

On the amnesty in the respect of the thirtieth anniversary of the Independence of the Republic of Kazakhstan

Unofficial translation

Law of the Republic of Kazakhstan dated December 7, 2021 No. 81-VII LRK

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In the respect of the thirtieth anniversary of the Independence of the Republic of Kazakhstan, guided by the principle of humanism, this Law has been adopted.

Article 1. Concept used in this Law

For the purposes of this Law, socially vulnerable persons include:

veterans and other persons who are subject to the Law of the Republic of Kazakhstan "On Veterans";

persons under the age of eighteen at the time of the commission of the criminal offense;

women who are fifty years of age or older, men who are sixty years of age or older on the day this Law enters into force;

women who are pregnant on the day this Law enters into force;

women who are not deprived of parental rights and have children, including those adopted (adopted) or taken under guardianship and (or) guardianship, who have not reached the age of eighteen on the day this Law enters into force, or who had dependents at the time of the commission of a criminal offense and conviction a disabled child (children with disabilities), as well as a disabled person (disabled) since childhood, regardless of their age;

men who have not been deprived of parental rights and who, as of the day this Law enters into force, are the only parent of minor children, including adopted children, or who at the time of the commission of a criminal offense and conviction depended on a disabled child (children with disabilities), as well as a disabled person (disabled) since childhood, regardless of their age;

disabled persons of the first or second group, recognized as such in the manner established by the legislation of the Republic of Kazakhstan, prior to the entry into force of this Law.

Article 2 . Exemption from criminal liability or basic punishment

1. The following shall be released from criminal liability or basic punishment:

1) persons who have committed criminal offenses and (or) crimes of minor gravity;

2) persons who have committed medium-gravity crimes that have not caused damage, or who have fully compensated for it, or for whom no civil claim has been filed;

3) socially vulnerable persons who have committed crimes of medium gravity, regardless of the presence of damage or a civil claim.

2. Those convicted for committing crimes of average gravity, who do not have a negative degree of behavior, who, on the day this Law enters into force, have no more than one year left to serve their sentence, shall be exempted from the main punishment.

3. Cases on criminal offenses, specified in paragraph 1 of this article, which are being processed, are subject to termination by the body conducting the criminal process, with the release of persons from criminal liability.

4. In cases of criminal misdemeanors, crimes of small or medium gravity, for which the mandatory imposition of additional punishment is provided for, the persons referred to in paragraph 1 of this article shall be released by the court from the main punishment.

5. Convicted persons falling under paragraph 1 of this article shall be subject to release from further serving only the main sentence.

Article 3 . Reducing the terms or sizes of the main punishment

1. For persons who have committed medium-gravity crimes that are not subject to subparagraphs 2) and 3) of paragraph 1 of Article 2 of this Law, the term or amount of the unserved or unfulfilled part of the main punishment is reduced by one second part.

2. The terms or sizes of the unserved or unfulfilled part of the main punishment for socially vulnerable persons who are serving the punishment or have not yet fulfilled it are reduced:

- 1) for grave crimes - by one half;
- 2) for especially grave crimes - by one fourth.

3. The terms or amounts of the unserved or unfulfilled part of the main punishment for persons, with the exception of socially vulnerable persons, who are serving a sentence or have not yet executed it, in the event of full compensation for the damage caused by a criminal offense and claims against them, or in their absence, are reduced:

- 1) for serious crimes - by one third;
- 2) for especially grave crimes - by one fifth.

4. The terms or amounts of the unserved or unfulfilled part of the main punishment for persons not subject to paragraph 3 of this article shall be reduced:

- 1) for serious crimes - by one fifth;
- 2) for especially grave crimes - by one sixth.

5. For persons convicted of grave and especially grave crimes, who do not have a negative degree of behavior, and who, on the date of entry into force of this Law, have no more than one year left to serve their sentence, the amount of the unserved part of the main sentence is reduced.

