On Administrative Procedures

This Law is oriented to establishment of administrative procedures, enabling improvement of organization of management activity, ensuring of uninterrupted functioning of state bodies, operative adoption of management decisions, compliance with rights and freedom of citizens, protection of state interests, non-admission of using official powers in off-duty purposes by state employees.

Footnote. The Preamble as amended by the Laws of the Republic of Kazakhstan dated 18.06.2007 No. 262; dated 15.04.2013 No. 89-V (shall be enforced upon expiry of thirty calendar days after its first official publication).

Chapter 1. General provisions

Note of RCLI!

Article 1 is provided to be amended by the Law of the Republic of Kazakhstan dated 16.05.2014 No. 203-V (shall be enforced upon expiry of six months from the date of its first official publication).

Article 1. Basic definitions, used in this Law

1. Administrative procedures mean:
   1) procedure for adoption and fulfillment of decisions upon carrying out of state functions and official powers by state bodies and civil servants and their execution, as well as in electronic form;
   2) procedure for organization of works of state apparatus;
   3) procedures of considering applications of citizens on implementation of their rights, as well as procedures for administrative protection of rights and legal interests of citizens;
   4) basic principles of procedures for adoption of decisions in the field of economic.

2. State bodies mean state institutions, authorized by the Constitution, Laws, other regulatory legal acts for carrying out the following functions in behalf of the state:
   1) issuance of acts, determining obligatory rules of conduct;
   2) management and regulation of social important public relations;
   3) control of compliance with compulsory rules of conduct, established by the state.

2-1. Competence of state body means a set of established powers of the state body, determining the subject of its activity;

competence of state body means rights and obligations of the state body;

rights of state body mean possibility to commit certain actions, require certain behavior (actions or abstention from commission of actions) from other person (other persons);

obligations of state body means a circle of actions, performance of which is compulsory by the state body;

tasks of state body mean principal directions of the activity of the state body;

functions of state body mean carrying out of the activity by the state body within its competence.

Competence, powers, functions and tasks of state body shall be established in Constitution, Laws and other regulatory legal acts, passed by the President, Government, superior central state body in respect of it.

2-2. Is excluded by the Law of the Republic of Kazakhstan dated 15.04.2013 No. 89-V (shall be enforced upon expiry of thirty calendar days after its first official publication).

2-3. Is excluded by the Law of the Republic of Kazakhstan dated 15.04.2013 No. 89-V (shall be enforced upon expiry of thirty calendar days after its first official publication).

2-4. (Is excluded by the Law of the Republic of Kazakhstan dated 04.12.2008 No. 97-IV (the order of enforcement see Article 2).

2-5. Is excluded by the Law of the Republic of Kazakhstan dated 15.04.2013 No. 89-V (shall be enforced upon expiry of thirty calendar days after its first official publication).

2-6. Is excluded by the Law of the Republic of Kazakhstan dated 15.04.2013 No. 89-V (shall be enforced upon expiry of thirty calendar days after its first official publication).
2-7. Is excluded by the Law of the Republic of Kazakhstan dated 15.04.2013 No. 89-V (shall be enforced upon expiry of thirty calendar days after its first official publication).

2-8. Is excluded by the Law of the Republic of Kazakhstan dated 15.04.2013 No. 89-V (shall be enforced upon expiry of thirty calendar days after its first official publication).

2-9. Is excluded by the Law of the Republic of Kazakhstan dated 15.04.2013 No. 89-V (shall be enforced upon expiry of thirty calendar days after its first official publication).

2-10. Is excluded by the Law of the Republic of Kazakhstan dated 15.04.2013 No. 89-V (shall be enforced upon expiry of thirty calendar days after its first official publication).

2-11. Form of details – a document in electronic or another form, established by the legislation of the Republic of Kazakhstan, containing information in accordance with requirements, submitted upon rendering of state services.

3. Civil servants in this Law mean the persons, carrying out state functions (functions of the public authority) permanently, temporary or on special power, or performing the organizational and management or administrative and economic functions in the state bodies.

n virtue of requirements of the Constitution, Laws and other regulatory legal acts, civil servants may carry out the following functions, imposed on them:

1) on behalf of certain civil servant of the state in the manner of sole disposition;

2) on behalf of certain state body and its structural subdivisions in the manner of sole disposition or in collegial manner depending on procedure for adoption of decisions, provided by the legislation in certain state body.

4. Notification procedure means procedure that establishes the obligation of an applicant to notify the relevant state body about this procedure, established by this Law before beginning of carrying out the activity or particular actions, with the exception of notification on currency operations, carried out in accordance with the Law of the Republic of Kazakhstan “On currency operations and currency control”.

