paragraph, must be transferred to the republican budget within no more than two weeks of their discovery, accompanied by a statement to the relevant public revenue authority explaining the circumstances surrounding the receipt of such funds;

16) accepting gifts and/or services relating to the performance of their official or equivalent duties from civil servants and other persons dependent on them in the course of their duties, in return for general favour or connivance in the course of their duties.

Gifts received without the civil servant's knowledge, as well as those received by them while performing their duties in breach of the first part of this sub-paragraph, shall be transferred free of charge to the competent authority responsible for the management of state property within seven working days of the date of receipt of the gift or of the date when the civil servant becomes aware of the gift, and any services rendered to a civil servant under the same circumstances must be paid for by the civil servant by transferring the money to the republican budget within seven working days of the date the service is rendered or of the date on which the civil servant becomes aware that the service has been rendered.

A civil servant who has received gifts shall retain the right to purchase them under the procedure laid down by the Law of the Republic of Kazakhstan "On State Property". The proceeds from the sale of the gifts shall be transferred to the republican budget;

17) accepting invitations for domestic and international tourist, health and wellness, and other trips at the expense of natural persons and legal entities, whether foreign or from the Republic of Kazakhstan, excluding trips:

at the invitation of a spouse or relatives, at their own expense;

at the invitation of other natural persons (with the consent of a superior officer and/or authority), provided that relations with them do not concern matters relating to the official duties of those invited;

implemented in pursuance of international treaties of the Republic of Kazakhstan or by mutual agreement between the public authorities of the Republic of Kazakhstan and the public authorities of foreign states, at the expense of the relevant public authorities and/or international organisations;

undertaken with the consent of a superior official or authority for the purpose of participating in scientific, sporting, creative, professional or humanitarian events at the expense of organisations, including trips undertaken as part of the statutory activities of such organisations;

18) the use of advantages not envisaged by the legislation of the Republic of Kazakhstan in obtaining credits, loans, and the acquisition of securities, property and other assets.

2. Disciplinary offences that bring the civil service into disrepute shall also constitute actions, including those unrelated to the performance of official duties, which undermine the dignity and authority of the civil service, namely:

1) the non-medical use of narcotic drugs, psychotropic substances, their analogues or precursors;

2) driving a vehicle whilst under the influence of alcohol and/or drugs and/or toxic substances.

3. Family members of a civil servant shall never accept gifts and/or services, or invitations to go on holiday, health and wellness trips or other journeys paid for by natural persons or legal entities, both foreign and from the Republic of Kazakhstan, with whom the civil servant has a professional relationship.

A civil servant must transfer, free of charge, any gifts unlawfully received by members of their family to the designated authority for the management of state property within seven working days of the date they become aware of the receipt of the gift, and to reimburse the cost of services unlawfully used by members of their family by transferring the money to the republican budget within seven working days of the date on which the civil servant becomes aware that the service has been rendered.

4. The commission by a civil servant of any disciplinary offences that bring the civil service into disrepute, as listed in sub-paragraphs 1), 6), 7), 8), 10), 11) and 12) of paragraph 1 of this Article, provided that they do not constitute a criminal offence or an administrative offence, shall result in demotion from the civil service position, and where no lower-ranking civil service position is available, the imposition of a disciplinary sanction in the form of a warning regarding partial failure to satisfy the requirements of the position.

A repeat offence falling within the disciplinary offences referred to in the first part of this paragraph, committed within one year of the imposition of a disciplinary sanction for the first disciplinary offence, shall result in dismissal from the civil service position held and a finding that the elected civil servant is unsuitable for the position held.

5. The commission by a civil servant of any disciplinary offences that bring the civil service into disrepute, as listed in sub-paragraphs 2), 3), 4) and 5) of paragraph 1 of this

Article, provided that they do not constitute a criminal offence or an administrative offence, shall result in the imposition of a disciplinary sanction in the form of a warning regarding partial failure to fulfil official duties, a finding that the elected civil servant is unsuitable for the position held, or dismissal from the civil service position held.

A repeat offence involving any of the disciplinary offences mentioned in the first part of this paragraph, committed within one year of the imposition of a disciplinary sanction for the first disciplinary offence, shall result in dismissal from the civil service position held and a finding that the elected civil servant is unsuitable for the position held.

6. Any disciplinary offences committed by a civil servant which discredit the civil service, as referred to in sub-paragraphs 9), 13), 14), 15), 16), 17) and 18) of paragraph 1 and paragraph 2 of this Article, shall result in dismissal from the civil service position held, and the elected civil servant shall be deemed unsuitable for the position held.

Article 63. Grounds and conditions for the imposition of disciplinary sanctions, and guarantees of civil servants' rights when they are held disciplinarily liable

1. The grounds for imposing a disciplinary sanction shall be the commission of a disciplinary offence by a civil servant.

A disciplinary sanction may only be imposed if there are no circumstances that would exempt the civil servant from disciplinary liability.

2. The following shall be recognised as circumstances precluding disciplinary liability:

- 1) expiry of the period for imposing a disciplinary sanction;
- 2) execution of unlawful orders or instructions, as confirmed by the immediate superior and the head;
- 3) forced measures taken to eliminate a danger that directly threatens the life, health, rights and legitimate interests of natural and legal persons, or the interests of society or the state, where that danger could not be eliminated by other means;
- 4) declaration of invalidity; repeal of a previously issued act or of specific provisions thereof, violation whereof entails disciplinary liability;
- 5) the imposition of administrative liability on a civil servant in their capacity as a public official;
- 6) other cases established by the laws of the Republic of Kazakhstan.

3. When imposing a disciplinary sanction and deciding on its nature, the following criteria shall be given consideration:

- 1) the nature and circumstances of the disciplinary offence committed;
- 2) the severity and circumstances of the offence committed;
- 3) data describing the civil servant's character and their attitude to their duties;
- 4) the degree of the civil servant's culpability;
- 5) circumstances mitigating disciplinary liability;
- 6) circumstances aggravating disciplinary liability.

4. The following shall be recognised as circumstances mitigating disciplinary liability:

1) a civil servant's voluntary disclosure of a disciplinary offence committed by them to their immediate superior or to the head of the public authority;

2) committing a disciplinary offence where no disciplinary action has been taken and the employee acknowledges the fact of the offence;

3) committing a disciplinary offence in the context of difficult personal or family circumstances;

4) committing a disciplinary offence as a result of physical, psychological or other coercion;

5) the absence of negative consequences.

5. The following shall be recognised as aggravating circumstances in disciplinary proceedings:

1) the repeated commission of the same disciplinary offence, where a disciplinary sanction has already been imposed on the civil servant for the first offence and has not been lifted as required by the established procedure;

2) inducing a subordinate civil servant to commit a disciplinary offence;

3) committing a disciplinary offence during a state of emergency or whilst other restrictive measures are in force;

4) gross failure to fulfil official duties;

5) committing a disciplinary offence whilst on probation;

6) committing a disciplinary offence whilst under the influence of alcohol and/or drugs and/or toxic substances, or as a result of the use of a psychoactive substance.

6. Gross misconduct shall be deemed to include the improper performance or failure to perform duties by a civil servant, consisting of:

1) causing harm to a person's life or health;

2) engaging in conduct that hinders the normal functioning of public authorities and the performance of their duties, or failing to observe professional ethics, which has caused a public outcry;

3) being at work whilst under the influence of alcohol and/or drugs and/or toxic substances, including the consumption during working hours of substances that cause such intoxication;

4) the disclosure of official data that has harmed the interests of a public authority;

5) the disclosure of information affecting the private life, honour and dignity of a person and a citizen;

6) failure to ensure the safety of state property, or the use of state property entrusted to them for non-official purposes;

7) committing other acts that have caused adverse consequences and clearly undermine the image of the civil service;

8) other actions prescribed by the laws of the Republic of Kazakhstan.

7. The imposition of a disciplinary sanction shall not exempt a civil servant who has committed a disciplinary offence from fulfilling the duty in respect whereof the disciplinary sanction has been imposed due to non-performance or improper performance.

8. A civil servant must be made aware of all the material pertaining to disciplinary proceedings against them, and they shall retain the right to participate in person in the internal investigation procedure.

9. Actions (or omissions) and decisions taken by a public authority or public official may be appealed against by civil servants subject to disciplinary proceedings as established by the laws of the Republic of Kazakhstan.

Article 64. Time limits for imposing and maintaining disciplinary sanctions

1. A disciplinary sanction must be imposed no later than one month from the date of discovery of the disciplinary offence and may not be imposed more than six months after the date on which the offence has been committed.

Disciplinary sanctions for disciplinary offences that bring the civil service into disrepute, as prescribed by this Law, shall be imposed no later than three months from the date of discovery of the offence and may not be imposed more than one year after the date on which the offence has been committed.

If a criminal case is discontinued by a criminal prosecution authority or a court, or where proceedings in respect of an administrative offence are discontinued and the actions of a civil servant constitute a disciplinary offence, a disciplinary sanction shall be imposed no later than three months from the date of the discontinuation of the criminal proceedings or the proceedings in respect of the administrative offence, but no later than one year from the date the offence in question has been committed.

A disciplinary sanction for an infringement of the budgetary legislation of the Republic of Kazakhstan shall be imposed no later than three months from the date the offence is discovered and may not be imposed more than one year after the date the offence is committed.

The date when the disciplinary offence is discovered, and from which the time limit begins to run, shall be deemed to be the date when the collegial body considering the civil servant's disciplinary liability issues a recommendation to impose a disciplinary sanction to the person authorised to impose such a sanction, or the day when the civil servant's written statement acknowledging the fact that they committed the misconduct in question is submitted to that person.

A disciplinary offence shall be deemed to be ongoing if it is characterised by the continuous commission of a single act constituting a specific offence and has not been completed by the time it is discovered.

2. The period during which a disciplinary sanction is imposed shall be suspended in the following cases:

- 1) where a civil servant is temporarily unfit for work;

- 2) where a civil servant is on leave or on a business trip;
- 3) a civil servant's participation in training, retraining, professional development courses and work placements;
- 4) a civil servant's exemption from their duties whilst performing public or community duties;
- 5) the right of a civil servant to appeal, under the procedure laid down by the legislation of the Republic of Kazakhstan, against acts of public authorities and documents pertaining to disciplinary proceedings against them;
- 6) criminal proceedings, and until the relevant court ruling relating to a civil servant's exercise of their official powers has come into force;
- 7) proceedings in a criminal case concerning a corruption offence, and until the relevant court ruling in respect of the subordinate civil servant has become final;
- 8) proceedings concerning an administrative offence, and until the relevant court ruling or decision by an official authorised to hear cases concerning administrative offences, connected with the performance by a civil servant of their official duties, has come into force;
- 9) a court review of a decision by a public authority relating to the act (or omission) of a civil servant.

The period of disciplinary action shall also be suspended for the duration of the examination of acts of prosecutorial supervision and response, and shall resume from the date on which a decision is taken on the act in question.

3. Review of disciplinary liability shall be suspended, and disciplinary sanctions shall not be imposed, in the cases referred to in paragraph 2 of this article, other than where the secondment and/or recall from leave of a civil servant is related to disciplinary proceedings against them.

Proceedings concerning disciplinary liability shall not be suspended if, prior to the onset of temporary incapacity for work, the civil servant has been duly notified of the consideration of the case file relating to their disciplinary liability.

4. The duration of a disciplinary sanction shall not exceed:

- 1) two months from the date on which a disciplinary sanction in the form of a reprimand is imposed;
- 2) three months from the date when a disciplinary sanction in the form of a formal warning is imposed;
- 3) four months from the date the disciplinary sanction in the form of a severe reprimand is imposed;
- 4) six months from the date the disciplinary sanction in the form of a warning regarding partial failure to fulfill official duties, demotion of a civil servant, or a finding that an elected civil servant is unsuitable for the position held is imposed.

No time limit shall be set for a disciplinary sanction in the form of demotion from a public office.

