

On approval of Model Rules for Provision of Social Assistance, Determination of Size and Determination of List of Separate Categories of Needy Citizens

Invalidated Unofficial translation

Decree of the Government of the Republic of Kazakhstan dated May 21, 2013 № 504.
Abolished by the Decree of the Government of the Republic of Kazakhstan dated 30.06.2023 No. 528

Unofficial translation

Footnote. Abolished by the Decree of the Government of the Republic of Kazakhstan dated 30.06.2023 No. 528 (effective from 07/01/2023).

The Government of the Republic of Kazakhstan **hereby DECREES AS FOLLOWS** :

1. Approved the attached Model Rules for provision of social assistance, determination of size and determination of list of separate categories of needy citizens (hereinafter referred to as the Model Rules).

2. Local executive authorities shall within one month after enforcement of this Decree develop rules for provision of social assistance, determination of size and determination of list of separate categories of needy citizens in accordance with the Model Rules and submit them for approval to local representative authorities.

3. This Decree shall enter into force upon expiration of ten calendar days after its first official publication.

The Prime Minister Republic of Kazakhstan

S. Akhmetov

Approved by
the Decree of the Government of
the Republic of Kazakhstan
dated May 21, 2013 No. 504

Model Rules for Provision of Social Assistance, Determination of Size and Determination of List of Separate Categories of Needy Citizens

1. These Model Rules for Provision of Social Assistance, Determination of Size and Determination of List of Separate Categories of Needy Citizens (hereinafter referred to as the Model Rules) are developed in accordance with the Law of the Republic of Kazakhstan dated January 23, 2001 “On Local State Administration and Self-Administration in the Republic of Kazakhstan” and defines model procedures for provision of social assistance, determination of size and determination of list of separate categories of needy citizens.

2. Based on these Model Rules, akimats of cities of republican status, the capital city, districts (of a cities of regional status) (hereinafter referred to as LEA (Local Executive Authorities)) shall develop rules for provision of social assistance, determination of size and determination of list of separate categories of needy citizens.

Chapter 1. General provisions

Footnote. Title of the chapter 1 in the wording of the resolution of the Government of the Republic of Kazakhstan dated 08.09.2020 № 554 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

3. The main terms and concepts used in these Model Rules:

1) State Corporation "Government for Citizens" (hereinafter referred to as the authorized organization) - a legal entity established by decision of the Government of the Republic of Kazakhstan for the provision of public services, services for issuing technical conditions for connection to networks of natural monopolies and services of entities of the quasi-public sector in accordance with the legislation of the Republic of Kazakhstan, organizing the reception of applications for the provision of public services, services for the issuance of technical conditions for connecting natural monopolies to networks, services of entities of the quasi-public sector and delivery of their results to the service recipient on the principle of "one window," as well as ensuring the provision of public services in electronic form, which carries out state registration of rights to real estate at its location;

2) memorable dates - events that have national historical, spiritual, cultural significance and influenced the course of the history of the Republic of Kazakhstan;

3) a special commission - a commission created by the decision of the akim of a city of republican significance, the capital, district (city of regional significance), to consider the application of a person (family) applying for social assistance in connection with the onset of a difficult life situation;

4) subsistence minimum - the necessary minimum monetary income per person, equal in value of the minimum consumer basket calculated by statistical bodies in regions, cities of republican significance, the capital;

5) holidays - days of national and state holidays of the Republic of Kazakhstan;

6) average per capita income of a family (citizen) - the share of the total income of the family that falls on each family member per month;

7) the central executive body - a state body that ensures the implementation of state policy in the field of social protection of the population;

8) a difficult life situation - a situation that objectively violates the life of a citizen, which he cannot overcome on his own;

9) the authorized body - the executive body of the city of republican significance, the capital, the district (city of regional significance), the district in the city in the field

of social protection of the population, financed by the local budget, providing social assistance;

10) district commission - a commission created by the decision of the akims of the relevant administrative-territorial units to conduct a survey of the material situation of persons (families) who have applied for social assistance and prepare conclusions;

11) the maximum amount - the approved maximum amount of social assistance.

Footnote. Paragraph 3 - in the wording of the resolution of the Government of the Republic of Kazakhstan dated 08.09.2020 № 554 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

4. For the purposes of these Model Rules, social assistance shall mean assistance provided by LEA in cash or in kind for separate categories of needy citizens (hereinafter referred to as receivers) in case of occurrence of deprived backgrounds, as well as on memorable dates or holidays.

5. Social support measures provided for by Article 16 of the Law of the Republic of Kazakhstan "On social protection of persons with disabilities in the Republic of Kazakhstan", subparagraph 2) of Article 10, subparagraph 2) of Article 11, subparagraph 2) of Article 12, subparagraph 2) of Article 13, Article 17 of the Law of the Republic of Kazakhstan "On Veterans", shall be provided in accordance with the procedure, determined by these Model Rules.

Footnote. Paragraph 5 as amended by the Decree of the Government of the Republic of Kazakhstan dated 26.10.2022 No. 850 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

6. Social assistance is provided once only and/or periodically (on a monthly basis, every three months, once in the half year).