5. Notification – a document (as well as in the form of electronic document), drawn up according to the form, approved by the Government of the Republic of Kazakhstan, informing on beginning or termination of carrying out the activity or particular actions.

The form of notifying shall be developed by the authorized body on entrepreneurship.

Footnote. Article 1as amended by the Laws of the Republic of Kazakhstan dated 12.03.2004 No. 536; dated 18.06.2007 No. 262; dated 04.12.2008 No. 97-IV (the order of enforcement see Article 2); dated 02.04.2010 No. 263-IV (shall be enforced from 01.01.2010); dated 15.07.2010 No. 337-IV (the order of enforcement see Article 2); dated 01.04.2011 No. 425-IV (shall be enforced from the date of its first official publication); dated 21.07.2011 No. 468-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 27.04.2012 No. 15-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 15.04.2013 No. 89-V (shall be enforced upon expiry of thirty calendar days after its first official publication).

**Article 2. Limits of the force of this Law**

1. Administrative procedures in the part, not regulated by the legislative acts, provided by this Law shall be applied in the activity:

1) of the President of the Republic of Kazakhstan, state bodies and civil servants, ensuring the activity of the head of state, state bodies, immediate subordinate and accountable to the President;

2) of the apparatuses of chambers of the Parliament, Central election commission of the Republic of Kazakhstan;

3) of the apparatuses of the Constitutional Council, Supreme Court and other courts of the Republic of Kazakhstan;

4) of the Government, Office of the Prime Minister, central executive bodies of the Republic of Kazakhstan;

5) of the apparatuses of local representative bodies of the Republic of Kazakhstan;

6) of the local executive bodies of the Republic of Kazakhstan;

7) is excluded by the Law of the Republic of Kazakhstan dated 15.04.2013 No. 89-V (shall be enforced upon expiry of thirty calendar days after its first official publication).

2. Effect of procedures, provided by this Law shall not be applied to:

1) consideration of the applications of citizens and other cases, procedure for consideration of which is established by the legislation on administrative infractions, criminal procedural and civil
Article 3. Principles of establishment of administrative procedures

Administrative procedures, provided by this Law shall be based on the principles of:
1) legality;
2) subordination of inferior state bodies and civil servants to superior;
3) equality of all before the Law and court;
4) priority of rights and freedom of citizens, inadmissibility of the acts of bureaucracy and red-tape upon consideration of the applications of citizens and organizations;
5) obligatoriness for all citizens, organizations and civil servants, provided by administrative procedures of actions and acts;
6) mutual responsibility and balance of the interests of a person, society and the state;
7) hearing of public opinion and publicity under strict compliance with the legislation on state secrets and other secrets, protected by the Law;
8) maintenance of authority of the state power and inadmissibility of actions, enabling to discredit the Republic of Kazakhstan and actions being inconsistent with the interests of state service, as well as resistance of manifestation of corruption, strict compliance with prohibitions and restrictions, established by the legislation for the state employees;
9) unity of requirements of administrative procedures for state bodies of all levels;
10) clear delimitation of the competence and coordinated functioning of all the state bodies and civil servants of the state;
11) economy and effectiveness;
12) is excluded by the Law of the Republic of Kazakhstan dated 15.04.2013 No. 89-V (shall be enforced upon expiry of thirty calendar days after its first official publication).

Chapter 2. Procedure for adoption of decisions upon carrying out of the state functions and official powers and their execution by state bodies and civil servants

Article 4. Adoption of decisions upon carrying out of functions by state bodies

1. State bodies and civil servants shall adopt decisions by issuing legal acts upon carrying out the state functions and official powers.
2. Legal act of state bodies shall relate to the acts of individual application, is a written official document of due form and:
   1) shall be designed for single or another time-limited application;
   2) shall be applied to individual particular persons;
   3) apply and (or) implement rights and obligations of individual particular persons, established by the legislation.
3. Legal acts of individual application shall not be included to the legislation of the Republic of Kazakhstan and shall not relate to regulatory legal acts.
4. Procedures for adopting legal acts of individual application, organization of their drawing up, fulfillment and control of fulfillment shall be determined by this Law and other regulatory legal acts.
Article 5. Requirements to legal acts and their drawing up

1. Legal act of state bodies shall satisfy the following requirements:
   1) legal act shall not be inconsistent with the Constitution of the Republic of Kazakhstan, legislation and legal acts of superior state bodies;
   2) structure of legal act shall ensure exhaustively disclosure of the subject of regulation, and the content shall ensure unified understanding and applying of preparing legal act;
   3) in legal act the content of planned measures shall be clearly stated, circle of persons on which the effect of legal act is applied shall be determined exhaustively or who shall bear responsibility for their implementation in established terms;
   4) legal acts requiring implementation on inferior management levels shall contain concrete mandates for particular state bodies and (or) civil servants upon their performance.