5. A repeat disciplinary offence committed within six months of a disciplinary sanction being imposed for a previous disciplinary offence shall result in a more severe disciplinary sanction, up to and including dismissal from the public office held, as established by the legislation of the Republic of Kazakhstan.

6. A person empowered to impose a disciplinary sanction shall be entitled, without imposing a disciplinary sanction, to apply a previously imposed disciplinary sanction, or legal measures not related to disciplinary sanctions, provided that the period of validity of the previously imposed disciplinary sanction has not expired, there are mitigating circumstances, and there are no aggravating circumstances.

The provisions of the first part of this paragraph shall not apply to disciplinary offences which bring the civil service into disrepute.

7. A disciplinary sanction may be lifted early, prior to the expiry of its term, by the person empowered to impose the disciplinary sanction, pursuant to the procedure laid down by the legislation of the Republic of Kazakhstan.

Article 65. Temporary suspension of a civil servant from the performance of their official duties

A civil servant may be temporarily suspended from the performance of their official duties:

- 1) pursuant to the criminal procedure legislation of the Republic of Kazakhstan;
- 2) in the event of proceedings concerning his disciplinary liability – by the person entitled to impose a disciplinary sanction, pending a decision on the matter of disciplinary liability, for a period not exceeding one month, whilst retaining the employee's salary.

The person authorised to impose a disciplinary sanction shall issue a notice temporarily suspending the civil servant from the performance of their official duties.

Article 66. Measures of legal action unrelated to disciplinary sanctions

1. Measures of legal sanction, other than disciplinary sanctions, shall be applied to civil servants with a view to preventing them from committing disciplinary offences and eliminating the causes and conditions that contribute to such offences.

2. The grounds for reviewing the question of whether to impose legal sanctions other than disciplinary measures shall be the existence of the following circumstances:

- 1) the commission of a disciplinary offence;
- 2) the commission of an administrative offence;
- 3) reports from natural persons and/or legal entities, and information from the media;
- 4) reports from law enforcement and other public authorities.

3. Measures of legal action not involving disciplinary sanctions shall comprise:

- 1) a preventive discussion;
- 2) a written warning;
- 3) testing of a civil servant's competencies required for the efficient performance of their official duties;

- 4) individual recommendations regarding a civil servant's conduct;
- 5) preventive record-keeping and monitoring.

4. Measures of legal sanction not associated with disciplinary sanctions may be applied either in conjunction with disciplinary sanctions or separately in cases where there are circumstances that exclude or mitigate disciplinary liability.

Measures of legal action not involving disciplinary sanctions shall apply by decision of the person empowered to impose disciplinary sanctions.

A decision to impose legal sanctions other than disciplinary measures may be appealed against under the procedure laid down by the legislation of the Republic of Kazakhstan.

5. The coordination of activities by public authorities regarding legal measures not involving disciplinary sanctions, and the recording of such measures, shall be undertaken by ethics officials.

Details of measures of a legal nature taken against a civil servant, other than disciplinary sanctions, may be included in the assessment of that civil servant's performance and in the application of rewards and disciplinary sanctions.

6. Upon discovering the causes and circumstances contributing to disciplinary offences, the empowered authority, its regional office or the ethics official shall make recommendations, binding for consideration, to the person empowered to impose disciplinary sanctions, regarding the elimination of such causes and circumstances. Information on the outcome of the consideration of the recommendations and the measures taken shall be made available within one month.

7. The procedure for applying legal measures to civil servants, other than disciplinary sanctions, shall be established by the competent authority.

Chapter 9. TERMINATION OF CIVIL SERVICE

Article 67. Grounds for termination of civil service

1. The grounds for termination of civil service shall be as follows:

- 1) the dismissal (termination of office) of a civil servant pursuant to the procedure established by this Law;
- 2) the death of a civil servant or a declaration that they are presumed dead, pursuant to a court ruling that has become final;
- 3) the declaration of a civil servant, pursuant to the procedure prescribed by the laws of the Republic of Kazakhstan, as missing without trace, or as legally incapacitated or having limited legal capacity;
- 4) the reinstatement of a citizen of the Republic of Kazakhstan to the position previously held by that person;
- 5) the return to work of a senior civil servant holding a public office (in the event of filling a temporarily vacant civil service position);
- 6) a move to an elected or other job (position) resulting in the termination of civil service;

7) the abolition (winding up) of a public authority;

8) a reduction in the authorised strength of a public authority or in the number of civil service positions.

2. Taking up another public office through transfer, rotation, following a competitive selection process, without a competitive selection process, or in the case of a political public office, an elected public office, or other cases stipulated by this Law, the laws of the Republic of Kazakhstan and other regulatory legal acts of the Republic of Kazakhstan, shall not constitute grounds for the termination of a civil servant's service. A document of dismissal from public office shall be issued in such cases.

3. The grounds for the dismissal (termination of office) of a civil servant shall be:

1) the filing of a request for dismissal (termination of office) of their own volition, unless they are under investigation for a corruption offence or have committed a disciplinary offence that brings the civil service into disrepute;

2) the expiry of the terms of office specified by the laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan;

3) reaching the retirement age stipulated by the Social Code of the Republic of Kazakhstan, unless otherwise prescribed by the Constitution of the Republic of Kazakhstan and the laws of the Republic of Kazakhstan.

Political civil servants appointed by the President of the Republic of Kazakhstan may, upon reaching retirement age or upon the expiry of their term of office, continue to exercise their powers, as a rule, for a period of up to five years, unless the President of the Republic of Kazakhstan decides to relieve them of their duties.

The fact that a selected civil servant reaches the retirement age laid down in the Social Code of the Republic of Kazakhstan shall not constitute grounds for the termination of their term of office.

By mutual agreement between the parties, an administrative civil servant may extend their term of service in the civil service once, for a period of one year.

In this regard, for the purposes of mentoring, a civil servant may, by mutual agreement between the parties, extend their term of service in the civil service once, for a period of two years.

The term of service of an administrative civil servant in Corps "B" may not be extended if , within one working year, they have twice failed to receive, following a performance appraisal, the effective rating established by the legislation of the Republic of Kazakhstan, or if, during that working year, they have been subject to disciplinary action for a breach of professional ethics or for a disciplinary offence that brings the civil service into disrepute;

4) termination of citizenship of the Republic of Kazakhstan as a result of loss, deprivation or renunciation of citizenship of the Republic of Kazakhstan.

Should a civil servant acquire the citizenship of another state, they shall be dismissed pursuant to the procedure established in the second part of paragraph 9 of Article 68 hereof;

5) the conversion of the public office held by them into another public office (from a political office to an administrative or elected office; from an administrative office to a political or elected office; or from an elected office to a political or administrative office);

6) the withdrawal of access to state secrets pursuant to the laws of the Republic of Kazakhstan, resulting in dismissal pursuant to the laws of the Republic of Kazakhstan;

7) the disclosure by a civil servant of information constituting state secrets or other secrets protected by the laws of the Republic of Kazakhstan, becoming known to them in the course of their official duties;

8) unsatisfactory results of a performance appraisal of a civil servant as required by this Law;

9) waiver of rotation, subject to fulfilment of the requirements laid down by the legislation of the Republic of Kazakhstan governing the civil service;

10) a civil servant's absence from work due to temporary incapacity for work, resulting in dismissal hereunder;

11) failure to satisfy the requirements set forth herein when holding public office;

12) absence from work without valid reason for three or more consecutive hours in a single working day;

13) absence from work due to the imposition of administrative detention or community service as established by the laws of the Republic of Kazakhstan;

14) a court conviction becoming final;

15) the discontinuation of criminal proceedings based on sub-paragraphs 3), 4), 9), 10) and 12) of Part 1 of Article 35 or Article 36 of the Code of Criminal Procedure of the Republic of Kazakhstan;

16) the commission of an administrative offence relating to corruption, with the exclusion of cases where a civil servant is being held administratively liable for the first time for employing a person who has failed to submit a declaration of assets and liabilities;

17) committing a disciplinary offence that brings the civil service into disrepute, resulting in dismissal from service under the laws of the Republic of Kazakhstan;

18) the appointment to public office of citizens of the Republic of Kazakhstan referred to in sub-paragraphs 7), 8), 9), 10), 11), 12), 13), 14), 15), 16), 17) and 18) of the first part of paragraph 2, and paragraph 3 of Article 21 of this Law;

19) failure to observe restrictions laid down by the laws of the Republic of Kazakhstan, resulting in dismissal under the laws of the Republic of Kazakhstan;

20) the imposition of a disciplinary sanction in the form of dismissal for failure to fulfil the duties laid down by the laws of the Republic of Kazakhstan;

21) failure to disclose or the deliberate misrepresentation of information upon entry into the civil service, which could have constituted grounds for refusal of appointment to the civil service;

- 22) disclosure of knowingly false information regarding income and property owned by the said person;
- 23) failure to transfer to trust management property the use of which generates income, unless otherwise stipulated by the laws of the Republic of Kazakhstan;
- 24) failure to take measures to cease business activities and/or dispose of property, as stipulated in the second part of paragraph 5 of Article 14 hereunder;
- 25) being at work whilst under the influence of alcohol, drugs or toxic substances, including in cases where substances (or their equivalents) that induce a state of intoxication from alcohol, drugs or toxic substances are consumed during the working day;
- 26) refusing to undergo a health examination to establish whether substances causing a state of intoxication from alcohol, drugs or toxic substances have been consumed;
- 27) a discrepancy between a civil servant's expenditure and their income, resulting in dismissal pursuant to the Law of the Republic of Kazakhstan "On Combating Corruption";
- 28) other grounds specified in this Law and other laws of the Republic of Kazakhstan.
4. In addition to the cases referred to in paragraph 3 of this Article, the grounds for the termination of a political civil servant's term of office shall also include:
- 1) the acceptance of a resignation based on a written personal statement by the political civil servant resigning from office;
 - 2) the adoption of the relevant decision by the official (authority) empowered to appoint a political civil servant to office and to remove them from office;
 - 3) moving to another job;
 - 4) loss of trust.
- Political civil servants appointed by the President of the Republic of Kazakhstan may be dismissed by decision of the President of the Republic of Kazakhstan on the grounds of a loss of confidence due to failure to perform, or improper performance of, their official duties.
5. Except for the cases specified in paragraph 3 of this Article, the grounds for terminating the powers of an elected civil servant shall also involve:
- 1) acceptance of resignation based on a written personal statement from the elected civil servant declaring their resignation;
 - 2) registration of the newly elected civil servant by the local electoral commission;
 - 3) being on social vacation, on a training course, or other circumstances proving that the elected civil servant will be absent from work for more than three consecutive months;
 - 4) a decision by the local representative body of a district or city of regional significance to terminate the powers of an elected civil servant following the imposition of a disciplinary sanction in the form of a finding that they are unsuitable for the position they hold;
 - 5) the adoption by a senior official of a motion of no confidence in an elected civil servant, as expressed by a local representative body of a district or city of regional significance.

Upon the termination of the powers of an elected civil servant, the relevant local electoral commission shall adopt a decision confirming that the person in question has ceased to hold the powers of an elected civil servant.

6. In addition to the cases listed in paragraph 3 of this Article, the grounds for the dismissal of an administrative civil servant shall also constitute:

1) the expiry of the term of the employment contract as stipulated by the legislation of the Republic of Kazakhstan governing the civil service;

2) the annulment of the results of a competitive selection process or of the appointment decision for a civil service position;

3) a negative performance appraisal.

Grounds for the dismissal of an “A” Corps administrative civil servant shall also comprise a decision by the official (or body) authorised to appoint an “A” Corps administrative civil servant to a position and to remove them from office, adopted based on the recommendations of the authorised commission.

Upon expiry of the secondment period, staff of specialised public authorities, law enforcement agencies and the State Courier Service, as well as military personnel holding military positions, shall be recalled by the sending public authority or dismissed pursuant to the laws of the Republic of Kazakhstan.

