



On approval of the Rules of paying lump-sum compensation in case of death incident (death) of a military servant during the performance of military service or a draftee called to military trainings, upon establishment of his disability or in case of a maim sustained by him in the performance of military service duties

Unofficial translation

Decree of the Government of the Republic of Kazakhstan dated August 27, 2013 No. 868.

Unofficial translation

In accordance with article 51 of the Law of the Republic of Kazakhstan dated February 16, 2012 On Military Service and Status of Military Servants, the Government of the Republic of Kazakhstan **RESOLVES**:

1. To approve the attached Rules of paying lump-sum compensation in case of death incident (death) of a military servant during the performance of military service or a draftee called to military trainings, upon establishment of his disability or in case of a maim sustained by him in the performance of military service duties.

2. To recognize as invalid:

1) Resolution No. 262 of the Government of the Republic of Kazakhstan dated March 18, 2003 “On approval of the Rules for paying lump-sum compensations in case of death incident (death) of a military servant (draftee), establishment of disability or maim sustained by him” (Collected Acts of the President and the Government of the Republic of Kazakhstan No. 12, 2003, Art. 131);

2) paragraph 4 of amendments and additions entered on some resolutions of the Government of the Republic of Kazakhstan, approved by Resolution No. 912 of the Government of the Republic of Kazakhstan dated August 31, 2004 “On introducing amendments and additions to certain resolutions of the Government of the Republic of Kazakhstan” (Collected Acts of the President and the Government of the Republic of Kazakhstan No. 31, 2004, Art. 430).

3. This resolution shall take effect upon expiry of ten calendar days from the date of the first official publication.

*Prime Minister
of the Republic of Kazakhstan*

S. Akhmetov

Approved by
Resolution No. 868
of the Government
of the Republic of Kazakhstan
dated August 27, 2013

Rules

for paying lump-sum compensation in case of death incident (death) of a military servant during the performance of military service or a draftee called to military trainings, upon establishment of his disability or in case of a maim sustained by him in the performance of military service duties

Footnote. The Rules – as amended by the Resolution of the Government of the Republic of Kazakhstan dated 25.06.2022 No. 433 (shall be enforced from the date of its first official publication).

These Rules for paying lump-sum compensation in case of death incident (death) of a military servant during the performance of military service or a draftee called to military trainings, upon establishment of his disability or in case of a maim sustained by him, in the performance of military service duties (hereinafter referred to as the Rules), have been developed in accordance with Article 51 of the Law of the Republic of Kazakhstan "On military service and the status of military personnel" (hereinafter referred to as the Law) and determine the procedure for paying lump-sum compensation in case of death incident (death) of a military servant during the performance of military service or a draftee called to military trainings, upon establishment of his disability or in case of a maim sustained by him, in the performance of military service duties.

Chapter 1. General provisions

1. Payment of a lump-sum compensation (hereinafter referred to as the compensation) shall be made to a military servant, a draftee called to military trainings (hereinafter referred to as the draftee), or persons entitled to receive it, in cases of:

1) death incident (death) of a military servant during the performance of military service, a draftee called to military trainings, or after dismissal from military service, the end of military training, as a result of maim (wound, injury, concussions), disease received during the period of military service, military trainings;

2) establishing a disability to a military servant or a draftee during the performance of military service, being on military training camp or before the expiration of one year from the date of dismissal from military service due to maim (wound, injury, concussions), disease received during the period of military service, the end of military training;

3) sustaining by a military servant or a draftee upon fulfilling the duties of military service, at military trainings of a severe maim (wound, injury, concussion), not resulting in disability or light maim.

2. Payment of a compensation to a military servant, a draftee or a person entitled to receive it, shall be carried out by the relevant authorized state bodies:

1) Ministry of Defense of the Republic of Kazakhstan – military servants, who perform military service or performed military service with the Armed Forces;

2) Ministry of Internal Affairs of the Republic of Kazakhstan – military servants, who perform military service or performed military service with the National Guard of the Republic of Kazakhstan, military investigative bodies;

3) State Guard Service of the Republic of Kazakhstan – military servants, who perform military service or performed military service with the State Guard Service of the Republic of Kazakhstan;

4) National Security Committee of the Republic of Kazakhstan – military servants, who perform military service or performed military service with the national security bodies of the Republic of Kazakhstan;

5) General Prosecutor’s Office of the Republic of Kazakhstan – military servants, who perform military service or performed military service with the military prosecution bodies;

6) Ministry of Emergency Situations of the Republic of Kazakhstan – military servants, who perform military service or performed military service in the administrative bodies and military units of civil defense of the authorized body in the field of civil protection.