2. Legal rights of the state bodies, being inconsistent with requirements of the Constitution of the Republic of Kazakhstan and legislation of the Republic of Kazakhstan are invalid from the moment of adoption and shall not be applied in the territory of the Republic of Kazakhstan.

3. At inconsistency with legal acts, adopted by the state bodies of different levels, the legal act of superior state body shall be applied.

4. At inconsistency of legal acts, adopted by the state bodies of the same level, the legal act of a body, which competence includes adoption of this decision shall be applied. Upon application of interested person, decision on priority of one legal act over another shall be adopted by superior state body or court.

5. Legal act of state bodies, besides the requirements, provided in paragraph 1 of this Article shall contain the following requisites as well:
   1) name of a legal act;
   2) title, denoting the subject of consideration of this act;
   3) place and date of adoption of the act;
   4) signature (signatures) of a person (persons), authorized to sign the relevant act;
   5) seal of a body.

Article 6. Organization and control of fulfilling the legal act

1. Organization of fulfilling the legal act shall be formulation and adoption of organizational measures by the authorized state bodies (civil servants) on well-timed and exhaustively fulfillment of adopted decision.

2. In case of necessity, for ensuring of the fulfilling the legal act the authorized state body (civil servant) shall develop and approve the plan of organizational measures on its fulfillment that shall be brought up to immediate executor.

3. If particular terms of fulfilling the legal act and immediate executors in the legal act are not determined, then they shall be established by the state body-executor or superior body and shall be brought to attention of immediate executors immediately.

4. For the purpose of well-timed and exhaustive fulfillment of adopted decisions, the state body or civil servant shall carry out the control of their fulfillment.

5. Is excluded by the Law of the Republic of Kazakhstan dated 06.01.2011 No. 378-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

6. Is excluded by the Law of the Republic of Kazakhstan dated 06.01.2011 No. 378-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

7. Is excluded by the Law of the Republic of Kazakhstan dated 06.01.2011 No. 378-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

8. Is excluded by the Law of the Republic of Kazakhstan dated 06.01.2011 No. 378-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 7. Procedure for carrying out the control of fulfilling a legal act

Procedure for carrying out the control of fulfilling a legal act shall be determined by the Law of the Republic of Kazakhstan “On state control and supervision in the Republic of Kazakhstan”.

Footnote. Article 7 is in the wording of the Law of the Republic of Kazakhstan dated 06.01.2011
On Administrative Procedures
Published on Ministry of Justice of the Republic of Kazakhstan (http://www.adilet.gov.kz)

No. 378-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 8. Entering into force and termination of the effect of legal acts of state bodies

1. Legal act of the state body shall enter into force from the moment of adoption, if the latter term is not determined in it.
2. Legal act of the state body shall terminate effect from the moment of fulfilling its requirements or mandates contained in it, to which this legal act is addressed.
3. Before termination of effect, the legal act may be suspended, changed or cancelled by the state body, adopted this legal act, its superior state body or court.
4. Filing of application for cancellation, change or suspension of the effect of a legal act by interested persons in superior state body or in court shall suspend the effect of a legal act (with the exception of the legal act of the National bank of the Republic of Kazakhstan on suspension of actions and (or) deprivation of licenses for carrying out the activity at financial market, conduct of temporary closing of financial organizations, as well as its written prescriptions) before adoption of the relevant decision.

Footnote. Article 8 as amended by the Law of the Republic of Kazakhstan dated 05.07.2012 No. 30-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Chapter 3. Procedures for organization of work of state bodies

Article 9. Planning of work of state bodies

1. State bodies shall carry out their activity in accordance with strategic and operating plans, as well as with work plans, drawn up for a quarter, year and long-term perspective in case of necessity.
2. State bodies that do not draw up strategic plans shall carry out their activity in accordance with work plans, drawn up for a quarter, year and long-term perspective.
3. Work plans of the state body shall be drawn up in advance on the basis of suggestions of structural subdivisions of a body and in pursuance of legal and regulatory legal acts.
   On the basis of work plan of the state body, their work plans shall be drawn up by structural subdivisions of this body.

Footnote. Article 9 is in the wording of the Law of the Republic of Kazakhstan dated 02.04.2010 No. 263-IV (shall be enforced from 01.01.2010).

Article 9-1. Reglament, provision on the state body and structural subdivision of the state body

Footnote. Title of Article 9-1 is in the wording of the Law of the Republic of Kazakhstan dated 15.04.2013 No. 89-V (shall be enforced upon expiry of thirty calendar days after its first official publication).