7. A change in political civil servants or heads of public authorities who are administrative civil servants shall not serve as grounds for the termination of civil service by administrative civil servants in Corps “B” at the initiative of those persons.

8. Civil servants dismissed as per sub-paragraphs 14), 15), 16), 17), 18), 19), 20), 21), 22), 23), 24), 25), 26) and 27) of paragraph 3, sub-paragraph 4) of the first part of paragraph 4, and sub-paragraphs 4) and 5) of the first part of paragraph 5 of this Article, shall be deemed to have been dismissed (their powers having ceased) on negative grounds.

Article 68. Procedure and conditions for the dismissal (termination of office) of a civil servant

1. The decision to terminate civil service or to dismiss (remove from office) a civil servant shall be implemented by the official (authority) empowered to appoint the civil servant to office and to remove them from office, or by an official (authority) empowered by that official (authority).

2. Termination of civil service shall take place due to circumstances beyond the control of the parties, in the cases referred to in sub-paragraphs 2), 3) and 4) of paragraph 1 of Article 67 hereof.

The date of termination of civil service on the grounds specified above shall be the date of the civil servant’s death; the date of a court decision, which has become final, declaring the civil servant missing, legally incapacitated or of limited legal capacity; or the date of a decision to reinstate a citizen of the Republic of Kazakhstan who previously held a public office to the civil service.

3. Termination of civil service in the circumstances referred to in sub-paragraph 5) of paragraph 1 of Article 67 hereof shall be effected upon notification (application) of the decision to take up employment by a senior civil servant holding a public office. The notification (application) shall be addressed to the person referred to in paragraph 1 of this Article.

It shall not be required to issue a notice of termination of civil service to a civil servant who has temporarily filled a vacant civil service position during the absence of the permanent holder of that position.

4. Civil service shall be terminated in the circumstances set out in sub-paragraph 6) of paragraph 1 of Article 67 hereof upon notification (application) by the civil servant or upon the act of election (appointment) to another position.

A notification shall be addressed to the person mentioned in paragraph 1 of this Article.

Failure to send a notification and a certificate of election or appointment to another position shall not constitute grounds for refusing to grant resignation (termination of office).

5. State service shall be discontinued in the instances indicated in sub-paragraphs 7) and 8) of paragraph 1 of Article 67 hereof based on a decision to abolish (wind up) a public authority or to reduce the staffing level of a public authority.

A civil servant shall be notified of the abolition (winding up) of a public authority or a reduction in the authorised strength of a public authority at least one month prior to the date of termination of civil service.

The notification shall be made by the person specified in paragraph 1 of this Article.

With the written consent of the civil servant, termination of civil service may take place prior to the expiry of the notification period.

Where a civil servant declines a proposed civil service position, in the circumstances described herein, their civil service shall be terminated prior to the expiry of the notification period.

Termination of civil service shall be permitted upon the civil servant's written resignation or the existence of a document certifying that the civil servant has declined to submit a written resignation.

6. The dismissal (termination of office) of a civil servant in the circumstances referred to in sub-paragraph 1) of paragraph 3 of Article 67 hereof shall take place upon notification (application) by the civil servant at least one month prior to the date of dismissal (termination of office) at their own request. The notice (statement) shall be sent to the person specified in paragraph 1 of this Article.

By mutual agreement between the parties, dismissal (termination of office) may take place prior to the expiry of the notification period (application).

A notification (application) may be withdrawn by a civil servant within the period covered by the notification (application).

Once the notification (notice) period has expired, a civil servant shall be entitled to cease work, with the exclusion of cases where disciplinary proceedings are being brought against the civil servant, or where the handover of state property (documentation) by a civil servant who is a person with financial responsibility has not been completed.

The date of dismissal shall be the date of completion of the handover of state property (documentation) and the date when the decision on disciplinary action against the civil servant is taken. The date of dismissal may not be later than two months from the date on which the civil servant files a notification (application) of dismissal (termination of office) of their own volition.

7. The dismissal (termination of office) of a civil servant in the circumstances referred to in sub-paragraph 2) of paragraph 3 of Article 67 hereof shall be effected on the next working day following the date of expiry of their term of office.

It shall not be required to notify a civil servant of their dismissal (termination of office).

8. The dismissal (termination of office) of a civil servant in the circumstances described in sub-paragraph 3) of paragraph 3 of Article 67 hereof shall become effective on the next working day following the day on which the civil servant reaches the retirement age established by the Social Code of the Republic of Kazakhstan.

A civil servant shall be given at least one month's notification of their dismissal. The notification shall be issued by the person designated in paragraph 1 of this Article.

The provisions of this paragraph shall not apply to political civil servants.

9. The dismissal (termination of office) of a civil servant in the circumstances referred to in the first part of sub-paragraph 4) of paragraph 3 of Article 67 hereof shall be effected based on supporting evidence of the loss, deprivation or renunciation of citizenship of the Republic of Kazakhstan and an official memorandum addressed to the person indicated in paragraph 1 of this Article by the relevant official of the public authority following review of this information.

The dismissal (termination of office) of a civil servant in the circumstances referred to in the second part of sub-paragraph 4) of paragraph 3 of Article 67 hereof shall be effected upon the receipt of information confirming that the civil servant holds foreign citizenship, and a memorandum issued to the person specified in paragraph 1 of this Article by the relevant official of the public authority following review of this information, unless there is evidence confirming that the civil servant has submitted an application for the termination of their foreign citizenship.

It shall not be required to notify a civil servant of their dismissal (termination of office).

10. The dismissal (termination of office) of a civil servant in the circumstances referred to in sub-paragraph 5) of paragraph 3 of Article 67 hereof shall be effected based on a decision to convert the civil service position into another civil service position.

A civil servant shall be given at least one month's notification prior to the date of dismissal. The notification shall be sent by the person designated in paragraph 1 of this Article.

With the civil servant's written consent, dismissal may take place prior to the expiry of the notification period.

In instances stipulated herein, where a civil servant declines a position offered to them, their dismissal (termination of office) shall take place prior to the expiry of the notification period.

Dismissal (termination of office) shall be permitted upon the written resignation of the civil servant or the existence of a document certifying that the civil servant has declined to resign in writing.

11. The dismissal (termination of office) of a civil servant in the circumstances described in sub-paragraph 6) of paragraph 3 of Article 67 hereof shall be effected based on a decision to revoke access to state secrets pursuant to Article 31 of the Law of the Republic of Kazakhstan "On State Secrets".

It shall not be mandatory to notify a civil servant of their dismissal (termination of office).

12. The dismissal (termination of office) of a civil servant in the circumstances set out in sub-paragraph 7) of paragraph 3 of Article 67 hereof shall be effected upon the basis of information concerning the disclosure of information and a memorandum issued to the person referred to in paragraph 1 of this Article by the relevant official of the public authority following consideration of such information.

It shall not be required to notify a civil servant of their dismissal (termination of office).

13. The dismissal (termination of office) of a civil servant in the circumstances referred to in sub-paragraph 8) of paragraph 3 of Article 67 hereof shall be effected by virtue of a decision finding the civil servant's performance to be unsatisfactory.

It shall not be required to notify a civil servant of their dismissal (termination of office).

14. The dismissal (termination of office) of a civil servant in the circumstances described in sub-paragraph 9) of paragraph 3 of Article 67 hereof shall occur based on the civil servant's refusal to undergo rotation.

It shall not be mandatory to notify a civil servant of their dismissal (termination of office).

Dismissal (termination of office) shall be permitted upon the civil servant's written resignation or the existence of a document certifying that the civil servant has declined to resign in writing.

15. The dismissal (termination of office) of a civil servant in the circumstances referred to in sub-paragraph 10) of paragraph 3 of Article 67 hereof shall be effected based on information regarding temporary incapacity for work and a memorandum entered by the relevant official of the public authority in respect of the person specified in paragraph 1 of this Article, following consideration of such information.

It shall not be obligatory to notify a civil servant of their dismissal (termination of office).

Dismissal (termination of office) may be effected if a civil servant fails to provide a certificate of temporary incapacity for work or information regarding the reasons for their absence within ten calendar days of the date on which the report of absence was sent to the civil servant by registered post with acknowledgement of receipt, or in the event of dismissal from public office as a result of cases of temporary incapacity for work specified in Article 53 hereof.

16. The dismissal (termination of office) of a civil servant in the circumstances set out in sub-paragraph 11) of paragraph 3 of Article 67 hereof shall be effected on the basis of evidence of non-compliance with the requirements for holding public office and a memorandum issued to the person referred to in paragraph 1 of this Article by the relevant official of the public authority following consideration of such evidence.

It shall not be mandatory to notify a civil servant of their dismissal (termination of office).

17. The dismissal (termination of office) of a civil servant in the cases referred to in sub-paragraph 12) of paragraph 3 of Article 67 hereof shall be made pursuant to the procedure for imposing disciplinary sanctions.

Dismissal (termination of office) shall be permitted if a civil servant fails to disclose the reasons for their absence within ten calendar days of the date on which the report on their absence is sent to them by registered post with acknowledgement of receipt.

18. The dismissal (termination of office) of a civil servant in the cases listed in sub-paragraphs 13), 14), 15) and 16) of paragraph 3 of Article 67 hereof shall be effected based on information regarding the issuance of a court ruling or judgement, the discontinuation of criminal proceedings, the commission of an administrative corruption offence, and a memorandum addressed to the person specified in paragraph 1 of this Article by the relevant official of a public authority following consideration of this information.

It shall not be mandatory to notify a civil servant of their dismissal (termination of office).

19. The dismissal (termination of office) of a civil servant in the circumstances referred to in sub-paragraph 17) of paragraph 3 of Article 67 hereof shall be effected in compliance with the procedure for imposing disciplinary sanctions.

It shall not be mandatory to notify a civil servant of their dismissal (termination of office).

20. The dismissal (termination of office) of a civil servant in the circumstances described in sub-paragraph 18) of paragraph 3 of Article 67 hereof shall be effected by virtue of the data on the person's appointment to a public office and a memorandum addressed to the person specified in paragraph 1 of this Article by the relevant official of the public authority following consideration of such data.

It shall not be required to notify a civil servant of their dismissal (termination of office).

21. The dismissal (termination of office) of a civil servant in the circumstances referred to in sub-paragraph 19) of paragraph 3 of Article 67 hereof shall be effected upon the basis of

evidence of non-compliance with restrictions and a memorandum addressed to the person specified in paragraph 1 of this Article by the relevant official of the public authority following consideration of such evidence.

It shall not be required to notify a civil servant of their dismissal (termination of office).

22. The dismissal (termination of office) of a civil servant in the circumstances set out in sub-paragraph 20) of paragraph 3 of Article 67 hereof shall be effected by following the procedure for imposing disciplinary sanctions.

It shall not be required to notify a civil servant of their dismissal (termination of office).

23. The dismissal (termination of office) of a civil servant in the circumstances referred to in sub-paragraph 21) of paragraph 3 of Article 67 hereof shall be effected pursuant to information concerning the failure to provide or the deliberate misrepresentation of information, and a memorandum addressed to the person indicated in paragraph 1 of this Article by the relevant official of the public authority following examination of such information.

It shall not be required to notify a civil servant of their dismissal (termination of office).

24. The dismissal (termination of office) of a civil servant in the circumstances referred to in sub-paragraph 22) of paragraph 3 of Article 67 hereof shall be effected on grounds of information concerning the submission of knowingly false details regarding income and assets, and a memorandum addressed to the person referred to in paragraph 1 of this Article by the relevant official of the public authority following consideration of such information.

It shall not be required to notify a civil servant of their dismissal (termination of office).

25. The dismissal (termination of office) of a civil servant in the circumstances referred to in sub-paragraph 23) of paragraph 3 of Article 67 hereof shall be effected based on information regarding the failure to transfer property to a trust management arrangement and a memorandum issued to the person specified in paragraph 1 of this Article by the relevant official of the public authority following examination of such information.