Article 4 Persons to whom the amnesty does not apply

This Law does not apply to persons:

- 1) committed terrorist crimes;
- 2) committed extremist crimes or crimes containing signs of extremism;
- 3) who committed torture;

4) who have been punished in case of relapse or dangerous relapse of crimes ;

5) to whom the death penalty has been commuted by pardon to deprivation of liberty, as well as to whom life imprisonment has been imposed;

6) who committed crimes as part of a criminal group, organized group, criminal organization, criminal community, transnational organized group, transnational criminal organization, transnational criminal community, terrorist group, extremist group, gang or illegal paramilitary group;

7) in respect of whom the punishment has been executed and who have served the punishment;

8) who have committed criminal offenses, in the aggregate of which one of them is not subject to this Law;

9) who have committed criminal offenses included in the totality of sentences, one of which is not subject to this Law;

10) recognized on the day of the entry into force of this Law as persistent violators of the established procedure for serving sentences in accordance with Article 130 of the Penal Code of the Republic of Kazakhstan or who committed intentional crimes while serving sentences;

11) convicted for the crime provided for by the Criminal Code of the Kazakh SSR of July 22, 1959 (as amended and supplemented after July 22, 1959 until January 1, 1998) - premeditated murder (Article 88);

12) convicted for the following crimes, provided for by the Criminal Code of the Republic of Kazakhstan dated July 16, 1997 (as amended and supplemented after July 16, 1997 until January 1, 2015): murder (Article 96); murder committed in a state of passion (second part of Article 98); causing death by negligence (second part of Article 101); incitement to suicide (part two of Article 102); intentional infliction of grievous bodily harm (parts two and three of Article 103); torture (part two of Article 107); coercion to remove or illegal removal of human organs and tissues (parts two and three of Article 113); infection with the human immunodeficiency virus (HIV/AIDS) (third part of Article 116); illegal abortion (part four of Article 117); rape (Article 120); violent acts of a sexual nature (Article 121); sexual intercourse and other acts of a sexual nature with a person under the age of sixteen (Article 122), except when such a crime is committed by a minor; coercion to sexual intercourse, sodomy, lesbianism or other acts of a sexual nature (Article 123); corruption of minors (Article 124), except when such a crime is committed by a minor; kidnapping (Article 125); unlawful deprivation of liberty (third part of Article 126); human trafficking (parts two, three and four of Article 128); involvement of a minor in criminal activity (parts two, three, four and five of Article 131); involvement of a minor in committing antisocial acts (third part of Article 132); involvement of a minor in prostitution (Article 132-1); trafficking in minors (Article 133); substitution of a child (part two of Article 134); planning, preparation, initiation or waging of aggressive war (Article 156); propaganda and public calls for unleashing a war of aggression (Article 157); production or distribution of weapons of mass destruction (

Article 158); the use of prohibited means and methods of warfare (Article 159); genocide (Article 160); ecocide (Article 161); mercenarism (Article 162); participation in foreign armed conflicts (Article 162-1); attack on persons or organizations enjoying international protection (Article 163); inciting social, national, tribal, racial or religious hatred (Article 164); high treason (Article 165); espionage (Article 166); encroachment on the life of the First President of the Republic of Kazakhstan - the Leader of the Nation (Article 166-1); encroachment on the life of the President of the Republic of Kazakhstan (Article 167); forcible seizure of power or forcible retention of power or the exercise by representatives of a foreign state or a foreign organization of powers that fall within the competence of authorized bodies and officials of the Republic of Kazakhstan (Article 168); armed rebellion (Article 169); calls for violent overthrow or change of the constitutional order or violent violation of the unity of the territory of the Republic of Kazakhstan (Article 170); sabotage (Article 171); theft (paragraphs a) and b) of the fourth part of Article 175); misappropriation or embezzlement of entrusted property of others (clause d) of part three, part four of Article 176); fraud (paragraph d) of part three, part four of Article 177); creation and (or) management of the activity of a financial (investment) pyramid (Article 177-1); robbery (parts two, three and four of Article 178); robbery (Article 179); theft of items of special value (Article 180); extortion (parts two, three and four of Article 181); illegal possession of a car or other vehicle without the purpose of theft (parts three and four of Article 185); intentional destruction or damage to another's property (third part of Article 187); legalization (laundering) of money and (or) other property obtained by criminal means (third part of Article 193); production or sale of counterfeit money or securities (Article 206); economic smuggling (third part of article 209); coercion to make a transaction or to refuse to make it (part two of Article 226); raiding (part three of article 226-1); hostage-taking (Article 234); creation and management of an organized group for the purpose of committing one or more crimes, as well as participation in it (Article 235); creation and management of a criminal community (criminal organization), as well as participation in it (Article 235-1); creation and management of a transnational organized group for the purpose of committing one or more crimes, as well as participation in it (Article 235-2); creation and management of a transnational criminal community (transnational criminal organization), as well as participation in it (Article 235-3); financing the activities of an organized group, a criminal community (criminal organization) or a transnational organized group, a transnational criminal community (transnational criminal organization) or a stable armed group (gang), as well as the collection, storage, distribution of property, development of financing channels (Article 235-4) ; organization of an illegal paramilitary formation (part one of Article 236); attack on buildings, structures, means of communication and communications (Article 238); hijacking, as well as seizure of an aircraft or watercraft or railway rolling stock (Article 239); piracy (Article 240); riots (Article 241); dissemination of deliberately false information (part four of Article 242-1); poor quality construction (third part of article 245-1); violation of safety rules in the course of space

