



On approval of the Rules for making payments and the amount of money allocated for maintenance of child (children) transferred to foster carers

Invalidated Unofficial translation

Decree of the Government of the Republic of Kazakhstan No. 381 dated March 30, 2012. Abolished by the Decree of the Government of the Republic of Kazakhstan dated July 28, 2023 No. 621

Unofficial translation

On approval of the Rules for making payments and the amount of money allocated for maintenance of child (children) transferred to foster carers

A footnote. It was abolished by the Decree of the Government of the Republic of Kazakhstan dated July 28, 2023 No. 621 (effective ten calendar days after the date of its first official publication).

In accordance with Paragraph 1 of Article 137 of the Law of the Republic of Kazakhstan dated December 26, 2011 “On marriage (matrimony) and family”, the Government of the Republic of Kazakhstan **hereby DECREES AS FOLLOWS:**

1. Approve the attached Rules for making payment and the amount of money allocated for maintenance of the child (children) transferred to foster carers.
2. Declare to be no longer in force the Decree of the Government of the Republic of Kazakhstan No. 306 dated March 11, 2004 "On approval of the Rules for payment of funds for maintenance of child (children) transferred to foster carers" (Collected Acts of the President and the Government of the Republic of Kazakhstan, 2004, No. 13 , Article 167) .
3. This Decree shall be enforced from the day of the first official publication.

The Prime Minister of the Republic of Kazakhstan

K. Massimov

Approved by
the Decree of the Government
of the Republic of Kazakhstan
No. 381 dated March 30, 2012

Rules

for making payments and the amount of money allocated for maintenance of child (children) transferred to foster carers

1. General Provisions

1. These Rules for making payments and the amount of money allocated for maintenance of child (children) transferred to foster carers shall be developed in

accordance with the Code of the Republic of Kazakhstan dated December 26, 2011 “On marriage (matrimony) and family” and determine the procedure for making payments and the amount of money allocated to child (children) transferred to foster carers (hereinafter referred to as the Rules).

2. Guardianship or custody in the form of patronage shall be established over minor orphans, children without parental care, including those in an educational organization, medical or other organization.

2. The procedure for payment of funds allocated for maintenance of the child (children) transferred to foster carers

3. Excluded by the Decree of the Government of the Republic of Kazakhstan No .312 dated 25.04.2015 (shall be enforced from the day of its first official publication).

4. To assign funds allocated for maintenance of child (children), the foster carer shall provide to the body performing the functions of guardianship or custody (hereinafter referred to as the authority) at the place of residence:

- 1) an application for appointment of funds in accordance with Appendix 1 to these Rules;
- 2) a certificate of study of child (children) in the organization of education;
- 3) an agreement on transfer of child (children) to foster care.

Footnote. Paragraph 4 is in the wording by the Decree of the Government of the Republic of Kazakhstan No. 312 dated 25.04.2015 (shall be enforced from the day of its first official publication).

5. The authority within five working days checks the right of the foster carer to receive money allocated for maintenance of child (children), based on the documents specified in Paragraph 4 of these Rules.

Based on the results of audit, the authority makes a decision on appointment or refusal to assign funds allocated to foster carers for maintenance of child (children), in accordance with Appendix 2 to these Rules, which is recorded in registration book.

No funds shall be allocated for wards of children who are fully supported by the state in the organization of education, medical or other organization.

6. Based on the decision on assignment of funds allocated to foster carers, the authority shall pay the funds to foster carers within five working days.

7. Funds allocated to child (children) being foster care shall be assigned and paid to the foster carer until the ward reach the age of 18, with the exception of cases that will entail early termination of their payment specified in Paragraph 9 of these Rules.

8. The payment of funds allocated for maintenance of child (children) transferred to foster carer shall be made by the authority every month no later than the 15 day of the current month from the day of the decision on allocation of funds on the basis of the

agreement on transfer of child (children) to foster care, concluded between the foster carer and the authority.