It shall not be required to notify a civil servant of their dismissal (termination of office).

26. The dismissal (termination of office) of a civil servant in the circumstances referred to in sub-paragraph 24) of paragraph 3 of Article 67 hereof shall be effected upon receipt of information that no measures have been taken to cease business activities and/or dispose of property, as required by the second part of paragraph 5 of Article 14 hereof, and a memorandum issued to the person referred to in paragraph 1 of this Article by the relevant official of the public authority following consideration of that information.

It shall not be required to notify a civil servant of their dismissal (termination of office).

27. The dismissal (termination of office) of a civil servant in the circumstances specified in sub-paragraph 25) of paragraph 3 of Article 67 hereof shall be effected in conformity with the procedure for imposing disciplinary sanctions.

It shall not be required to notify a civil servant of their dismissal (termination of office).

28. The dismissal (termination of office) of a civil servant in the circumstances set out in sub-paragraph 26) of paragraph 3 of Article 67 hereof shall be made pursuant to the procedure for imposing disciplinary sanctions.

It shall not be required to notify a civil servant of their dismissal (termination of office).

29. The dismissal (termination of office) of a civil servant in the circumstances referred to in sub-paragraph 27) of paragraph 3 of Article 67 hereof shall be effected based on information regarding the civil servant's expenditure being inconsistent with their income and a memorandum issued to the person specified in paragraph 1 of this Article by the relevant official of the public authority following consideration of such information.

It shall not be required to notify a civil servant of their dismissal (termination of office).

30. The dismissal (termination of office) of a civil servant in the case mentioned in sub-paragraph 1) of the first part of paragraph 6 of Article 67 hereof shall take effect from the next working day following the expiry of the employment contract.

It shall not be required to notify a civil servant of their dismissal (termination of office).

31. The dismissal (termination of office) of a civil servant in the circumstances referred to in sub-paragraph 2) of the first part of paragraph 6 of Article 67 hereof shall be effected by virtue of a decision to annul the results of the competition and the instrument of appointment to an administrative civil service position.

It shall not be required to notify a civil servant of their dismissal (termination of office).

32. The dismissal (termination of office) of a civil servant in the circumstances specified in sub-paragraph 3) of the first part of paragraph 6 of Article 67 hereof shall be decided by the appraisal committee.

It shall not be required to notify a civil servant of their dismissal (termination of office).

33. A civil servant may not be dismissed (or have their term of office terminated) whilst they are temporarily unfit for work (including during pregnancy and maternity leave) or whilst on vacation, unless in the cases set out in sub-paragraphs 1), 2), 3), 4), 5), 6), 14), 15) and 16) of paragraph 3, and paragraphs 4, 5 and 6 of Article 67 hereunder.

Article 69. Resignation of political civil servants

1. Political civil servants shall be appointed and resign on the grounds and pursuant to the procedure laid down in the Constitution of the Republic of Kazakhstan, this Law, the laws of the Republic of Kazakhstan and other legislation of the Republic of Kazakhstan.

A political civil servant shall be entitled to notify the public authority or official who appointed them to a political civil service position of their resignation if they consider it impossible to continue performing the duties entrusted to them.

The acceptance of a resignation shall lead to the termination of the powers of political civil servants.

Unless the grounds for dismissal are specified by the legislation of the Republic of Kazakhstan, political civil servants shall be dismissed on the general grounds set forth herein or in the labour legislation of the Republic of Kazakhstan.

2. The resignation shall be accepted, or a reasoned refusal to accept it shall be issued, by the public authority or official who appointed the political civil servant to that public office.

A decision to accept or reject a resignation shall be taken within ten calendar days of the date on which the written application is filed.

If a resignation is not accepted, a political civil servant must continue to perform their official duties and shall retain the right to be dismissed.

If a resignation is refused, a political civil servant may be subject to disciplinary action pursuant to the laws of the Republic of Kazakhstan, following a decision by the official (or authority) who refused the resignation.

3. The political civil servants listed in this paragraph shall resign if, within three months of the date of their appointment, a corruption offence is committed:

1) by the head of a central governmental body – for a corruption offence committed by their deputy, a political civil servant directly subordinate to them, the head of the administrative office, or the head of a territorial division of the central governmental body (in the capital, regions, or cities of national importance);

2) by the deputy head of a central government body – for a corruption offence committed by the head of a department, the head of an independent organisational unit or the head of a subordinate organisation – where he or she oversees their activities;

3) by the akim of the capital, a region or a city of national importance – for a corruption offence committed by their deputy, a political civil servant directly subordinate to them, the head of the administrative office, or the akim of a district (a city of regional importance) or a district within a city;

4) a deputy akim of the capital, a region or a city of national importance – for a corruption offence committed by the head of an executive body funded from the local budget or by the head of a subordinate organisation, where the deputy akim oversees their activities;

5) the akim of a district (city of regional significance) or a district within a city – for the commission of a corruption offence by their deputy, the head of the akim's administrative office, the head of an executive body funded from the local budget, or the head of a subordinate organisation.

4. Political civil servants mentioned in paragraph 3 of this Article shall also be required to resign if a corruption offence is committed by subordinates recruited after their appointment, who had previously been under their supervision in another public authority or organisation within the last three years.

5. Political civil servants shall resign on the grounds and pursuant to the procedure set out in paragraphs 3 and 4 of this Article within ten calendar days of a court's conviction becoming final, or of the criminal case being discontinued by a criminal prosecution authority or a court based on paragraphs 3), 4), 9), 10), 11) and 12) of Part One of Article 35 or Article 36 of the Code of Criminal Procedure of the Republic of Kazakhstan.

6. Should the resignation be refused, a political civil servant shall be subject to disciplinary action as established by the legislation of the Republic of Kazakhstan, where any of the following grounds apply during the period of their service:

- 1) the commission of a corruption offence on a large or particularly large scale by a subordinate civil servant or by the head of a subordinate organisation under their supervision;
- 2) the commission of a corruption offence, where it is committed on multiple occasions by a subordinate civil servant or by the head of a subordinate organisation under their supervision;
- 3) the commission of a corruption offence by two or more subordinate civil servants or by heads of subordinate organisations under their supervision.

7. The appointment of a political civil servant to another political civil service position shall not exempt them from the obligation to resign on account of a corruption offence committed by their direct subordinates at their previous place of employment while they held office, in the cases referred to in paragraphs 3 and 4 of this Article.

Article 70. Resignation of elected civil servants

1. A resignation shall be recognised as the termination of the performance of duties in the relevant public office by an elected civil servant, effected pursuant to a written application by that civil servant.

2. The local representative body of a district or a city of regional significance shall decide whether to accept the resignation of an elected civil servant or to refuse to accept it, giving reasons for such refusal.

A decision to accept or reject a resignation shall be taken within one month of the date on which the elected civil servant lodges a written resignation.

If a resignation is accepted, a copy of the relevant decision by the local representative body of the district or city of regional significance shall be forwarded to the territorial electoral commission.

Upon refusal to accept a resignation, the elected civil servant shall continue to perform their duties and shall be entitled to resign from office of their own accord as established herein.

3. An elected civil servant shall resign if, within three months of the date of their election, a corruption offence is committed by their deputy, the head of the akim's administrative office, the head of an executive body funded from the local budget, or the head of a subordinate organisation under their supervision.

4. An elected civil servant shall also resign if a subordinate, who was recruited after the civil servant's election and who had previously been under their supervision at another public authority or organisation within the last three years, commits a corruption offence.

5. An elected civil servant shall resign on the grounds and pursuant to the procedure set forth in paragraphs 3 and 4 of this Article, within ten calendar days of a court's conviction becoming final or of the criminal case being discontinued by a criminal prosecution authority

or a court pursuant to paragraphs 3), 4), 9), 10), 11) and 12) of Part One of Article 35 or Article 36 of the Code of Criminal Procedure of the Republic of Kazakhstan.

6. If a resignation is refused, the elected civil servant shall be subject to disciplinary proceedings as established by the legislation of the Republic of Kazakhstan, where any of the following grounds apply during the period of their service:

1) the commission of a corruption offence on a large or particularly large scale by a subordinate civil servant or by the head of a subordinate organisation under their supervision;

2) the commission of a corruption offence, where it is committed on multiple occasions by a subordinate civil servant or by the head of a subordinate organisation under their supervision;

3) the commission of a corruption offence by two or more subordinate civil servants or by heads of subordinate organisations under their supervision.

7. The appointment of an elected civil servant to a political public office shall not exempt them from the obligation to resign on account of a corruption offence committed by their subordinates in the instances set forth in paragraphs 3 and 4 of this Article.

Article 71. Reinstatement in the civil service and/or to a position

1. Reinstatement in the civil service and/or to a position shall be effected by decision of an official (authority) empowered to appoint civil servants, based on a recommendation from the empowered authority or its regional branch to revoke the relevant act of dismissal from the civil service position or demotion of a civil servant, or by a court decision pursuant to the procedure established by the laws of the Republic of Kazakhstan.

A civil servant who has been reinstated to the civil service shall be paid their salary for the entire period of forced absence from work, or the difference in salary for the period during which they performed lower-paid work following an unlawful demotion in their civil service position, but for no more than six months.

Civil servants who have been unlawfully dismissed or unlawfully demoted from a civil service position shall be reinstated in the civil service in their previous position, provided they satisfy the qualification requirements; or, with their consent, in an equivalent position, with all the rights of which they have been deprived as a result of the unlawful dismissal or demotion being restored. This period shall be included in their length of service in the civil service.

2. A person shall be reinstated in the civil service no later than one month from the date of their application, provided that the application has been made within three months of the date on which an acquittal came into force or a decision closing the criminal case on grounds of rehabilitation has been issued.

Civil servants who have been dismissed from a public authority, including as a result of a conviction for a criminal offence, and who have subsequently been rehabilitated and reinstated in public office, shall be compensated for the harm caused by the unlawful actions of the authorities conducting the criminal proceedings during the period of their forced

absence from work, pursuant to the procedure established by the criminal procedure legislation of the Republic of Kazakhstan.

Chapter 10. ORGANISATION OF HUMAN RESOURCES MANAGEMENT IN THE CIVIL SERVICE

Article 72. Organisation of human resource management in the civil service

1. Civil service human resources management shall encompass activities aimed at maintaining stability in the staffing of public authorities, introducing and improving mechanisms for workforce planning, the selection of candidates for the civil service, the professional development of civil servants, and the prevention of offences, with a view to ensuring the efficient performance of the state's functions and objectives consistent with the legislation of the Republic of Kazakhstan.

2. The organisation of human resources management in the civil service shall cover the following areas:

- 1) forecasting and planning the staffing requirements of public authorities, and the selection and recruitment of citizens of the Republic of Kazakhstan into the civil service;
- 2) training, retraining and professional development of civil servants;
- 3) evaluation of civil servants' performance;
- 4) providing civil servants with the guarantees set forth herein and in other laws of the Republic of Kazakhstan;
- 5) preventing and combating offences in the civil service;
- 6) other areas covered herein.

3. The entities responsible for human resources management in the civil service shall consist of:

- 1) the authorised commission and other commissions established by acts of the President of the Republic of Kazakhstan and other regulatory legal acts of the Republic of Kazakhstan, whose activities concern the implementation of human resources policy;
- 2) the designated authority and its regional offices;
- 3) educational organisations under the President of the Republic of Kazakhstan responsible for the training, retraining and professional development of civil servants;
- 4) heads of public authorities, akims, and heads of administrative departments of public authorities;
- 5) human resources departments (HR departments);
- 6) crime prevention services and ethics officials.

The entities in charge of civil service human resources management shall form a system designed to ensure the consistency of civil service personnel policy, as well as the coordination, recruitment and efficient functioning of the civil service workforce.

Article 73. Staff planning

Staff planning shall involve a set of measures aimed at ensuring the systematic analysis and forecasting of public authorities' staffing requirements, and the timely and full recruitment of the required number of civil servants capable of performing their duties efficiently.