activities (part three of Article 246-1); illegal handling of radioactive materials (parts two and three of Article 247); theft or extortion of radioactive materials (parts two and three of Article 248); smuggling of objects withdrawn from circulation or objects whose circulation is restricted (parts two, three and four of Article 250); illegal acquisition, transfer, sale, storage, transportation or carrying of weapons, ammunition, explosives and explosive devices (parts two and three of Article 251); illegal manufacture of weapons (parts two and three of Article 252); improper performance of duties for the protection of weapons, ammunition, explosives or explosive devices (second part of Article 254); theft or extortion of weapons, ammunition, explosives and explosive devices (Article 255); hooliganism (third part of article 257); illegal manufacture, processing, acquisition, storage, transportation, transfer or sale of narcotic drugs or psychotropic substances (Article 259); theft or extortion of narcotic drugs or psychotropic substances (Article 260); inducement to the consumption of narcotic drugs or psychotropic substances (parts two, three and four of Article 261); illegal cultivation of plants prohibited for cultivation containing narcotic substances (second part of Article 262); illegal circulation of poisonous substances, as well as substances, tools or equipment used for the manufacture or processing of narcotic drugs, psychotropic or poisonous substances (parts two, three and four of Article 263); organization or maintenance of dens for the consumption of narcotic drugs or psychotropic substances, or provision of premises for the same purposes (Article 264); production or sale of goods, performance of work or provision of services that do not meet safety requirements (third part of Article 269); organization of illegal gambling business (third part of article 269-1); involvement in prostitution (parts two and three of Article 270); organization or maintenance of dens for prostitution and pandering (parts two and three of Article 271); production and circulation of materials or objects with pornographic images of minors or their involvement in participation in entertainment events of a pornographic nature (parts two and three of Article 273-1), with the exception of the case when such a crime was committed by a minor; illegal removal of organs and tissues of a human corpse (part two of Article 275-1); illegal extraction of fish resources and other aquatic animals and plants (Article 287); illegal hunting (Article 288); illegal handling of rare and endangered species of plants and animals and (or) their parts and derivatives, as well as plants and animals and (or) their parts and derivatives, the seizure of which is prohibited (Article 290); illegal felling of trees and bushes (Article 291); destruction or damage to forests (Article 292); violation of traffic safety rules and operation of railway, air or water transport (third part of Article 295); violation of the rules of the road and operation of vehicles by persons driving vehicles (parts one and two if committed by persons who were in a state of alcoholic, narcotic and (or) substance abuse, part three of Article 296); poor-quality repair of vehicles and their release into operation with technical malfunctions, admission to driving a vehicle of a person who is in a state of intoxication (part four of Article 298); intentionally rendering vehicles or means of communication unusable (third part of Article 299); violation of the rules ensuring the safe operation of transport (third part of Article 300); violation of safety rules during the