1. On the issues of organization and internal regulation of own activity, the state body shall adopt a reglament.
2. Is excluded by the Law of the Republic of Kazakhstan dated 15.04.2013 No. 89-V (shall be enforced upon expiry of thirty calendar days after its first official publication).
3. Is excluded by the Law of the Republic of Kazakhstan dated 15.04.2013 No. 89-V (shall be enforced upon expiry of thirty calendar days after its first official publication).
4. Is excluded by the Law of the Republic of Kazakhstan dated 15.04.2013 No. 89-V (shall be enforced upon expiry of thirty calendar days after its first official publication).
4-1. Status and powers of state body shall be determined by the provision on state body.

Instruction on development and approval of provision on state body shall be approved by the Government of the Republic of Kazakhstan.

Standard type provision on state body shall be approved by the President of the Republic of Kazakhstan.

5. On the issues of determining the status and powers of structural subdivision of the state body shall be approved by the provision.
Procedure for development and approval of the Provision on structural subdivision of the state body shall be approved by the Government of the Republic of Kazakhstan.

Footnote. The Law is supplemented by Article 9-1 in accordance with the Law of the Republic of Kazakhstan dated 18.06.2007 No. 262; in the wording of the Law of the Republic of Kazakhstan dated 02.04.2010 No. 263-IV (shall be enforced from 01.01.2010); as amended by the Laws of the Republic of Kazakhstan dated 05.07.2011 No. 452-IV (shall be enforced from the date of first official publication); dated 21. 07.2011 No. 468-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 27.04.2012 No. 15-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 15.04.2013 No. 89-V (shall be enforced upon expiry of thirty calendar days after its first official publication).

Article 9-2. Functions of the state body

Functions of the state body shall be divided to strategic, regulative, implementing and control:
strategic functions are the functions on development, acceptance of plan documents, determination of the state planning system, ensuring of international relations, national security and defence capacity;
regulative functions are the functions on regulatory legal groundwork of implementing the state functions, registration and introduction of the analysis of fulfilling regulatory legal acts, coordination of the activity of state bodies, state assets management;
implementing functions are the functions, oriented to fulfillment of the plan documents, regulatory legal acts, achievement of goals and tasks, provided by plan documents of the state body, provision of state services, issuance of authorization documents (including licensing, registration, certification);
control functions are the functions on verification and supervision with respect to conformity of the activity of individuals and legal entities, including state institutes to requirements, established by the regulatory legal acts, and in cases, provided by the Laws of the Republic of Kazakhstan, requirements, established by the Laws of the Republic of Kazakhstan, decrees of the President of the Republic of Kazakhstan and regulations of the Government of the Republic of Kazakhstan.

Allocation of functions on strategic, regulative, implementing and control functions in the structure of state bodies, accountable to the President of the Republic of Kazakhstan shall be determined by the President of the Republic of Kazakhstan, and in central executive bodies – by the Government of the Republic of Kazakhstan.

State bodies shall be prohibited to carry out the functions, not provided for them in the legislation of the Republic of Kazakhstan.

Footnote. The Law is supplemented by Article 9-2 in accordance with the Law of the Republic of Kazakhstan dated 27.07.2007 No. 315 (shall be enforced from the date of official publication); as amended by the Laws of the Republic of Kazakhstan dated 17.07.2009 No. 188-IV (the order of enforcement see Article 2); dated 05.07.2011 No. 452-IV (shall be enforced from 13.10.2011); dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012); dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication); by the Constitutional Law of the Republic of Kazakhstan dated 03.07.2013 No. 121-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 10. Sole administrative activity

1. Sole administrative activity – the activity, carried out by civil servants in state bodies consisting in sole signing of legal acts by the authorized civil servants, giving instructions and mandates to subordinated workers, sole taking of other organizational and management measures on carrying out of the state functions.

2. Head of the state body (with the exception of collegial state bodies) shall carry out management by entrusted body by sole administrative activity and shall bear personal responsibility
for legality of adopted decisions.

3. Upon carrying out of sole administrative activity, the inferior civil servants shall carry out their actions in strict accordance with decisions of superior civil servant. If state functions are carried out exclusively by sole administrative activity, in this case, the task of inferior civil servants is ensuring of this activity of the authorized body.

Article 11. Activity of collegial state bodies

1. Collegial state bodies are the state bodies, decisions of which are adopted by majority votes of members of these bodies. Responsibility for legality of decisions adopted by collegial body shall be imposed on all the members of collegial body that participated in voting, with the exception of those, voted against during adoption of decision.