Staff recruitment shall be undertaken by the human resources department (personnel department).

The responsible authority shall deliver methodological support on staff recruitment matters.

Article 74. Authorised commission and other commissions

1. A specially authorised commission shall be established to review issues regarding the recruitment of citizens of the Republic of Kazakhstan into the civil service, their service within it and their departure from it, as well as the recruitment of foreign workers into public authorities.

The regulations and composition of the authorised commission shall be established by the President of the Republic of Kazakhstan.

2. The National Commission for the Youth Personnel Reserve shall be established for the purpose of forming the Presidential Youth Personnel Reserve; its regulations and composition shall be established by the President of the Republic of Kazakhstan.

3. Personnel commissions in the capital, regions and cities of national importance shall be established to implement the decisions of the authorised commission, to draw up proposals on the formulation of personnel policy, and to coordinate work on the creation of a regional youth personnel reserve.

The standard regulations and standard composition of the personnel commissions of the capital, the regions and cities of national importance shall be approved by the President of the Republic of Kazakhstan.

4. By decision of the President of the Republic of Kazakhstan, other commissions may be established to implement activities relating to the implementation of personnel policy.

Article 75. Competent authority

1. The unified system of civil service authorities shall be formed by a competent authority, its regional branches and the organisations falling within the jurisdiction of the competent authority.

The territorial divisions of a competent authority shall exercise their functions within the limits of the powers established by the competent authority pursuant to the legislation of the Republic of Kazakhstan.

2. A competent authority shall:

1) draft and adopt regulatory legal acts of the Republic of Kazakhstan in the field of the civil service consistent with the purpose and objectives hereof and the legislation of the Republic of Kazakhstan;

2) develop proposals for improving the legislation of the Republic of Kazakhstan in the field of the civil service; accepts regulatory legal acts within the limits of its competence as established by the legislation of the Republic of Kazakhstan;

3) coordinate and exercise methodological oversight of the activities of personnel management departments (human resources departments);

4) coordinate and exercise methodological oversight of the activities of the ethics official and the departments charged with the prevention of offences;

5) coordinate the activities of public authorities on issues relating to the training, retraining and professional development of civil servants, including abroad;

6) coordinate the formulation and allocation of the state education budget for the training, retraining and professional development of civil servants;

7) coordinate the activities of public authorities regarding the organisation of internships for civil servants;

8) coordinate draft regulatory legal acts pertaining to the remuneration of administrative and political civil servants, and to the staffing limits of public authorities, their regional bodies and the public institutions under their jurisdiction;

9) monitor the staffing situation of political, elected and administrative civil servants, political, elected and administrative public offices, as well as staff at organisations under its jurisdiction, including ensuring the operation of the state digital personnel system;

10) monitor personnel record-keeping in state-owned legal entities and organisations in the quasi-public sector;

11) monitor the staffing situation of contract staff in public authorities;

12) participate in the drafting of international treaties on civil service issues;

13) examine complaints from natural persons and legal entities against actions (or omissions) and decisions of public authorities or public officials concerning breaches of the legislation of the Republic of Kazakhstan in the field of the civil service, as well as compliance with professional ethics;

14) exercise state oversight, as required by the legislation of the Republic of Kazakhstan, over compliance by public authorities with the legislation of the Republic of Kazakhstan in the field of the civil service, and over the quality of public services delivered;

15) monitor compliance with working hours by public authorities;

16) submit proposals to officials and public authorities to revoke their decisions adopted in violation thereof and of other regulatory legal acts of the Republic of Kazakhstan;

17) lodge with public authorities and officials, within the limits of its remit, recommendations, which must be reviewed, regarding the rectification of breaches identified as a result of civil service inspections, as required by the legislation of the Republic of Kazakhstan;

18) monitors and analyses issues relating to the reduction of bureaucracy in the activities of public authorities, state-owned legal entities and entities in the quasi-public sector;

19) prepares the National Report on the State of the Civil Service in the Republic of Kazakhstan within the timeframe and procedures specified by the President of the Republic of Kazakhstan;

20) draws up a list of priority areas for the training of specialists for entry-level positions within the framework of the educational grant, in consultation with the competent authority in the field of science and higher education;

21) performs other functions as prescribed herein and in other regulatory legal acts of the Republic of Kazakhstan.

3. A competent authority shall have an ethics commission, as well as ethics councils in the capital, the regions and cities of national importance; the regulations governing these bodies shall be approved by the President of the Republic of Kazakhstan upon the recommendation of the competent authority.

4. Decisions made by the competent authority and its regional offices shall be issued in the form of orders.

Article 76. Heads of public authorities, akims, and heads of administrative offices

1. Public authorities shall be headed by officials who are appointed to and removed from office by virtue of the legislation of the Republic of Kazakhstan.

The powers of the heads of public authorities shall be governed by the laws of the Republic of Kazakhstan and other statutory instruments of the Republic of Kazakhstan, as well as by the regulations governing public authorities.

2. Unless otherwise established by the legislation of the Republic of Kazakhstan, the heads of central government bodies shall appoint and remove from office:

- 1) deputy heads and heads of administrative departments of central government bodies;
- 2) heads of departments within central government bodies;
- 3) heads of regional branches of central government bodies (in the capital, regions and cities of national importance);
- 4) heads of subordinate organisations of central government bodies.

3. The administrative offices of central government bodies shall be managed by their heads.

In compliance with the procedure established by the laws of the Republic of Kazakhstan, the heads of the administrative offices of central government bodies shall appoint and dismiss civil servants within the administrative office of a central government body, excluding civil servants whose employment matters, pursuant to the laws of the Republic of Kazakhstan, fall within the remit of higher-ranking officials (authorities).

Other powers of the heads of the administrative offices of central government bodies shall be established by the heads of those central government bodies, the regulations governing central government bodies, and the legislation of the Republic of Kazakhstan.

To perform the duties assigned to them, the head of the administrative office shall be entitled to issue legal acts of individual application.

4. In line with the procedure established by the legislation of the Republic of Kazakhstan, the heads of departments within central government bodies shall appoint and remove from office:

- 1) deputy heads of departments within central government bodies;
- 2) civil servants in departments within central government bodies;
- 3) heads of regional branches of central government departments (in the capital, regions and cities of national importance);
- 4) heads of organisations under the jurisdiction of central government bodies.

5. The heads of the territorial departments of central government bodies and their agencies (in the capital, regions and cities of national importance) shall appoint and remove officials from office as established by the legislation of the Republic of Kazakhstan:

- 1) deputy heads of territory-based divisions of central government bodies and their departments;
- 2) civil servants in the territory-based divisions of central government bodies and their departments (in the capital, regions and cities of national importance);
- 3) heads of territorial divisions (in districts and cities of regional significance).

6. Akims shall head akimats pursuant to the Law of the Republic of Kazakhstan “On Local State Administration and Self-Government in the Republic of Kazakhstan”.

The powers of akims shall be governed by the laws of the Republic of Kazakhstan and other statutory instruments of the Republic of Kazakhstan.

In keeping with the procedure laid down by the legislation of the Republic of Kazakhstan, akims shall appoint and remove from office:

- 1) deputy akims, akims at lower levels (excluding elected civil servants) and heads of administrative offices;
- 2) heads of executive bodies funded from the local budget;
- 3) heads of subordinate organisations.

7. The powers of the heads of the akims’ administrative offices shall be established by the Law of the Republic of Kazakhstan “On Local State Administration and Self-Government in the Republic of Kazakhstan”.

8. In the manner prescribed by the legislation of the Republic of Kazakhstan, the heads of executive bodies funded from the local budget shall appoint and remove from office:

- 1) deputy heads of executive bodies funded from the local budget;
- 2) civil servants in executive bodies funded from the local budget;
- 3) heads of subordinate organisations.

9. The heads of administrative offices that are public authorities shall appoint and dismiss civil servants within those offices as established by the legislation of the Republic of Kazakhstan, excluding civil servants whose employment matters, in accordance with the laws of the Republic of Kazakhstan, fall within the remit of higher-ranking officials (authorities).

Other powers of the heads of administrative offices that are public authorities shall be governed by the regulations on public authorities and the legislation of the Republic of Kazakhstan.

To perform the duties assigned to them, the heads of administrative offices, which are public authorities, shall be entitled to adopt legal acts of individual application.

10. Heads of administrative offices that do not hold political public office must not be assigned the duties of political civil servants, nor must political civil servants be assigned the duties of heads of administrative offices.

11. Heads of public authorities, akims and heads of administrative offices shall bear personal responsibility for the organisation of human resources management within the civil service.

Article 77. Personnel management department (human resources department)

1. Within the scope of its remit, the personnel management department (human resources department) shall:

1) coordinate the activities of the structural units of the public authority in implementing the legislation of the Republic of Kazakhstan in the field of the civil service;

2) organise the work of committees on personnel matters;

3) ensure compliance with procedures for the performance appraisal of civil servants, competitive selection, promotion of civil servants, and the dismissal (termination of office) of civil servants;

4) organise the selection of candidates, processes documents associated with civil servants' careers in the civil service, and maintains records of civil servants' personal data, information on the results of their performance appraisals and training, including within the national digital human resources system;

5) organise the recruitment of contract staff and the process of entering into, terminating and amending their contracts;

6) ensure compliance with restrictions associated with holding public office;

7) organise internships, mentoring, job rotation, performance appraisals, training, retraining and professional development for civil servants in line with the established timelines, and draws up procedures for the award of incentives to civil servants;

8) implement personnel planning, as well as liaising with educational institutions on issues of early career guidance and staff training as prescribed by the competent authority;

9) exercise other powers established by the legislation of the Republic of Kazakhstan.

2. The personnel management department (human resources department) shall be organisationally independent of other structural units of the public authority; it shall report directly to the head of the administrative office, or, in a public authority responsible for foreign policy or where the position of head of the administrative office has not been established, to the head of the public authority.

3. The personnel management department (human resources department) shall be managed by the head of the personnel management department (human resources department), who shall be responsible for organising the department's work and ensuring compliance with the requirements governing personnel management set forth herein, in acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan, and in the regulatory legal acts of the competent authority.

The head of the personnel management department (human resources department) must hold a certificate in human resources management or a qualification in human resources management.

4. In the capital, regions, cities of national importance, districts and cities of regional importance, a unified human resources management service (personnel service) may be established, as required by the legislation of the Republic of Kazakhstan governing the civil service, for executive bodies funded from the local budgets of the relevant administrative-territorial units.

A unified human resources management service (personnel service) for the capital, regions, cities of national importance, districts and cities of regional importance within executive bodies funded from local budgets shall be established by decision of the official (or authority) empowered to appoint the heads of those executive bodies.

5. By decision of the head of a central government body, a unified personnel management service (human resources department) may be established for that central government body, its departments and its regional offices.

By decision of the head of a central government body, a unified personnel management service (human resources department) may be established for that central government body and its regional branches.

For the territorial divisions of a central government body and its departments, as well as for districts and cities of regional significance, it shall be possible to establish a unified personnel management service (human resources department) within an inter-regional or regional territorial division of the central government body and its departments. A unified personnel management service (human resources department) for the territorial divisions of districts and cities of regional significance shall be established by decision of the head of the inter-regional or regional territorial division of a central government body and its department, or of a higher-level authority.

6. The standard regulations governing the personnel management department (human resources department) and the rules for organising the activities of the personnel management department (human resources department) shall be approved by the competent authority.

Article 78. Service for the prevention of offences. Ethics official

1. A service for the prevention of offences shall be established within public authorities, with a staff of at least one hundred and twenty full-time employees, for the purpose of coordinating the activities of the public authority's organisational units in ensuring

observance of the legislation of the Republic of Kazakhstan in the field of the civil service and in combating corruption.