construction, operation or repair of main pipelines (third part of Article 303); abuse of official powers (parts three and four of Article 307); excess of power or official authority (part four of Article 308); obstruction of legal entrepreneurial activity (third part of Article 310-1); taking a bribe (parts two, three, four and five of Article 311); giving a bribe (parts three, four and five of Article 312); mediation in bribery (part two of Article 313); official forgery (third part of Article 314); inaction in the service (part four of Article 315); the use of violence against a representative of authority (part two of Article 321); encroachment on the life of a person exercising justice or preliminary investigation (Article 340); threat or violent actions in connection with the administration of justice or the production of a preliminary investigation (fourth part of Article 341); deliberately false denunciation (parts two and three of Article 351); bribery or coercion to give false testimony or to evade giving evidence, to make a false conclusion or to mistranslate (fourth part of Article 354); disclosure of information about security measures applied to persons subject to state protection (part two of Article 356); escape from places of deprivation of liberty, from arrest or from custody (paragraph c) of the second part of Article 358); disobedience to the lawful demands of the administration of the penitentiary institution (Article 360); the threat of violence against an employee of an institution that ensures isolation from society, or his relatives, as well as a convict, or an encroachment on their health or life (parts three and four of Article 361); disobedience or other non-execution of an order (parts two and three of Article 367); resistance to the boss or forcing him to violate official duties (parts two and three of Article 368); violent actions against the chief (parts two and three of Article 369); violation of the statutory rules of relations between military personnel in the absence of subordination relations between them (parts two and three of Article 370); unauthorized abandonment of a unit or place of service (part two of Article 372); desertion (parts two and three of Article 373); evasion from military service by self-mutilation or in any other way (third part of Article 374); violation of the rules of combat duty (part two of Article 375); violation of the statutory rules for guard (watch) duty (part two of Article 377); violation of the rules of service for the protection of public order and ensuring public safety (third part of Article 379); abuse of power (parts two and three of Article 380); excess of power or official authority (parts two and three of Article 380-1); inaction of the authorities (parts two and three of Article 380-2); neglect of service (part two of article 381); violation of the rules for handling weapons, as well as substances and objects that pose a danger to others (third part of Article 390); violation of the rules for driving or operating machines (third part of Article 391);

13) convicted for the following crimes, provided for by the Criminal Code of the Republic of Kazakhstan dated July 3, 2014 (as amended and supplemented after July 3, 2014 before the entry into force of this Law): murder (Article 99); murder committed in a state of passion (second part of article 101); causing death by negligence (part two of Article 104); driving to suicide (parts two and three of Article 105); intentional infliction of grievous bodily harm (parts two and three of Article 106); torture (part two of article 110); coercion to remove or

illegal removal of human organs and tissues (parts two and three of Article 116); infection with the human immunodeficiency virus (HIV) (third part of Article 118); leaving in danger (part four of Article 119); rape (Article 120); violent acts of a sexual nature (Article 121); sexual intercourse or other acts of a sexual nature with a person under the age of sixteen (Article 122), unless such a crime is committed by a minor; coercion to sexual intercourse, sodomy, lesbianism or other acts of a sexual nature (part two of Article 123); corruption of minors (article 124), with the exception of the case when such a crime is committed by a minor; kidnapping (Article 125); unlawful deprivation of liberty (parts two and three of Article 126); human trafficking (article 128); involvement of a minor in the commission of criminal offenses (parts two, three, four and five of Article 13 2); involvement of a minor in the commission of antisocial acts (parts two and three of Article 133); involvement of a minor in prostitution (Article 134) ; trafficking in minors (Article 135); substitution of a child (part two of article 136); illegal export of a minor outside the Republic of Kazakhstan (parts two and three of Article 143); involvement of minors in the manufacture of products of erotic content (Article 144), with the exception of the case when such a crime is committed by a minor; violation of labor protection rules (part four of article 156); planning, preparing, initiating or waging a war of aggression (Article 160); propaganda or public calls to unleash a war of aggression (Article 161); production, acquisition or sale of weapons of mass destruction (Article 162); use of prohibited means and methods of warfare (Article 163); violation of the laws and customs of war (Article 164); criminal violations of international humanitarian law during armed conflicts (Article 165); inaction or giving a criminal order during an armed conflict (Article 166); genocide (Article 168); ecocide (Article 169); mercenarism (Article 170); participation in foreign armed conflicts (Article 172); attack on persons or organizations enjoying international protection (Article 173); inciting social, national, tribal, racial, class or religious hatred (Article 174); high treason (Article 175); espionage (Article 176); encroachment on the life of the First President of the Republic of Kazakhstan - Elbasy (Article 177); encroachment on the life of the President of the Republic of Kazakhstan (Article 178); propaganda or public calls for the seizure or retention of power , as well as the seizure or retention of power or a violent change in the constitutional order of the Republic of Kazakhstan (Article 179); armed rebellion (Article 181); sabotage (Article 184); theft (paragraph 2) of the third part and the fourth part of Article 188); cattle stealing (article 188-1); misappropriation or embezzlement of entrusted property of others (parts three and four of Article 189); fraud (parts three and four of Article 190); robbery (parts two, three and four of Article 191); robbery (article 192); theft of items of special value (Article 193); extortion (parts two, three and four of Article 194); illegal possession of a car or other vehicle without the purpose of theft (part four of Article 200); intentional destruction, removal or damage of items of special value (Article 203); creation and management of a financial (investment) pyramid (Article 217); legalization (laundering) of money and (or) other property obtained by criminal means (third part of Article 218); making, holding,