2. Basic form of the activity of collegial bodies is their sittings at which decisions of these bodies are adopted.

3. During preparation and holding sittings of collegial state bodies the following questions shall be solved by the authorized bodies (their structural subdivisions) and civil servants:
   1) planning of sittings – the plan of holding such sittings shall be developed and approved. This plan shall be developed for a term of quarter and a year respectively, and shall be approved by a head of collegial body or head of a body, ensuring the activity of collegial body, after the relevant coordination. Approved plan shall be brought to notice of interested bodies and civil servants;
   2) preparation of questions, submitted at sitting of collegial state body, other organizational arrangements on holding the sitting shall be carried out by its relevant structural subdivisions or body, ensuring the activity of collegial body.

4. Procedure for holding the sittings shall be determined by procedural regulations of collegial state bodies.

5. Minutes on sitting of a collegial body shall be taken.

6. Decisions, adopted at sitting shall be drawn up in accordance with procedural regulation of collegial state body by regulations and shall be brought to notice of executers. In case of necessity, the plan of arrangements on implementation of adopted decisions shall be developed and approved, the control of their fulfillment shall be established.

Article 12. Consideration and passing of service documents in state bodies

1. Service documents, addressed to state body or immediately to the administration of this body, after their receiving and registration by clerical correspondence service shall be transferred to administration that shall consider them and prepare the mandates (resolutions) basing on them.

2. Upon acceptance of question for consideration, the civil servant of a state body shall become convinced that decision of raised question is in the competence of this body or this civil servant.

3. In case if the question is beyond the established competence, the authorized civil servant shall adopt decision on referral of application to the competent state body or civil servant with compulsory notification of an applicant for the term of no more than three business days.

4. Documents on behalf of the state body shall be signed by its head, person substituting him (her) (in accordance with established distribution of official duties in this body), or another authorized civil servant of this body.

5. Upon referral of document, requiring return to state body, it shall be marked on necessity of return to this state body.

6. The term of consideration of documents in state bodies shall not exceed one month, unless otherwise established by the legislation.

Footnote. Article 12 as amended by the Constitutional Law of the Republic of Kazakhstan dated 03.07.2013 No. 121-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 12-1. Calculation of terms

1. Term established by the legislation shall be determined by calendar date or pointing on event that shall occur necessarily. The term may be established as the period of time that is calculated by years, quarters, months, weeks, days or hours as well.
2. The term, calculated by years shall begin from calendar date or from the date of occurrence of event by which its beginning is determined and shall expire in the relevant month and date of the last year of term. If expiration of the term falls on the month in which there is no the relevant date, the term shall be expired on the last date of this month.

3. The term, calculated by months shall begin from the calendar date or from the date of occurrence of event by which its beginning is determined, and shall be expired in the relevant day (date) of the last month of term. If expiration of term falls on the month in which there is no the relevant date, the term shall be expired on the last date of this month.

4. The term, calculated by weeks shall begin from the calendar date or from the date of occurrence of event, by which its beginning is determined, and shall be expired in the relevant date of the last week of term.

5. The term, calculated by days shall begin from the calendar date or from the date of occurrence of event, by which its beginning is determined, and shall be expired on the last date of established period.

If the last date of term falls on non-work day, the date of expiry shall be the nearest business day next to it.

6. The term, calculated by hours shall begin from the minute of occurrence of event, by which its beginning is determined, and shall be expired in the last minute of established period.

Footnote. The Law is supplemented by Article 12-1 in accordance with the Constitutional Law of the Republic of Kazakhstan dated 03.07.2013 No. 121-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 13. Requirements, submitted to information exchange

1. Information exchange – sending and receipt of information by civil servants of state bodies in the manner, established by the legislation upon carrying out official powers by them.

2. Procedures, regulating information exchange shall enable:
   1) uninterrupted functioning of sole information space of Kazakhstan, its entering into world communication system and information science;
   2) strengthening of national information safety system, including state information resources.

   Adoption of decision by state bodies and civil servants of the Republic of Kazakhstan shall be based on objective and feed-forward information.

3. Information exchange between state bodies and their subdivisions shall be based on baseline minimum volume of mutual information flows, on non-admission of duplication in provided management information.

4. Information procedures shall not allow disclosure of official and other information, linked with interests of the state. State employees shall be provided by official information only for performance of official duties, imposed on them. This information may not be used in off-duty purposes.

   Rules of work with official information shall be established by the Government of the Republic of Kazakhstan.


Article 14. Control of fulfilling official documents

1. Control of fulfilling mandates of the head of state body or other superior civil servant, not linked with acts issued by this civil servant shall be imposed on the relevant subdivisions of this state body.

2. Control of the terms of fulfilling the mandates on official documents shall be carried out by clerical correspondence service of the state body.