2. A service for the prevention of offences shall:

- 1) organise the work of the disciplinary committee;
- 2) ensure compliance with procedures for conducting internal investigations and holding civil servants accountable under disciplinary law;
- 3) supervise and monitor civil servants' compliance with professional ethics, including on social media;
- 4) promote civil servants' observance of the restrictions and prohibitions laid down by the laws of the Republic of Kazakhstan;
- 5) represent and protect the interests of civil servants in court in cases of unlawful interference in their professional activities, unfounded accusations, persecution and other unlawful acts committed against them related to the performance of their official duties;
- 6) analyse the practice of examining the liability of civil servants;
- 7) makes proposals for bringing civil servants to account;
- 8) ensure that legal measures are adopted that are not related to disciplinary sanctions;
- 9) monitor the observance of working hours within the public authority;
- 10) review complaints from natural persons and legal entities relating to the actions (or inaction) of officials concerning breaches of the legislation of the Republic of Kazakhstan in the field of the civil service and compliance with professional ethics;
- 11) ensure that measures are taken to prevent corruption;
- 12) exercise internal control over the quality of public services;
- 13) supervise the activities of organisations under the jurisdiction of the public body and coordinates the activities of compliance services;
- 14) take measures to enhance the legal awareness of civil servants, foster a corporate culture and develop a positive moral and psychological climate within the public authority;
- 15) exercise other powers established by the legislation of the Republic of Kazakhstan.

3. The service for the prevention of offences shall be entitled to access the information and materials required to fulfil its functions, within the limits established by the legislation of the Republic of Kazakhstan.

4. The service for the prevention of offences shall be organisationally independent of other structural units of the public authority and shall report directly to the head of the public authority.

5. The service for the prevention of offences of central government bodies, which have departments, regional offices and overseas missions, as well as the administrative offices of the akims of the capital, regions and cities of national importance, shall be headed by the ethics official.

The service for the prevention of offences within public authorities that do not have departments, territorial divisions of departments, territorial divisions of central public

authorities, territorial divisions of departments of central public authorities, overseas missions, audit commissions, and the administrative offices of akims of cities of regional significance, districts, and districts within cities, and the administrative offices of maslikhats shall be supervised by the head of the crime prevention service.

The standard regulations governing the crime prevention service and the procedures for organising the activities of the crime prevention service shall be approved by the competent authority.

6. By decision of the head of a central government body, a unified service for the prevention of offences may be established within that central government body, its departments and its regional offices.

By decision of the head of the department of a central government body, a unified service for the prevention of offences may be established within that central government body and its territorial divisions.

For district and city (of national importance) territorial units of a central government body and its departments, it shall be possible to establish a unified service for the prevention of offences within an inter-regional or regional territorial unit of that central government body and its departments. A unified service for the prevention of offences within the territorial divisions of districts and cities of regional significance shall be established by decision of the head of the inter-regional or regional territorial division of a central government body and its department, or a higher-level authority.

In the capital, the regions, cities of national importance, districts and cities of regional significance, a unified crime prevention service shall be established for executive bodies funded from the local budgets of the relevant administrative-territorial units, by decision of the official (or authority) empowered to appoint the heads of these executive bodies, pursuant to the procedure laid down by the legislation of the Republic of Kazakhstan governing the civil service.

7. The ethics official shall ensure observance of professional ethics and prevent breaches of the legislation of the Republic of Kazakhstan regarding civil service and the fight against corruption, as stipulated in the Regulations on the Ethics Official.

Recommendations and proposals made by the ethics official must be reviewed by the civil servants to whom they are addressed.

8. The coordination, methodological support and evaluation of the activities of ethics officials shall be performed by the designated authority.

Where appropriate, the designating authority may refer to the relevant public authority a recommendation to relieve an ethics official of their position.

9. The regulations governing the ethics official shall be approved by the President of the Republic of Kazakhstan upon the recommendation of the competent authority.

10. A seconded civil servant from the competent authority shall be appointed to the position of ethics official in consultation with the head of the public authority.

A seconded civil servant appointed to the position of ethics official shall retain their status as a representative of the competent authority.

Where it is not possible to second a civil servant to the position of ethics official, other civil servants from the relevant public authority may be appointed to that position, subject to agreement with the competent authority.

The position of ethics official shall be filled without a competitive selection process.

11. Salaries and other payments stipulated by the legislation of the Republic of Kazakhstan governing the civil service, for a seconded civil servant holding the position of ethics official, shall be paid from the funds of the relevant public authority to which they are seconded.

12. The disciplinary liability of the ethics official shall be reviewed by the competent authority based on information regarding a disciplinary offence committed by that official, which has been forwarded by the relevant public authority for the purpose of reaching an appropriate decision.

13. A civil servant seconded to the position of ethics official may be recalled by the competent authority and subsequently appointed to a position not lower than the one they previously held, on the grounds and following the procedure established by the legislation of the Republic of Kazakhstan.

Where there is no position specified in the first part of this paragraph, or where the relevant qualifications and professional training are not met, the civil servant who has been recalled shall be appointed to another vacant position in the competent authority.

Should a civil servant decline an appointment to a position, they shall be dismissed.

14. The dismissal of a civil servant seconded to a public authority to serve as an ethics official shall be effected following their removal from office (dismissal) and their recall by the competent authority pursuant to the procedure laid down herein.

The ethics official shall be dismissed by agreement with the designated authority or based on a recommendation from that authority, as well as in cases where the designated authority recalls a seconded civil servant pursuant to the procedure established herein.

15. The provisions of this article shall not apply to the Executive Office of the President of the Republic of Kazakhstan, the Secretariat of the Kurultai of the Republic of Kazakhstan, the Secretariat of the Government of the Republic of Kazakhstan, the Secretariat of the Constitutional Court of the Republic of Kazakhstan, or the competent authority.

Chapter 11. STATE SUPERVISION IN THE PUBLIC SERVICE. MONITORING AND ANALYSIS OF THE REASONS FOR VIOLATIONS OF THE LEGISLATION OF THE REPUBLIC OF KAZAKHSTAN IN THE FIELD OF THE CIVIL SERVICE

Article 79. State oversight of the observance of the legislation of the Republic of Kazakhstan in the field of the civil service

1. State oversight of the observance of the legislation of the Republic of Kazakhstan in the field of the civil service shall be exercised through the activities of the competent authority and its territorial divisions, aimed at ensuring that public authorities abide by the legislation of the Republic of Kazakhstan in the field of the civil service.

2. State oversight of enforcement of the legislation of the Republic of Kazakhstan in the field of the civil service shall consist of an audit.

Article 80. General issues related to the audit

1. A competent authority and its territorial divisions shall audit:

1) by visiting the public authority being audited;

2) without visiting the public authority under audit, by summoning officials and requesting documents, and also through the digital systems of public authorities.

2. The focus of the audit shall be compliance with the legislation of the Republic of Kazakhstan in the field of the civil service.

3. Public authorities shall be recognised as the entities subject to state control in the form of audits.

4. Audits of the activities of central government bodies and their departments shall be undertaken by officials of the competent authority.

Audits of the activities of executive bodies funded from the local budget, the administrative offices of maslikhats, audit commissions, territorial divisions of central government bodies and their departments shall be performed by officials of the territorial divisions of the competent authority within the limits of their competence, and, where appropriate, by officials of the competent authority.

5. Audits shall be classified as scheduled or unscheduled.

6. The grounds for appointing a scheduled audit shall be the half-yearly audit plan for entities subject to state control, approved by the head of the designated authority by 20 December of the year preceding the year in which the scheduled audits are to be conducted, and by 20 June of the current calendar year.

Scheduled audits shall be applied to, collectively, the akim's administration and the executive bodies of the capital, regions and cities of national importance, which are funded from the local budget, as well as the central public authority, its departments and their territorial divisions.

The half-yearly audit plan for entities subject to state control shall be published on the competent authority's website.

Amendments may be made to the half-yearly audit plan for entities subject to state control by decision of the head of the competent authority.

A scheduled audit of an entity subject to state supervision may not be performed more than once a year.

7. The following sources of information shall be used to include state-regulated entities in the half-yearly audit plan:

- 1) the results of previous audits performed by the competent authority and/or its territorial divisions, and by the Executive Office of the President of the Republic of Kazakhstan;
- 2) the results of monitoring of reports and information presented by entities subject to state control, including via digital systems, undertaken by the competent authority and its territorial divisions;
- 3) the occurrence of incidents that have attracted public attention;
- 4) complaints from natural persons and legal entities against entities subject to state oversight regarding breaches of the legislation of the Republic of Kazakhstan in the field of the civil service;
- 5) analysis of the online resources of entities subject to state oversight and the media to identify any content that has drawn criticism from the public;
- 6) the results of the analysis of data presented by entities subject to state oversight, as well as data obtained from other sources;
- 7) the results of monitoring and analysing the causes of breaches of the legislation of the Republic of Kazakhstan in the field of the civil service.

When including entities subject to state control in the half-yearly audit plan, no information sources previously used in relation to a specific entity subject to state control shall be used, nor shall any data be used for which the general limitation period has expired under the legislation of the Republic of Kazakhstan.

8. The grounds for an unscheduled audit shall be:

- 1) complaints from natural persons and legal entities regarding the actions (or inaction) and decisions of entities subject to state oversight concerning breaches of the legislation of the Republic of Kazakhstan in the field of the civil service;
- 2) complaints from public authorities concerning violations of the legislation of the Republic of Kazakhstan in the field of the civil service;
- 3) monitoring the implementation of recommendations to rectify violations identified as a result of the audit;
- 4) breaches identified as a result of monitoring and analysis of the causes of breaches of the legislation of the Republic of Kazakhstan in the field of the civil service;
- 5) media reports and reports of infringements of the legislation of the Republic of Kazakhstan in the field of the civil service, examined following a request for information.

The term media reports on breaches of the legislation of the Republic of Kazakhstan in the field of the civil service, investigated following a request for information pursuant to sub-paragraph 5) of the first part of this paragraph shall mean reports containing details of possible infringements of the legislation of the Republic of Kazakhstan in the field of the civil service, with respect to which the following steps have been taken to obtain further information:

- 1) an official request has been sent to the entity subject to state oversight, requiring it to furnish documents and provide clarifications regarding the facts set out in the publication;

2) a competent authority and its territorial division have examined and evaluated the information received in response to the request.

Media reports concerning violations of the legislation of the Republic of Kazakhstan in the field of the civil service, which have been examined following a request for information, shall serve as grounds for conducting unscheduled audits if the information is confirmed or gives rise to reasonable grounds for suspecting that violations of the legislation of the Republic of Kazakhstan in the field of the civil service have occurred.

9. Unscheduled audits shall not be carried out in response to anonymous complaints.

Article 81. Procedure for conducting an audit

1. The start of an audit shall be deemed to be the sending of a notification to the entity subject to state control regarding the commencement of the audit via digital systems.

2. Upon arrival at the entity subject to state control, officials of the empowered authority or its territorial division must present their official identification or identity card.

3. The duration of the audit shall be established based on the scope of the work to be carried out and the objectives set, and shall not exceed:

- 1) twenty calendar days from the date of commencement of the scheduled audit;
- 2) ten calendar days from the date of commencement of the unscheduled audit.

Where appropriate, by decision of the competent authority or its territorial division, the time limit for conducting the audit shall be extended once for a period not exceeding the time limits set out in the first sub-paragraph of this paragraph.

Where the duration of an audit shall be extended and/or suspended (or resumed), the competent authority or its territorial division shall notify the entity subject to state control of this no later than one working day from the date on which such a decision is taken. In this regard, notification of the extension of the audit period shall be sent by the competent authority or its territorial division no later than one working day prior to the expiry of the audit period via digital systems.

4. The composition of the inspecting officials of the competent authority or its territorial division may be amended by a decision of the empowered authority or its territorial division.

Where there is a change in the composition of the inspecting officials of the competent authority or its territorial division, the competent authority or its territorial division shall notify the entity subject to state control of this no later than one working day from the date on which such a decision is taken, via digital systems.