3. Documents, required to receive the compensation shall be submitted:

1) for military servants, who perform military service or performed military service with the Armed Forces, – to military units (institutions) or local military bodies;

2) for military servants, who are on military service with the National Guard and military investigative bodies, – to the responsible structural units at the place of military service;

for military servants, who performed military service with the National Guard and military investigative bodies, – to local military administration bodies;

3) for military servants, who are on military service with the the administrative bodies and civil defense units of the authorized body in the field of civil protection, – to the responsible structural units at the place of military service;

for military servants, who performed military service with the the administrative bodies and civil defense units of the authorized body in the field of civil protection, – to local military administration bodies;

4) for military servants, who perform military service or performed military service with the State Guard Service of the Republic of Kazakhstan, – to the responsible structural units at the place of military service;

5) for military servants, who perform military service or performed military service with the national security bodies of the Republic of Kazakhstan, – to the responsible structural units at the place of military service;

6) for military servants, who perform military service or performed military service with the military prosecution bodies, – to the responsible structural units at the place of military service.

4. The documents required to receive compensation for draftees, who perform or have performed military training, shall be submitted to the relevant structural units at the place of military service or local military authorities, specified in paragraph 3 of these Rules.

5. Relevant documents shall not be drawn up and compensation shall not be paid in cases provided for in paragraph 4 of Article 51 of the Law.

Chapter 2. Procedure for submission of documents, required for the receipt of a compensation in case of death incident (death) of a military servant (draftee)

6. In case of death incident (death) of a military servant during the performance of military service, a draftee called to military trainings, or after dismissal from military service, end of military trainings, as a result of an maim (wound, injury, concussion, disease) received during the performance of military service, passing military trainings, persons entitled to receive the compensation, shall submit to the responsible structural units at the place of military service or local military administration bodies, specified in paragraph 3 of these Rules, the following documents:

- 1) a standard application in the form according to Appendix 1 to these Rules;
- 2) a copy of a certificate or a notification on death;
- 3) certificate of the right to inheritance, issued in accordance with the procedure established by law;
- 4) copies of documents proving the identity of persons entitled to receive compensation indicated in the certificate of inheritance (identity cards, birth certificates of children);
- 5) information about the bank account number of each heir;
- 6) a copy of the conclusion of the forensic medical examination or pathoanatomical examination.

In the event that a forensic medical examination or pathoanatomical examination has not been carried out, a medical certificate of death shall be submitted in the form determined by the authorized body in the field of healthcare.

Footnote. Paragraph 6 as amended by the Resolution of the Government of the Republic of Kazakhstan dated 14.10.2022 No. 826 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

7. Responsible structural units at the place of military service or local military administration bodies, upon acceptance the documents, specified in paragraph 6 of these Rules, shall request:

- 1) a certificate from the military unit (institution) in which the military servant, the draftee was on monetary allowance, on the amount of the monetary allowance of the dead (deceased) at the time of the event in the form in accordance with Appendix 2 to these Rules;
- 2) extract from the order of the commander of the military unit (head of the institution) on the exclusion of the military servant, the draftee from the lists of the military unit (institution);

3) materials of the investigation of the death incident (death) of the military servant or the draftee, related to military service;

4) the conclusion of the military medical commission on the causal relationship of injury (wounds, injuries, contusions), disease that led to death, with the passage of military service - in relation to persons who died after dismissal from military service, end of military trainings.

At the same time, compensation in the event of a death incident (death) of a military servant shall be paid before the expiration of three years from the date of the occurrence of the event and shall be carried out regardless of previously paid compensation in the event of a disability.

Chapter 3. Procedure for submission of documents, required to receive the compensation in case of establishing disability to a military servant or a draftee

8. In case if a servicemen under contract during the performance of military service is established a disability due to maim (wound, injury, concussions), disease received during the performance of military service, he shall submit to the responsible structural units at the place of military service or local military administration bodies, specified in paragraph 3 of these Rules, the following documents:

1) a standard application in the form according to Appendix 1 to these Rules;

2) a notarized copy of the conclusion of the military medical commission on the causal relationship of maim (wound, injury, concussion), disease with military service;

of social expertise, approved by the order of the Minister of Health and Social Development of the Republic of Kazakhstan dated January 30, 2015 No. 44 (registered in the register of state registration of normative legal acts under No. 10589) (hereinafter referred to as the certificate of disability).

9. Responsible structural units at the place of military service or local military administration bodies, upon acceptance of the documents specified in paragraph 8 of these Rules, shall request a certificate from the military unit (institution) certifying that the military servant consists (consisted) on monetary allowance, on the amount of the allowance for moment of event in the form according to Appendix 2 to these Rules.

Footnote. Paragraph 9 – as amended by the Resolution of the Government of the Republic of Kazakhstan dated 14.10.2022 No. 826 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

10. In case if a servicemen under contract is established a disability before expiry of one year from the date of dismissal from military service due to maim (wound, injury, concussions), disease, received during the performance of military service, he shall submit to the responsible structural units at the place of military service or local military administration bodies, specified in paragraph 3 of these Rules, the following documents:

1) a standard application in the form according to Appendix 1 to these Rules;

2) a notarized copy of a certificate of disability;

3) a notarized copy of the conclusion of the military medical commission on the causal relationship of maim (wound, injury, concussion), disease with the performance of military service.