3. Fulfillment of mandates, given to several executers shall be coordinated by civil servant, mentioned first in the mandate.

4. Before expiration of term of fulfilling the control mandate, the clerical correspondence service shall direct notification about this to the relevant subdivision in advance.

5. In case of necessity of additional time for fulfilling the mandate, an executer shall apply in written to the civil servant that gave the mandate on extension of term for fulfilling the mandate. Additional term of fulfilling the mandate shall be established by the head that gave the mandate.

6. The fulfilled documents shall be removed from control by the civil servant that gave the
mandate, or by other authorized civil servant.

Chapter 4. Procedures of protection of rights and legal interests of citizen

Article 15. Requirements, submitted to procedures of implementing the rights of citizens

1. Procedures for implementing the rights of citizens shall provide:
   1) procedure for implementing the rights, upon which the citizens shall be obliged to provide minimal quantity of documents, confirming the facts being relevant in law to state bodies and civil servants;
   2) minimal term of implementing the rights and ensuring of legal interests if citizens;
   3) minimal quantity of instances with which the draft decision on implementing the rights of citizens shall be coordinated;
   4) advance notifying the citizens on place and time of considering the case by the relevant person or body;
   5) possibility of familiarization with case materials, linked with consideration of his (her) application, possibility of personal participation of a citizen in examination on his (her) application;
   6) conduct of the case on application of a citizen by one and the same civil servant, not allowing unreasonable transfer of case materials, linked with application of a citizen to other civil servant;
   7) non-admission of cases, when consideration of application of a citizen is imposed on a person, in relation of which there are the grounds to suppose that it is not interested in objective decision of a question.

2. Procedures for implementing the rights of citizens shall not allow:
   1) applying complaint to the damage of a person, lodged a complaint, or in the interests of which it was lodged;
   2) referral of application to civil servants, the actions of which are appealed in application;
   3) possibility of disclosure of details without the agreement of citizens about their private life, personal and family secrets;
   4) establishment of data on identity of a citizen, not related to the application.

Article 15-1. Rendering of state services

Footnote. Article 15-1 is excluded by the Law of the Republic of Kazakhstan dated 15.04.2013 No. 89-V (shall be enforced upon expiry of thirty calendar days after its first official publication).

Article 15-2. Rendering of information services by state bodies for individuals and legal entities

1. For rendering of information services for individuals and legal entities, the state bodies shall create web-sites.
2. Web-sites of state bodies shall contain:
   1) general information on the activity of state body;
   2) list of structural subdivisions of a state body and its subordinate organizations, as well as details on their heads;
   3) list of territorial bodies (in their existence), their tasks and functions, as well as details on their heads;
   4) lists of registers, records, cadastres being under the supervision of a state body;
   5) lists of publicly available information sources and electronic services, provided for individuals and legal entities;
   6) regulatory legal acts, adopted by a state body and entered into force;
   7) samples of declarative documents, received by a state body for consideration in accordance with the Laws and other regulatory legal acts;
   8) details on opened competitive biddings (tenders, auctions), expert advices and other arrangements and conditions of their conduct, as well as conditions of participation of individuals and legal entities in them;
   9) information on procedure for considering the applications of individuals and legal entities in a
state body, reception schedule of citizens, views of applications, information on results of their consideration and taken measures;
10) details on announced vacant offices of a state body, qualification requirements to the candidates on substitution of vacant offices of a civil service;
11) texts of formal addresses and applications of the heads of state bodies and their deputies;
12) existence of service “Questions and Answers”;
13) interactive interviews of citizens;
14) newsline;
15) official statistical information and (or) indices, characterizing the state and dynamics of development of the branch (scope) in the part, related to competence of state body;
16) analytical reports and informative reviews on the activity of a state body;
17) mail addresses, email addresses, phone numbers of referral services of a state body, its structural subdivisions, territorial bodies and subordinated organizations;
18) other sections.
3. Actualization of newsline on web-site of a state body shall be carried out on a daily basis, actualization of other sections shall be carried out as may be required, but not less than once a week.
4. Information on web-site shall be placed in recognition of requirements of paragraph 4 of Article 13 of this Law.
5. Is excluded by the Law of the Republic of Kazakhstan dated 15.04.2013 No. 89-V (shall be enforced upon expiry of thirty calendar days after its first official publication).
6. Confirmation of conformity to requirements, established for receiving the state services, in cases, established by the legislation of the Republic of Kazakhstan shall be carried out by provision of the form of details by an applicant.
Footnote. The Law if supplemented by Article 15-2 in accordance with the Law of the Republic of Kazakhstan dated 18.06.2007 No. 262; as amended by the Laws of the Republic of Kazakhstan dated 10.07.2009 No. 178-IV; dated 19.03.2010 No. 258-IV; dated 15.07.2010 No. 337-IV (the order of enforcement see Article 2); dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 15.04.2013 No. 89-V (shall be enforced upon expiry of thirty calendar days after its first official publication).
Note of RCLI!
Article 15-3 is provided to be excluded by the Law of the Republic of Kazakhstan dated 16.05.2014 No. 203-V (shall be enforced upon expiry of six months after the date of its first official publication).