5. The audit shall be suspended in the following cases:

1) where a request is made to public authorities, public legal entities, public officials and other persons to provide the required information that is of material significance to the audit being conducted;

2) the declaration of a state of emergency; the occurrence or threat of an epidemic; outbreaks of quarantine-controlled organisms and particularly dangerous harmful organisms;

infectious and parasitic diseases; cases of poisoning; radiation accidents; and the associated restrictions.

The period of suspension of an audit shall be calculated from the date of its resumption. An audit may not be performed in respect of an entity subject to state control where the audit has been suspended and not resumed.

6. Based on the results of the audit, the inspecting official of the competent authority or its territorial division shall draw up:

- 1) a report on the results of the audit;
- 2) a statement on the rectification of the irregularities identified as a result of the audit.

7. The date when the audit is deemed to have been completed shall be the date on which the report on the audit findings is sent to the entity subject to state control.

A report on the results of the audit shall be drawn up no later than the final day of the audit period.

The first copy of the report on the results of the audit, either in paper form against signature or in electronic form, shall be presented to the entity subject to state control (the head of the entity or their authorised representative) for their information.

The second copy of the electronic audit report shall be filed with the public authority responsible, within the scope of its remit, for state legal statistics and special registers.

The third copy of the audit report shall remain with the designated authority or its territorial division.

8. If there are any comments and/or objections regarding the results of the audit, the entity subject to state supervision shall set out such comments and/or objections in writing within three working days of receiving the report on the audit results.

Any comments and/or objections shall be appended to the report on the results of the audit, and a note to this effect shall be made by the auditing official of the competent authority or its territorial division.

9. If the entity subject to state control is wound up or reorganised, then the competent authority or its territorial division shall deem the scheduled audit as not having been performed, and no report on the audit results shall be drawn up.

10. An unscheduled audit appointed on the grounds set out in sub-paragraphs 1) and 2) of the first part of paragraph 8 of Article 80 hereof shall be deemed not to have taken place if the application (notification) which served as the basis for the unscheduled audit is withdrawn.

In this case, no report on the results of the audit shall be drawn up; the entity subject to state control shall be notified of this no later than one working day from the date of such a decision via digital systems.

11. Where appropriate, for the purpose of examining issues requiring specialist knowledge and skills, or obtaining advice from the competent authority or its territorial

division, specialists, experts and/or consultants from public authorities and subordinate organisations who have no interest in the outcome of the inspection may be called upon to assist with the audit.

Upon request by the regulatory authority or its territorial division, entities subject to state control shall assign specialists, experts and/or consultants to take part in the audit and provide an opinion.

In response to questions raised by the auditing official of the designated authority or its territorial division, the specialist, expert and/or consultant involved in the audit shall draw up a report, which shall be used during the audit and appended to the statement of audit findings.

12. When conducting an audit, officials of the competent authority and its territorial divisions shall have the right to:

1) have an unimpeded access to the premises and facilities of the entity subject to state supervision;

2) obtain copies of documents (information) in paper and electronic form for inclusion in the report on the results of the audit or in the recommendation on the rectification of breaches identified as a result of the audit, as well as have access to automated databases (digital systems) relevant to the subject matter of the audit;

3) make audio, photographic and video recordings;

4) use recordings from technical monitoring equipment, surveillance and recording devices, and photographic and video equipment relevant to the subject of the audit;

5) engage specialists, experts and/or consultants.

13. When carrying out an audit, entities subject to state control and their officials shall be entitled to:

1) refuse access to the audit to officials of the designated authority and its territorial division who have arrived to perform the audit, in the following cases:

where the duration of the audit has been exceeded or the time limit for the audit has expired;

or where the frequency of scheduled audits has not been observed;

failure to notify and provide the documents required herein;

instructing persons without the relevant official authority to perform the audit;

extending the duration of the audit beyond the period laid down herein; gross breaches of the audit requirements laid down herein;

2) not to disclose documents (information) unless they relate to the subject matter of the audit;

3) appeal against the results of the audit (the report on the audit findings, the notice regarding the rectification of breaches identified as a result of the audit) and the actions (or omissions) of the auditing officials of the competent authority or its territorial division, pursuant to the procedure established by this Law and other laws of the Republic of Kazakhstan;

4) record the course of the audit, as well as the specific actions of the auditing official from the competent authority or its territorial division carried out in the course of the audit, using audio and video equipment, without hindering the work of the auditing official.

14. In the course of audits, entities subject to state oversight and their officials shall:

1) ensure that inspecting officials from the designated authority and its territorial divisions have unimpeded access to the premises and facilities of the public authority being audited;

2) appear when summoned by inspecting officials of the competent authority or its territorial division;

3) submit to the auditing officials of the designated authority, its territorial division, documents (information) in paper or electronic form, or copies thereof, for inclusion in the report on the results of the audit or in the recommendation on rectifying the breaches identified as a result of the audit, as well as access to automated databases (digital systems) relevant to the subject matter of the audit;

4) ensure that no changes or additions are made to the documents being audited whilst the audit is in progress.

15. Forms for notifications regarding the commencement of an audit, the extension and/or suspension (resumption) of the audit period, and changes to the composition of the auditing officials of the designated authority or its territorial division, reports on the results of the inspection and recommendations for rectifying the breaches identified as a result of the inspection, shall be approved by the competent authority.

Article 82. Measures taken by officials of the competent authority or its territorial division in response to infringements revealed during an audit

1. Where, following an audit, the competent authority identifies breaches of the legislation of the Republic of Kazakhstan in the field of the civil service, its territorial division shall file with the entity subject to state control or its superior authority (superior official) a report, which must be reviewed, on the rectification of the violations identified as a result of the audit, and shall also take other measures stipulated by the laws of the Republic of Kazakhstan.

A breach of the legislation of the Republic of Kazakhstan relating to the civil service may constitute grounds for declaring an act of a public authority (or public official) unlawful.

However, an act by a public authority (or public official) that is substantively lawful cannot be declared unlawful on purely formal grounds if the procedural irregularities committed have not affected its lawfulness or validity.

A proposal for the rectification of the breaches identified as a result of the audit shall be presented by the competent authority or its territorial division to the entity subject to state control or to its superior authority (superior official) no later than five working days from the date on which the report on the audit findings has been drawn up.

2. A report on the rectification of irregularities identified as a result of the audit shall be reviewed and measures taken to rectify the irregularities specified therein within thirty calendar days from the day following the date of its service (receipt).

3. Information on the outcome of the rectification of the breaches referred to in the report on the rectification of breaches identified as a result of the audit by the entity subject to state control or its superior body (superior official) shall be sent to the competent authority, or its local branch, within three working days of the expiry of the period specified in paragraph 2 of this Article.

Where the entity subject to state supervision or its superior body (superior official) fails to provide, or provides only partial information, within the prescribed time limit regarding the outcome of the rectification of the breaches specified in the notice requiring the rectification of breaches identified as a result of the audit, the competent authority, or its territorial division shall order an unscheduled audit as specified in sub-paragraph 3) of the first part of paragraph 8 of Article 80 hereof.

4. Failure by the entity subject to state supervision or its superior body (superior official) to take measures to rectify the violations referred to in the notice requiring the rectification of violations identified as a result of the inspection shall entail liability as prescribed by the laws of the Republic of Kazakhstan.

5. Where the competent authority or its territorial divisions discover signs of a criminal or administrative offence in the actions (or inaction) of officials of entities subject to state control, they shall take steps to forward the findings of the audit to the relevant public authorities.

Article 83. Invalidity of inspection

1. An inspection shall be deemed invalid by the authorized body or in the manner, established by the laws of the Republic of Kazakhstan, if it was conducted in gross violation of the inspection requirements, established by this article.

Invalidation of an inspection shall entail the invalidity of the inspection results report and the notice of rectification of the violations, identified in the inspection.

2. Gross violations of inspection requirements shall include:

- 1) lack of grounds for conducting an inspection;
- 2) failure to notify of the commencement of an inspection;

3) assignment by the authorized body or its territorial subdivision of inspections on matters outside their jurisdiction.

3. Within ten business days of receiving the inspection results report the subject of state control shall have the right to apply to the authorized body (official) with a request to invalidate the inspection, conducted by the authorized body or its territorial subdivision. A request from a state control entity shall be reviewed within fifteen business days of its receipt. Submission of a request by a state control entity shall not preclude the adoption of measures to rectify any violations, identified during the inspection.

A refusal by an authorized body (official) to satisfy a request from a state control entity may be appealed in court.

4. If a state control entity misses the established deadline for requesting invalidation of an inspection to the authorized body for a valid reason, the authorized body may reinstate this deadline.

For the purpose of reinstating a missed deadline, reasons that prevent the state control entity from submitting the request shall be deemed valid.

A missed deadline for requesting invalidation of an inspection to the authorized body shall not constitute grounds for the authorized body to deny the request. The reason for missing the deadline for requesting invalidation of an inspection shall be established during the examination of the request and may be one of the grounds for denying the request.

Article 84. Monitoring and analysis of the causes of violations of the legislation of the Republic of Kazakhstan in the civil service

1. Monitoring and analysis of the causes of violations of the legislation of the Republic of Kazakhstan in the civil service (hereinafter referred to as monitoring and analysis) shall include measures aimed at identifying, warning and preventing violations of the legislation of the Republic of Kazakhstan in the civil service, including the working hours of state bodies, as well as de-bureaucratization of the activities of state bodies and other organizations that are subject to the requirements of the legislation of the Republic of Kazakhstan in the civil service.

2. The objectives of monitoring and analysis shall be:

1) compliance with the legislation of the Republic of Kazakhstan in the civil service, including the working hours of state bodies, as well as analysis of processes and changes that are conducive or may be conducive to the commission of violations;

2) collection, accounting, systematization, generalization and analysis of information on the functioning of the civil service to identify violations of the legislation of the Republic of Kazakhstan in the civil service, as well as the reasons and conditions, conducive to their commission;

3) assistance in making management decisions aimed at eliminating the causes and conditions, conducive to violations of the legislation of the Republic of Kazakhstan in the civil service.

3. Monitoring and analysis shall be performed by the authorized body and its territorial division based on the study and analysis of information, reflected in digital systems and data, provided by state bodies and other organizations, as well as information, received from other sources on violations of the legislation of the Republic of Kazakhstan in the civil service.

4. Officials of the authorized body shall monitor and analyze the activities of central state bodies, their departments, other organizations subject to the requirements of the legislation of the Republic of Kazakhstan in civil service.

Monitoring and analysis of the activities of the territorial divisions of central state bodies and their departments, the administrative offices of akims and the executive bodies of the capital, oblasts, cities of republican status, cities of regional significance, and districts, funded

from the local budget, as well as the administrative offices of maslikhats, audit commissions, and other organizations, subject to the requirements of the legislation of the Republic of Kazakhstan in the civil service, shall be performed by officials of the territorial divisions of the authorized body, and if necessary by officials of the authorized body.

5. Monitoring and analysis shall be conducted remotely and if necessary, with a visit to the subject of monitoring and analysis.

Remote monitoring shall be conducted on an ongoing basis with the use of digital systems and data, provided by state bodies and other organizations.

State bodies and other organizations, subject to the requirements of the legislation of the Republic of Kazakhstan in the civil service, or their authorized representatives shall ensure unimpeded access for officials of the authorized body and its territorial divisions to the territory and premises of the subject of monitoring and analysis, as well as to automated databases (digital systems).

During the visit officials of the authorized body and its territorial divisions may request explanations and use technical recording devices.

Instances of civil servants being present at their workplace outside of working hours shall be recorded by officials of the authorized body and its territorial divisions.

If necessary, ethics officers or the head of the crime prevention service may be engaged to conduct monitoring and analysis with a visit to the subject of monitoring and analysis.

Where necessary specialists, experts, and (or) consultants may be engaged to conduct monitoring and analysis to investigate issues, requiring specialized knowledge and skills, or to obtain advice from the authorized body or its territorial division.

6. Based on the monitoring and analysis results the authorized body or its territorial division shall prepare a report on the monitoring and analysis results and a conclusion on the rectification of violations (if any).