9. The payment of funds allocated for maintenance of child (children) to foster carer shall be terminated for the following reasons:

- 1) the ward attainment of majority;
- 2) place the ward for full state support in the organization for orphans and children without parental care, a medical-social institution of a stationary type;
- 3) adoption of the ward child;
- 4) removal of foster carer from the performance of their duties;
- 5) expiration or early termination of the contract.

10. The termination of payment of funds allocated for maintenance of child (children) to foster carer shall be made by decision of the authority from the month following the month in which circumstances arose that entailed the cessation of payment.

11. The authority shall notify the foster carer of termination of payment of funds within one month from the day of the decision.

12. Funds not timely received by the foster carer through the fault of the authority shall be paid for the entire past period from the day of appeal to the authority, if the appeal followed until the ward reached the age of eighteen.

13. Documents on appointment and payment of funds for child (children) under foster shall be stored in the authority in the personal files of the wards.

14. The foster carer shall keep records of expenses in the form of records on receipt and expenditure of funds.

3. The amounts of payment of funds allocated for maintenance of child (children) transferred to foster carers

15. The payment of funds allocated for maintenance of child (children) transferred to foster carers shall be made monthly in the following amounts:

- 1) meals for a child of preschool age - 6 monthly calculation indexes;
- 2) meals for a child of school age - 7 monthly calculation indexes;
- 3) clothes, shoes and textile products for a child - 3 monthly calculation indexes.

16. Control over the expenditure of funds allocated for maintenance of child (children) transferred to foster carers shall be carried out by the authority at least 1 time in half a year.

**Application form
for appointment of funds allocated for maintenance
of the child (children) transferred to foster carers**

(name of authority)

Application

I hereby request to assign the funds allocated for maintenance
of child (children) transferred to foster carers

(Full name, date of birth, child (children))

Surname _____

Name _____ Patronymic _____ of foster carer

Address _____

The decision on allocation of funds for maintenance of child (children)
transferred to foster carers _____

_____ dated " __ " _____ 20 ____.

Type of identity document of foster carer

Series _____ Number _____ Authority _____

Individual identification number _____

Personal account number _____

Name of bank _____

In the event of changes in personal data, I undertake to inform about it within 15
days.

I warned about responsibility for providing false information and fake documents.

" __ " _____ 20 ____

(applicant's signature)

The documents accepted:

" __ " _____ 20 ____

(signature) (Full name., position of the person who accepted documents)

(cutting line)

In the event of changes in personal data, I undertake to inform about it within 15 days.

I warned about responsibility for providing false information and fake documents.

Application of citizen _____ with attached documents

Number of _____ pieces accepted " ____ " _____ 20 ____ .

(signature) (Full name., position of the person who accepted documents)

Appendix 2
to the Rules for making payments
and the amount of money allocated
for maintenance of child (children)
transferred
to foster carers

Decision

on assignment (refusal of assignment) of funds allocated

for maintenance of child (children) transferred to foster carers

No. ____ dated " ____ " _____ 20 ____

(name of authority)

Case number _____

Citizen _____

(surname, name, patronymic)

Date of appeal _____

Birth certificate of a child (entry of birth)

No. _____ Date of issue _____ name

of the authority issuing the Birth certificate of a child (entry

of birth) _____

Full name of a child _____

Date of birth of a child _____

Agreement of transfer of child on foster care _____

Date of conclusion _____ 20 ____ .

Assigned the amount of funds

from _____ 20 ____ . to _____ 20 ____ .

in amount of _____ tenge _____

(in words)

Assigned amount of funds in connection with a change of monthly calculation index:

Full name of a child

_____ funds from _____ to

_____ in amount of _____ tenge

_____ (in words)

Refused to assign funds due to:

_____ Payment of funds stopped due to:

_____ SEAL

(Head of the authority)

(signature) (surname)