7. List of memorable dates and holidays for provision of social assistance, as well as frequency of social assistance shall be established by local representative authorities upon recommendation from LEA.

8. District and special commissions shall carry out their activities based on provisions approved by regional LEA (LEAs of cities of republican status and the capital city).

Model provisions on special and district commissions shall be approved by a central executive authority.

Chapter 2.

Procedure for determining the list of recipient categories of social assistance and the establishment of levels of social assistance

Footnote. Title of the chapter 2 in the wording of the resolution of the Government of the Republic of Kazakhstan dated 08.09.2020 № 554 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

9. List of categories of receivers, maximum sizes of social assistance, and terms for application for social assistance in case of deprived backgrounds due to a natural disaster or fire shall be determined by LEA and shall be approved by decisions of local representative authorities.

At the same time, grounds for referring citizens to a category of those in need in case of deprived backgrounds are:

- 1) grounds provided for by the Laws of the Republic of Kazakhstan;
- 2) damage to a citizen (family) or his/her property due to a natural disaster or a fire, or socially significant diseases;
- 3) average income not exceeding a threshold established by local representative authorities as a multiple of minimum wage.

Final list of grounds for referring citizens to a category of those in need and inspection of living conditions of a person (family) shall be approved by local representative authorities.

Special commission in handing over an opinion on necessity for provision of social assistance shall be guided by lists of grounds for referring citizens to a category of those in need approved by local representative authorities.

10. For memorable dates and holidays, size of social assistance for a given category of receivers shall be established at a consolidated amount after consultation with LEA of a region.

11. Size of social assistance provided in each certain case shall be defined by a special commission and it shall be indicated in its conclusion on necessity to provide social assistance.

Chapter 3. Procedure for the provision of social assistance

Footnote. Title of the chapter 3 in the wording of the resolution of the Government of the Republic of Kazakhstan dated 08.09.2020 № 554 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

12. Social assistance for memorable dates and holidays shall be provided according to a list approved by LEAs upon recommendation of an authorized organization or other organizations without request of applications from respective receivers.

13. In order to receive social assistance in the event of a difficult life situation, the applicant, on behalf of himself or on behalf of his family, shall submit an application to the authorized body or akim of a settlement, village, rural district, attaching the following documents:

- 1) identity document (for personal identification);
- 2) information about the income of a person (family members);
- 3) an act and / or a document confirming the onset of a difficult life situation.

Documents shall be submitted in originals for verification, after which the documents shall be returned to the service recipient.

In order to receive social assistance, which is assigned independently of the income of the person (family members), information on the income of the person (family members) shall not be provided.

Footnote. Paragraph 13 as amended by the Decree of the Government of the Republic of Kazakhstan dated 26.10.2022 No. 850 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

14. The documents shall be submitted in originals for reconciliation, after which the original documents shall be returned to the applicant.

Footnote. Paragraph 14 - in the wording of the resolution of the Government of the Republic of Kazakhstan dated 08.09.2020 № 554 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

15. Upon receipt of an application for provision of social assistance in case of deprived backgrounds, an authorized agency or akim of a settlement, village, or rural district shall within one working day send documents of an applicant to a district commission for inspection of financial standing of such person (family).

16. A district commission shall within two working days after receipt of documents inspect applicant, based on the results of which an act on financial standing of respective person (family) shall be executed and a conclusion on need of respective person (family) shall be prepared as per Annexes 2 and 3 to these Model Rules, and shall send them to an authorized agency or akim of a settlement, village or rural district

Akim of a settlement, village or rural district shall within two working days after receipt of an act and conclusion of a district commission send them with attached documents to an authorized agency.

17. In case of insufficiency of documents for provision of social assistance, an authorized agency shall request from respective agencies information required for consideration of documents for provision of social assistance submitted for consideration.

18. In case of applicant's impossibility to submit necessary document due to their damage or loss, an authorized agency shall take resolution on provision of social assistance based on information of other authorized agencies and organization having respective information.

19. An authorized agency shall within one working day after receipt of documents from a district commission or akim of a settlement village or rural district calculate average income of a person (family) in accordance with the laws of the Republic of Kazakhstan and submit full package of documents for consideration by a special commission.

20. Special commission shall within two working days after receipt of documents hand down an opinion on necessity to provide social assistance, and case of positive conclusion shall indicate size of social assistance.

21. An authorized agency shall within eight working days after registration of documents of an applicant for provision of social assistance take resolution for provision or refusal of provision of social assistance based on documents received and conclusion of special commission on necessity to provide social assistance.

In cases specified in Paragraphs 17 and 18 of these Model Rules, an authorized agency shall take a resolution on provision or refusal of provision of social assistance within twenty working days after receipt of documents from an applicant or akim of a settlement, village or rural district.

22. An authorized agency shall notify an applicant in written of decision made (in case of refusal with indication of grounds therefor) within three working days after the decision is made.