The conclusion on rectifying the violations must be executed by the subjects of monitoring and analysis within thirty calendar days of the day following its receipt, with mandatory submission of documents, confirming its execution to the authorized body or its territorial division within three business days of the expiration of the deadline for rectifying the violations.

Chapter 12. ASSISTANCE IN THE IMPLEMENTATION OF THE STATE'S FUNCTIONS AND OBJECTIVES

Article 85. Persons, providing assistance in the implementation of functions and objectives of state bodies

1. The persons, specified in this paragraph shall assist in the implementation of state functions and objectives.

The following persons shall assist in the implementation of state functions and objectives:

1) contract employees;

2) foreign workers;
3) persons, providing technical maintenance and supporting the functioning of state bodies;

4) persons performing managerial functions in state-owned legal entities in accordance with the Law of the Republic of Kazakhstan "On Combating Corruption."

2. Persons, assisting in the implementation of state functions and objectives may not hold government positions.

The provisions of paragraph 2 of Article 14 of this Law, which prohibit joint service (work) with close relatives, spouses, and (or) in-laws, shall apply to these persons.

3. Persons, assisting in the implementation of state functions and objectives shall assume restrictions and obligations to prevent, avoid and resolve conflicts of interest, as stipulated by the Law of the Republic of Kazakhstan "On Combating Corruption."

These persons may not use logistical, financial and information resources, other state property and official information for non-official purposes, nor may they abuse their official position for purposes unrelated to the exercise of their official duties.

Acceptance of these restrictions shall be recorded in writing by the HR department within thirty calendar days of the date of hire. Failure to accept these restrictions shall result in denial of employment or dismissal.

4. The provisions of the Labor Code of the Republic of Kazakhstan in the part not regulated by this Law, shall apply to persons, assisting in the implementation of state functions and objectives.

The provisions of this Law shall apply to persons, performing managerial functions in state-owned legal entities regarding compliance with service ethics requirements, prevention and resolution of conflicts of interest, and also liability for disciplinary offenses that discredit the civil service.

State bodies shall establish rules of conduct for contract employees, foreign workers and persons, providing technical maintenance and support for the functioning of state bodies.

5. Employment relations with persons, assisting in the implementation of the functions and objectives of the state may be terminated in accordance with the procedure, established by the labor legislation of the Republic of Kazakhstan, also in cases of non-compliance with the restrictions, provided for in paragraph 3 of this article, commission of disciplinary offenses that discredit the civil service, breach of official ethics.

Article 86. Contract employees

1. Contract employees may be hired by state bodies to implement national and other projects.

The procedure for hiring contract employees, the types of projects for which contract employees are hired, remuneration and other issues of regulating their activities shall be determined by the Government of the Republic of Kazakhstan.

2. Citizens of the Republic of Kazakhstan, who do not meet the requirements for admission to the civil service, provided for in paragraph 2 of Article 21 of this Law, may not be recruited as contract employees.

3. Citizens of the Republic of Kazakhstan recruited as contract employees must meet the established qualification requirements. The qualification requirements for contract employees and the procedure for their interaction with the state body shall be approved by the state body official, responsible for the implementation of national and other projects, in consultation with the authorized body.

4. Contract employees shall be hired through the conclusion of a contract and issuance of an employer's act upon submission of the state body official, responsible for the implementation of national and other projects.

The term of an employee's contract with a state body shall be set for the duration of the assigned tasks, but no more than one calendar year, with the possibility of extension during the implementation of national and other projects.

5. The work schedule and other individual working conditions of a contract employee shall be established in the contract of the contract employee of the state body.

The remuneration terms for a contract employee shall be established in the contract, specifying time (stages of task and project implementation), quantitative, and (or) qualitative indicators for the completed workload (assigned tasks).

Remuneration for contract employees shall be provided from cost savings of the funds, allocated for the operation of the state body or the implementation of national and other projects.

6. The contract of a contract employee of a state body may be terminated by mutual consent of the parties. Other terms of termination, as well as amendments and additions to the contract shall be stated in the contract.

Disputes between the contract employee and the state body shall be resolved in accordance with the procedures, established by the legislation of the Republic of Kazakhstan.

Article 87. Foreign employees

1. By decision of the authorized commission state bodies may hire foreign workers in accordance with the labor legislation of the Republic of Kazakhstan.

The positions of foreign workers shall be established by state bodies in consultation with the authorized commission.

The procedure for recruiting foreign workers to state bodies shall be established by the Government of the Republic of Kazakhstan.

2. When hired by state bodies, foreign workers shall be subject to mandatory special background checks by the national security bodies of the Republic of Kazakhstan in accordance with the procedure, determined by the national security agencies of the Republic of Kazakhstan in coordination with the authorized body.

Article 88. Persons, responsible for the maintenance and operation of state bodies

1. Citizens of the Republic of Kazakhstan may be employed by state bodies to perform technical maintenance and support the state bodies' operation.

The procedure for hiring, organizing the activities and dismissing individuals, performing technical maintenance and support of the state bodies' operation shall be determined by the authorized body.

2. The maximum number of individuals, performing technical maintenance and support of the state bodies' operation shall be determined by the authorized state labor agency in consultation with the authorized body.

Article 89. Persons, performing managerial functions in state legal entities

1. Persons shall be recruited for managerial positions in state-owned legal entities through a competitive process.

The procedure for recruiting persons for managerial positions in state-owned legal entities and their employment course shall be determined by the authorized body in consultation with the Executive Office of the Government of the Republic of Kazakhstan, with the exception of the chief executives of certain state-owned legal entities in education and culture, who are appointed and dismissed by the President of the Republic of Kazakhstan, as well as the chief executive of a state-owned physical education and sports organization.

2. Citizens of the Republic of Kazakhstan, applying for positions, related to the performance of managerial functions in state legal entities must meet the qualification requirements, approved by the authorized body, overseeing the relevant branch (sphere) of public administration or local executive bodies of the capital, oblasts, cities of republican significance, districts, cities of regional significance or the administrative offices of akims of cities of district significance, villages, townships, rural districts in coordination with the authorized body or its territorial subdivision on the basis of standard qualification requirements.

Standard qualification requirements for positions, involving managerial functions in state-owned legal entities, with the exception of state-owned educational institutions, shall be approved by the authorized body.

Qualification requirements for positions involving managerial functions in state-owned educational institutions shall be developed according to the form, approved by the authorized body in consultation with the authorized state labor agency and shall be approved by the authorized education body.

Chapter 13. FINAL PROVISIONS

Article 90. Enactment procedure of this Law

1. This Law shall be enacted on July 1, 2026, with the exception of Chapter 4, Subparagraph 11) of part one of Paragraph 2 of Article 21, Subparagraph 27) of Paragraph 3 of Article 67, and Paragraph 29 of Article 68, which shall take effect on January 1, 2027.

2. The following shall be suspended until January 1, 2029, unless otherwise provided for in Paragraph 3 of this Article:

1) Paragraphs 2, 3, 4 and 5 of Article 35 of this Law, establishing that during the period of suspension, these paragraphs shall apply as follows:

"2. Promotion of civil servants in the civil service shall be carried out taking into account their qualifications, competence, abilities, merits, and conscientious performance of their official duties.

3. Promotion through transfer, rotation, performance evaluation, without a competitive process shall not be permitted for six months from the date of disciplinary action against a civil servant for committing a disciplinary offense that discredits the civil service or for breaching service ethics standards.

4. Provisional rules for changing the position levels of Corps "B" administrative civil servants shall be approved by the President of the Republic of Kazakhstan upon the recommendation of the authorized body in consultation with the Executive Office of the Government of the Republic of Kazakhstan.

5. Changes to the position levels of Corps "B" administrative civil servants shall be made based on the results of a comprehensive competency assessment, conducted to identify the need for further professional development and training.

The procedure for conducting a comprehensive competency assessment of Corps "B" administrative civil servants, as well as the roster of civil service positions, subject to the comprehensive assessment, shall be defined in the provisional rules for changing the rank levels of Corps "B" administrative civil servants.

2) Paragraph 3 of Article 42 of this Law, establishing that during the suspension period this paragraph shall apply as follows:

"3. The results of the performance assessment of the administrative civil servants of Corps "B" shall be the basis for decisions on the payment of bonuses, incentives, training, rotation, promotion or demotion in state positions or dismissal.

Demotion in a state position shall be carried out if there is a vacant lower-level civil service position in a state body, with the exception of a temporarily vacant state position, and the civil servant meets the qualification requirements. Demotion from a state position shall be made without a competition.

If an administrative civil servant refuses the offered position, he shall be subject to dismissal.”;

3) paragraphs 3, 5 and 7 of Article 43 of this Law, establishing that during the period of suspension these paragraphs shall be valid as follows:

"3. Based on the performance evaluation results the evaluation commission shall make one of the following decisions:

- 1) meets the requirements of the state position held and is recommended for promotion;
- 2) meets the requirements of the state position held;

3) does not meet the requirements of the state position held and is recommended for demotion in state position;

4) does not meet the requirements of the state position held and is recommended for dismissal.”;

“5. Administrative civil servants who have failed the performance evaluation and (or) have refused to continue their civil service in state bodies, including in lower-level state positions, shall be dismissed.”;

“7. The decision of the performance evaluation commission, adopted on the performance evaluation results, shall be the ground for promoting a civil servant to a higher administrative state position or demoting a civil servant to a lower administrative state position or dismissing the civil servant.”;

4) paragraphs 2 and 3 of Article 61 of this Law, establishing that during the suspension period, these paragraphs shall apply as follows:

"2. Disciplinary sanctions shall be a measure of disciplinary liability.

For committing disciplinary offenses, civil servants shall be subject to the following types of disciplinary sanctions:

- 1) a warning;
- 2) a reprimand;
- 3) a severe reprimand;
- 4) a warning of incomplete professional fitness;
- 5) demotion in a state position, with the exception of elected civil servants;
- 6) recognition of unsuitability of the elected civil servant for the position held;
- 7) dismissal from a state position, with the exception of elected civil servants.

The laws of the Republic of Kazakhstan may establish other types of disciplinary actions.

3. A disciplinary sanction in the form of demotion in a state position shall be imposed if there is a vacant, lower-ranking state position in the state body, with the exception of a temporarily vacant state position, and the civil servant meets the qualification requirements established for such state position. Demotion in a state position shall be carried out without a competition.

A disciplinary sanction in the form of dismissal from the current state position and recognition of unsuitability of the elected civil servant for the position held shall be imposed on the grounds, provided for by this Law."

5) subparagraph 4) of part one of paragraph 4 of Article 64 of this Law, establishing that during the period of suspension this subparagraph shall apply as follows:

"4) six months from the date of imposition of a disciplinary sanction in the form of a warning of incomplete professional fitness or recognition of unsuitability for the position held ."

3. To establish that paragraphs 2, 3, 4, and 5 of Article 35, paragraph 3 of Article 42, paragraphs 3, 5 and 7 of Article 43, paragraphs 2 and 3 of Article 61 and subparagraph 4) of

part one of paragraph 4 of Article 64 of this Law shall operate on a pilot basis from January 1, 2027 to January 1, 2029 with respect to state bodies, the list of which shall be determined by the President of the Republic of Kazakhstan.

4. The requirement of paragraph 3 of Article 27 of this Law shall not apply to individuals who, as of the effective date of this Law hold positions as heads of executive bodies of the capital, oblasts, and cities of national significance, funded from the local budget, as well as heads of territorial divisions of central state bodies and their departments in the capital, oblasts and cities of national significance.

From the time of the enactment of this Law these individuals shall be deemed to hold administrative state positions of Corps "A" and shall continue to exercise their official powers in the corresponding state positions.

5. The Law of the Republic of Kazakhstan of November 23, 2015 “On the Civil Service of the Republic of Kazakhstan” shall be deemed to have lost force.

*President
of the Republic of Kazakhstan*

K. TOKAYEV