moving or selling counterfeit money or securities (Article 231); economic smuggling (third part of article 234); coercion to make a transaction or to refuse to make it (parts two and three of Article 248); raiding (third part of article 249); hostage-taking (article 261); creation and management of an organized group, criminal organization, as well as participation in them (Article 262); creation and management of a criminal community, as well as participation in it (Article 263); creation and management of a transnational organized group, a transnational criminal organization, as well as participation in them (Article 264); creation and management of a transnational criminal community, as well as participation in it (Article 265); financing the activities of a criminal group, as well as storage, distribution of property, development of funding channels (Article 266); organization of an illegal paramilitary formation (part one of Article 267); attack on buildings, structures, means of communication and communications or their capture (Article 269); hijacking, as well as seizure of an aircraft or watercraft or railway rolling stock (Article 270); piracy (third part of article 271); riots (Article 272); dissemination of deliberately false information (part four of article 274); violation of safety rules in the course of mining or construction work (third part of article 277); poor-quality construction (third part of article 278); violation of the rules or requirements of regulations in the field of architectural, urban planning and construction activities (part two of article 279); improper performance of expert work or engineering services (part two of article and 280); violation of safety rules at explosive facilities (third part of article 281); violation of safety rules in the implementation of space activities (part three of Article 282); illegal handling of radioactive substances, radioactive waste, nuclear materials (third part of Article 283); theft or extortion of radioactive substances, radioactive waste or nuclear materials (parts two and three of Article 284); smuggling of objects withdrawn from circulation or objects whose circulation is restricted (parts two, three and four of Article 286); illegal acquisition, transfer, sale, storage, transportation or carrying of weapons, ammunition, explosives and explosive devices (part four of Article 287); illegal manufacture of weapons (part two of article 288); improper performance of duties for the protection of weapons, ammunition, explosives or explosive devices (second part of Article 290); theft or extortion of weapons, ammunition, explosives and explosive devices (Article 291); violation of fire safety requirements (part three of article 292); hooliganism (third part of article 293); illegal handling of narcotic drugs, psychotropic substances, their analogues without the purpose of sale (part four of Article 296); illegal manufacture, processing, acquisition, storage, transportation for sale, transfer or sale of narcotic drugs, psychotropic substances, their analogues (Article 297); theft or extortion of narcotic drugs, psychotropic substances, their analogues (Article 298); inducement to the consumption of narcotic drugs, psychotropic substances, their analogues (parts two, three and four of Article 299); propaganda or illegal advertising of narcotic drugs, psychotropic substances or their analogues, precursors (Article 299-1); illegal cultivation of plants prohibited for cultivation containing narcotic substances (part two of Article 300); illegal