Article 15-3. Notification requirement

1. Types of activity or particular actions shall be subject to notification requirement in case of establishment of such obligation by the Laws of the Republic of Kazakhstan.
2. Filing notifications shall be carried out by applicant in a state body or public service centre or by filing up the application in the form of electronic document on web-site of “electronic government”.

Rules of receiving notifications in state bodies shall be approved by the Government of the Republic of Kazakhstan, with the exception of National Bank of the Republic of Kazakhstan and public service centres.

Confirmation for fulfilling the obligation of filing the notification by an applicant is a coupon of a state body on receipt of notification, copy of notification with mark on receipt by public service centre or coupon in the form of electronic document.

3. An applicant shall have the right to carry out the activity or particular actions immediately after filing notification, unless otherwise established by the Laws of the Republic of Kazakhstan.

In recognition of specific character of separate types of activity or actions in separate cases, the Laws of the Republic of Kazakhstan may establish the terms for filing notifications.

4. In cases, established by the Laws of the Republic of Kazakhstan, the notification shall be enclosed by necessary documents, by this the requisitioning of documents and other information from applicants that may be received from the state electronic information resources shall be prohibited.

5. After receipt of notification, the state body shall verify the compliance of an applicant with
requirements, established by the legislation of the Republic of Kazakhstan on an independent basis, in the process of carrying out control and supervisory activity in accordance with the Law of the Republic of Kazakhstan “On state control and supervision in the Republic of Kazakhstan”.

6. In cases, established by the Code of the Republic of Kazakhstan on administrative infractions, the activity or separate types of activity of a subject may be suspended or prohibited.

Carrying out of the activity or particular actions without compliance with notification requirement shall entail responsibility in accordance with the Code of the Republic of Kazakhstan on administrative infractions.

7. In cases, established by the Laws of the Republic of Kazakhstan, the state bodies shall keep registers of subjects, filed notification (hereinafter – register) in the manner, determined by the Government of the Republic of Kazakhstan. Removal from register shall be carried out upon application of a subject, under court decision on prohibition of the activity or separate types of activity of individual entrepreneur or legal entity, in other cases, provided by the Laws of the Republic of Kazakhstan, and shall deprive the right of a subject to carry out the activity.

Register shall be placed on we-sites of state bodies in a regime of free access, unless otherwise established by the legislation of the Republic of Kazakhstan.

Register is the ground for formation of risk management system and plan of conducting verifications.

In case of suspension of the activity or separate types of activity of individual entrepreneur or legal entity by court, the relevant details shall be introduced.

In case of change of address of the residence place of an individual, location area of a legal entity, address of carrying out the activity or actions, mentioned in notification, as well as registration data, information on which is compulsory for filing up in notification, the subject shall be obliged to file notification on mentioned changes within ten business days in the manner, established by this Law.

Footnote. Chapter 4 is supplemented by Article 15-3 in accordance with the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication).

**Article 16. Applications of citizens**

1. Procedure for filing applications by citizens, their registration, terms of their consideration by state body shall be determined by the legislation of the Republic of Kazakhstan.

2. In the course of considering the case:

1) state body or civil servant shall establish and research factual circumstances, linked with application, determine legal standards that should be governed upon adoption of decision on application, and in case of necessity shall request and receive necessary documents and materials, required for adoption of decision in established manner;

2) a citizen shall have the right to state the arguments in person to civil servant considering his (her) application, as well as provide additional materials in confirmation of reasonableness of own application.

3. Control of the course of considering the applications of citizens, referred to subdivisions of a state body shall be carried out by the heads of these subdivisions.

4. Applicant shall be given by substantiated response in written form on results of considering the applications by the authorized state body or civil servant.

5. The applications of citizens shall be considered as solved, when the questions raised in them are considered, necessary measures are taken basing on them and the answers are given to applicants in the manner, established by the legislation.

6. If solving the questions is postponed for a long period, the application shall be placed on additional control up to its final fulfillment.

7. An applicant shall have the right to file repeated application on the question that is already considered by the state body (civil servant of a state body) in the manner, established by the legislation, if there are new arguments or newly opened circumstances. Repeated applications without new advanced argumentation or newly opened circumstances shall not be subject to verification, if there are exhausting materials of verifications basing on them and applicants were given by answer in established manner.