23. Excluded by the Decree of the Government of the Republic of Kazakhstan No. 215 dated 14.04.2016;

24. Provision of social assistance shall be refused in following cases:

- 1) reveal of false information presented by applicants;
- 2) applicant's refusal or avoidance of inspection of financial standing of respective person (family);
- 3) amount of average income of a person (family) exceeding threshold for provision of social assistance determined by local representative authorities.

25. Costs for provision of social assistance shall be funded within funds provided for by the budget of a city of republican status, the capital city, or a district (of a city of regional status) for a current year.

Chapter 4. Grounds for termination and the return of social assistance

Footnote. Title of the chapter 4 - in the wording of the resolution of the Government of the Republic of Kazakhstan dated 08.09.2020 № 554 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

26. Provision of social assistance shall be ceased in following cases:

- 1) death of an applicant;
- 2) departure of an applicant for permanent residence beyond respective geographical administrative division;
- 3) referral of an applicant for staying at state medical and social institutions;
- 4) reveal of false information presented by an applicant.

Payment of social assistance shall be ceased since a month of occurrence of the above circumstances.

27. Excessively paid amounts shall be subject to repayment on a voluntary basis or according to other procedures established by the laws of the Republic of Kazakhstan.

Chapter 5. Final provision

Footnote. Title of the chapter 5 - in the wording of the resolution of the Government of the Republic of Kazakhstan dated 08.09.2020 № 554 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

28. Monitoring and reporting on provision of social assistance shall be maintained by an authorized agency using database of “E-Sobes” automated information system.

Annex 1
to Model Rules for provision of
social assistance, determination of
size and determination of list of
separate categories of needy
persons

Information on composition of applicant’s family

Footnote. Annex 1 as excluded by the resolution of the Government of the Republic of Kazakhstan dated 08.09.2020 № 554 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Annex 2
to Model Rules for provision
of social assistance, establishment
of size and determination of the list
of individual categories
of citizens in need

ACT

of survey to determine the need of the person (family) in connection with the onset of a difficult life situation

Footnote. Appendix 2 as amended by the Decree of the Government of the Republic of Kazakhstan dated 26.10.2022 No. 850 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

dated "___" ____ 20

(settlement)

1. Surname, Name, Patronymic (if any) of the application

2. address of the place of residence

3. Difficult life situation, due to which the applicant applied for social assistance

4. family composition (actually living in the family are taken into account) _____ people, including:

Item No.	Surname, Name, Patronymic (if any)	Date of birth	Relationship to the applicant	Employment (place of work, study)	Reason for being unemployed	Information about participation in public works, vocational training (retraining, advanced training) or active measures to promote employment	(Difficult life situation)
1	2	3	4	5	6	7	8

Total _____ persons capable to work.

_____ persons are registered as unemployed in employment bodies.

Number of children: _____, of them _____ persons studying in higher and secondary educational institutions on a paid basis, the cost of education per year is _____ tenge. The presence in the family of veterans of the Great Patriotic War, veterans equal in benefits to veterans of the Great Patriotic War, veterans of military operations on the territory of other states, pensioners, elderly people over 80 years old, people with socially significant diseases, people with disabilities, children with disability (specify or add another category) _____

5. Living conditions (hostel, rental, privatized housing, service housing, residential cooperative, individual residential building or other - specify):

Housing costs:

Income of the family:

Item No.	Surname, first name, patronymic (if any) of family members (including the applicant) with income	Type of income	Amount of income for the previous quarter (KZT)		Information about personal subsidiary farming (household plot, livestock and poultry), summer cottage and land plot (land share)
			For the quarter	Average per month	
1	2	3	4	5	6

6. Availability:

of an automobile transport (brand, year of manufacture, entitling document, declared revenue from its operation)

housing other than currently occupied (claimed income from its operation)

7. Information about previously received assistance (form, amount, source):

8. Other family income (form, amount, source):

_____.
9. Provision of school supplies, clothing and footwear for children:

_____.
10. Sanitary and epidemiological living conditions:

_____.
Chairman of the Commission:

_____.

Members of the Commission:

(signature) (Surname, Name, Patronymic (if any))
I have read and understood the drafted act:

_____.
Surname, Name, Patronymic (if any) and signature of the applicant

I hereby refuse to conduct the examination _____
Surname, Name, Patronymic (if any) and signature of the applicant (or one of the
family members)

(to be filled in case the applicant refuses to carry out the examination)
date _____

Annex 3
to Model Rules for provision of
social assistance, determination of
size and determination of list of
separate categories of needy
persons

Conclusion of district commission No. ____

___/___/20__

District commission in accordance with the Rules for provision of social assistance, determination of size and determination of list of separate categories of needy citizens, having considered the application and documents attached of a person (family) applying for provision of social assistance due to occurrence of deprived backgrounds

(applicant's surname, name and patronymic)

based on documents presented and findings of inspection of financial standing of an applicant (family), takes the resolution on

(necessity, no necessity)

for provision of the person (family) with social assistance upon occurrence of deprived backgrounds

Chairman of commission: _____

Members of commission: _____

(signatures) (full name)

Conclusion with documents attached

in total ____ copies

accepted on /___/___/20__

Full name, position held and signature of
an officer, akim of a settlement, village, rural district or authorized
agency accepting documents