circulation of poisonous substances, as well as substances, tools or equipment used for the manufacture or processing of narcotic drugs, psychotropic substances, their analogues or poisonous substances (parts two and three of Article 301); organization or maintenance of dens for the consumption of narcotic drugs, psychotropic substances, their analogues and the provision of premises for the same purposes (Article 302); violation of sanitary rules or hygiene standards (part three of article 304); release or sale of goods, performance of work or provision of services that do not meet safety requirements (third part of Article 306); organization of illegal gambling business (third part of article 307); involvement in prostitution (parts two and three of Article 308); organization or maintenance of dens for prostitution and pandering (parts two and three of Article 309); production and circulation of materials or objects with pornographic images of minors or their involvement in participation in entertainment events of a pornographic nature (parts two and three of Article 312), with the exception of the case when such a crime was committed by a minor; illegal removal of organs and tissues of a human corpse (part two of Article 315); improper performance of professional duties by a medical or pharmaceutical worker (part four of Article 317); illegal carrying out of artificial termination of pregnancy (part five of article 319); illegal medical and pharmaceutical activities and illegal issuance or forgery of prescriptions or other documents giving the right to receive narcotic drugs or psychotropic substances (part four of Article 322); illegal extraction of fish resources, other aquatic animals or plants (Article 335); illegal hunting (article 337); illegal handling of rare and endangered, as well as species of plants or animals prohibited for use, their parts or derivatives (Article 339); illegal felling, destruction or damage of trees and shrubs (Article 340); destruction or damage to forests (Article 341); violation of traffic safety rules or operation of railway, air, sea or river transport (third part of Article 344); violation of the rules of the road or the operation of vehicles by persons driving vehicles (part three if committed by persons who were in a state of alcoholic, narcotic and (or) substance abuse , part four of Article 345); violation of the rules of the road or the operation of vehicles by persons driving vehicles in a state of alcoholic, narcotic and (or) substance abuse (Article 345-1); driving a vehicle by a person deprived of the right to drive vehicles and in a state of alcoholic, narcotic and (or) substance abuse , as well as transferring control of a vehicle to such a person or allowing such a person to drive a vehicle (Article 346); poor-quality repair of vehicles or their release into operation with technical malfunctions (part four of article 348); admission to driving a vehicle of a driver who does not have the right to drive (part four of Article 349); intentionally rendering vehicles or means of communication unusable (third part of Article 350); violation of the rules ensuring the safe operation of transport (third part of article 351); violation of the rules in force on transport (part four of article 353); violation of safety rules during the construction, operation or repair of main pipelines (part four of article 354); control of an air, sea, river or small vessel by a person who is in a state of alcoholic, narcotic and (or) substance abuse , transfer of control to such a person or admission to control of an air, sea, river or small vessel of such

a person (parts four and five of Article 358) ; admission to the control of an aircraft, sea or river vessel of a person who does not have the right to control (part four of Article 359) ; abuse of official powers (part four of article 361) ; excess of power or official authority (part four of Article 362) ; obstruction of engaging in legal business activities (parts three and four of Article 365) ; receiving a bribe (parts 1-1, second, third and fourth of Article 366) ; giving a bribe (parts two, three and four of Article 367) ; mediation in bribery (part two of article 368) ; official forgery (part four of article 369) ; inaction in the service (part four of article 370) ; the use of violence against a representative of authority (parts two and three of Article 380) ; an encroachment on the life of a law enforcement officer, a special state body, a military man, a state inspector for the protection of wildlife, an inspector of a specialized organization for the protection of wildlife, a huntsman (Article 380-1) ; the use of violence against a state inspector for the protection of the animal world, an inspector of a specialized organization for the protection of the animal world, a huntsman (Article 380-2) ; encroachment on the life of a person administering justice or pre-trial investigation (Article 408) ; threat or violent actions in connection with the administration of justice or pre-trial investigation (part four of Article 409) ; deliberately false denunciation (parts three and four of Article 419) ; bribery or coercion to give false evidence or evasion from giving evidence, false conclusion or mistranslation (part four of Article 422) ; disclosure of information about security measures applied to persons subject to state protection (part two of Article 424) ; escape from places of deprivation of liberty, from arrest or from custody (paragraph 2) of the second part of Article 426) ; disobedience to the lawful demands of the administration of the penitentiary institution (Article 428) ; the threat of violence against an employee of an institution that ensures isolation from society, or his relatives, as well as a convict or an encroachment on their health or life (parts two, three and four of Article 429) ; disobedience or other non-execution of an order (third part of article 437) ; resistance to the boss or forcing him to violate official duties (parts two and three of Article 438) ; violent actions against the boss (parts two and three of Article 439) ; violation of the statutory rules of relations between military personnel in the absence of subordination relations between them (parts three and four of Article 440) ; unauthorized abandonment of a unit or place of service (part three of article 441) ; desertion (parts two and three of Article 442) ; evasion or refusal to perform military service (part two of Article 443) ; violation of the rules of combat duty (parts two and three of Article 444) ; violation of the statutory rules for guard (watch) service (part two of article 446) ; violation of the rules of service for the protection of public order and ensuring public safety (third part of Article 449) ; abuse of power (parts two and three of Article 450) ; excess of power (parts two and three of Article 451) ; inaction of the authorities (parts two and three of Article 452) ; negligent attitude to service (part two of article 453) ; intentional destruction or damage to military property (third part of Article 459) ; violation of the rules for handling weapons, as well as substances and objects that pose a danger to others (third part of article 462) ; violation of the rules for driving or operating machines (part four of