8. The head of state body or his (her) deputy shall have the right to adopt decision on termination of proceeding on applications of citizens and removal of these cases from control.
9. The ground for removal of newly received application from control is the standard type document (office memorandum, certificate) on results of its consideration with annexation of materials of verification or exhausting answer of a state body.

**Article 17. Appeal of decision on results of considering the application of a citizen**

1. Decision, adopted on application may be appealed by an applicant in superior state body (superior civil servant) or in court.
2. Appeal against the actions (or omission) of civil servants, as well as against decisions of state bodies shall be field to superior civil servant or body or in court not later than three months, when a citizen is known about commission of action or adoption of decision by the relevant civil servant or body. Default term for appeal is not the ground for refusal in acceptance of complaint by the state body or civil servant or court. Reasons of defaulting the term shall be clarified upon considering the complaint in essence and may be the one of the grounds for refusal in satisfying the complaint.

**Article 18. Application of foreign persons and stateless persons**

Applications of foreign persons and stateless persons shall be considered in the manner, established by the legislation, if international treaties, ratified by the Republic of Kazakhstan do not provide other rules of their considering.

**Article 19. Personal reception**

1. Chief executive officers of state bodies and their deputies shall be obliged to conduct personal reception of citizens, as well as workers of these bodies, not less than once a month, according to the reception schedule, approved by the head of the relevant state body.
2. Reception of citizens shall be conducted in established days and hours and brought to notice of citizens.
3. If the application or complaint may not be solved by civil servant during reception, they shall be stated in written and work with them shall be as with written applications.

**Article 20. Clerical correspondence on applications of citizens**

1. Clerical correspondence on applications of citizens shall be conducted separately from other types of clerical correspondence in the manner, established by the legislation.
2. Personal responsibility for organization of work with applications of citizens, condition of clerical correspondence shall be borne by the heads of bodies.

**Chapter 5. Main procedures of adopting decisions in the field of economy**

Note of RCLI!

Article 21 is provided to be amended by the Law of the Republic of Kazakhstan dated 16.05.2014 No. 203-V (shall be enforced upon expiry of six months from the date of its first official publication).

**Article 21. Basic requirements, submitted to procedures for adoption of decisions in the field of economy**

1. Procedure for adoption of decisions in the field of economy shall be:
   1) publicly available and opened (within the limits, established by the legislation);
   2) based on tender principles applicable to citizens and organizations, participated in privatization of state property, pretending to performance of works and rendering of services to the state, sale of goods, obtaining the credits;
   3) based on the principle of legal equality of subjects of economic activity independently from the form of ownership and other circumstances;
4) contain automatic issuance of permits, licenses and other authorization documents (procedures) in case of non-presentation of substantiated refusal by the state body in terms, established by the legislation of the Republic of Kazakhstan.

2. Requirements, established in paragraph 1 of this Article shall be applied on procedures of adoption of decisions, linked with:

1) distribution of the funds of republican and local budgets (as well as upon placement of state orders and public procurements), allocation of credit resources;

2) issuance of authorization documents (with the exception of tax patents) and carrying out of the authorization procedures;

3) presentation of benefits and preferences to the subjects of economic activity, established by the legislation;

4) privatization of state property;

5) management of public assets.


Article 22. Restrictions and prohibitions in the scope of adoption of economic decisions

Procedures for adoption of decisions in the field of economic shall provide prohibitions and restrictions that do not allow:

1) unauthorized use of the funds of state budgetary;

2) restriction or elimination of business competition at goods and services market;

3) monopoly position of separate economic subjects at market, with the exception of natural monopolies and monopoly of the state on separate types of activity in the cases, provided by the legislative acts;

4) establishment of preclusions for free movement of a capital, labour forces and goods within single market place of the Republic of Kazakhstan, with the exception of cases, directly provided by the legislative acts;

5) unreasonable reduction of a share of Kazakhstani commodity producers in economy of a country.

Chapter 6. Final and transitional provisions

Article 23. Responsibility for violation of this Law

Violation of this Law shall entail responsibility in accordance with the Laws of the Republic of Kazakhstan.


Article 24. Correlation of this Law with other regulatory legal acts

1. Provisions of this Law are basic for development and adoption of regulatory legal acts, regulating separate types of administrative procedures.

2. Legislation on procedure for performance of separate state functions may establish administrative procedures, determining special aspects of the procedure for carrying out of these functions in accordance with this Law.

Article 25. Entering into force of this Law

This Law enters into force upon expiry of six months from the date of its official publication, within which the state bodies and civil servants shall bring their subordinate regulatory legal acts, regulating administrative procedures into compliance with this Law.

The President