article 46 3); violation of flight rules or preparation for them (part three of article 464); driving cars, driving, driving a military aircraft by a person in a state of alcoholic, narcotic or substance abuse , transferring driving or driving or allowing such a person to drive or control military equipment (parts three, four and five of Article 466).

Article 5. Conditions and procedure for applying amnesty

1. The provisions of this Law shall apply to persons who, prior to the entry into force of this Law, have committed crimes provided for by the Criminal Code of the Kazakh SSR of July 22, 1959 (as amended and supplemented by January 1, 1998) and the Criminal Code of the Republic of Kazakhstan of July 16, 1997 year (with amendments and additions made before January 1, 2015), criminal offenses provided for by the Criminal Code of the Republic of Kazakhstan dated July 3, 2014 (with amendments and additions made to it before the date of entry into force of this Law).

2. The terms or amounts of the unserved or unfulfilled part of the main punishment, provided for in paragraph 2 of Article 2, Article 3 of this Law, are calculated on the day of its entry into force.

3. In order to ensure the timely implementation of this Law, institutions and bodies executing punishment must submit the following documents to the courts:

1) a proposal for release from further serving a sentence or for a reduction in the term of the sentence imposed;

2) an extract from the court verdict (with amendments made to it, if any) and other judicial acts issued in respect of the convicted person;

3) information about the served and remaining term of punishment as of the day this Law enters into force;

4) personal or control file of the convict;

5) documents confirming the status of a socially vulnerable person.

4. Bodies conducting criminal proceedings, as well as institutions and bodies executing punishment, take measures to ensure the implementation of this Law within six months from the date of its entry into force.

5. Amnesty shall not be applied if the person against whom the amnesty may be applied, or his legal representative objects to this.

6. When applying this Law, the removal of a criminal record is carried out on the general grounds established by Article 79 of the Criminal Code of the Republic of Kazakhstan dated July 3, 2014.

Article 6 The application of amnesty to persons convicted by the courts of the Republic of Kazakhstan and serving sentences outside it, as well as to persons transferred to serve their sentences to the Republic of Kazakhstan

The application of amnesty to persons convicted by the courts of the Republic of Kazakhstan and serving sentences outside it, as well as to persons transferred to serve their sentences to the Republic of Kazakhstan, is carried out in the manner determined by the

Criminal Procedure Code of the Republic of Kazakhstan and international treaties to which the Republic of Kazakhstan is a party.

Article 7 Measures to implement this Law

The Government of the Republic of Kazakhstan and local executive bodies of regions, cities of republican significance and the capital take measures to:

- 1) accommodation in medical and social institutions (organizations) of a stationary type for disabled people of the first, second groups and persons who are not capable of self-service due to advanced age, released from punishment under an amnesty and who do not have a spouse (spouse) or close relatives;
- 2) transfer of released minors to be raised by parents or persons replacing them, or referral to a specialized state body with assistance in continuing to receive secondary, technical or vocational education;
- 3) ensuring the continuation of treatment prescribed by a court judgment, which has not been completed by the time of application of this Law in the course of execution of the judgment;
- 4) placement of those who do not have a fixed place of residence, released from punishment under an amnesty, in centers for resocialization of persons who find themselves in a difficult life situation;
- 5) ensuring the employment of able-bodied persons released from institutions, and providing them with social and other assistance in accordance with the legislation of the Republic of Kazakhstan.

Article 8 The procedure for the entry into force of this Law

This Law shall enter into force from the date of its first official publication.

President of the Republic of Kazakhstan

K. TOKAEV