11. Responsible structural units at the place of military service or local military administration bodies, upon acceptance of documents, specified in paragraph 10 of these Rules, shall request:

1) a certificate from the military unit (institution) in which the military servant was on a payroll, on the amount of the allowance for the last military position held from the moment of dismissal on the day the disability was established in the form according to Appendix 2 to these Rules;

2) extract from the order of the commander of the military unit (head of the institution) on the exclusion of the military servant from the lists of the military unit (institution).

12. In case if military servants of compulsory military service, students and cadets, who receive a scholarship, during the performance of military service, draftee during the military trainings are established a disability due to maim (wound, injury, concussions), disease, received during the performance of military service, they shall submit to the responsible structural units at the place of military service or local military administration bodies, specified in paragraph 3 of these Rules, the following documents:

1) a standard application in the form according to Appendix 1 to these Rules;

2) a notarized copy of a certificate of disability;

3) a notarized copy of the conclusion of the military medical commission on the causal relationship of maim (wound, injury, concussion), disease with the performance of military service, military trainings.

13. Responsible structural units at the place of military service or local military administration bodies, upon acceptance of documents, specified in paragraph 12 of these Rules, shall request:

1) from military servants of compulsory military service, students and cadets, who receive a scholarship – a certificate from a military unit (institution) on performance of military service;

2) from draftees – a certificate from a military unit (institution) on passing military trainings.

14. In case if military servants of compulsory military service, students and cadets, who receive a scholarship, during the performance of military service, draftee during the military trainings are established a disability due to maim (wound, injury, concussions), disease, received during the performance of military service, before expiry of one year from the date of dismissal from military service (military training) they shall submit to the responsible structural units at the place of military service or local military administration bodies, specified in paragraph 3 of these Rules, the following documents:

1) a standard application in the form according to Appendix 1 to these Rules;

2) a notarized copy of a certificate of disability;

3) a notarized copy of the conclusion of the military medical commission on the causal relationship of maim (wound, injury, concussion), disease with the performance of military service, military trainings.

15. Responsible structural units at the place of military service or local military administration bodies, upon acceptance of documents, specified in paragraph 14 of these Rules, shall request:

1) from military servants of compulsory military service, students and cadets, who receive a scholarship, – extract from the order of the commander of the military unit (head of the institution) on the exclusion of the military servant from the lists of the military unit (institution);

2) from draftees – a certificate from a military unit (institution) on passing military trainings.

Chapter 4. Procedure of submitting documents for compensation in case of maim (wound, injury, concussion) of a military servant or draftee that did not entail disability

16. In the event of sustaining by a military servant or a draftee upon fulfilling the duties of military service, at military trainings maim (wound, injury, concussion), that did not entail disability, they submit to the responsible structural units at the place of military service or military units (institutions), specified in paragraph 3 of these Rules, the following documents:

1) a standard application in the form according to Appendix 1 to these Rules;

2) a certificate of the military medical board on the severity (serious or light) of the maim (wound, injury, contusion) according to the form in Appendix 3 to these Rules.

17. Responsible structural units at the place of military service or military units (institutions), upon acceptance of documents, specified in paragraph 16 of these Rules, shall supplement with the following documents:

1) investigation materials on the occurrence of maim (wound, injury, contusion) in the performance of military service duties (military training);

2) for servicemen under contract, – a certificate from the military unit (institution) in which the serviceman was on a monetary allowance, on the amount of the allowance at the time of the event in the form according to Appendix 2 to these Rules.

Chapter 5. Compensation payment procedure

18. Responsible structural units at the place of military service or local military administration bodies, specified in paragraph 3 of these Rules, upon acceptance of documents, indicated in paragraphs 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 of these Rules, within 10 (ten) working days from the date of receipt shall send them to the relevant state bodies, specified in paragraph 2 of these Rules.

Compensation shall be paid to military servants, draftees or persons entitled to it, in the amount established by the Law, within two months from the date of receipt of all the required documents specified in paragraphs 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 of these Rules.

19. In compensation estimation in cases of death incident (death) of a military servant, establishment of disability, maim (wound, injury, contusion) sustained by him in the military service time, the amount of his salary shall be taken into account for the last position held at the time of the event.

20. In case of refusal to pay compensation provided for by the Law, a written notification shall be sent to the applicant within 5 (five) working days.

21. Compensation shall be paid at the republican budget expense provided for in the financing plans of the authorized state bodies referred to in paragraph 2 of these Rules.

22. Compensation transfer shall be carried out through the territorial Treasury department to the current, savings and correspondent accounts of the recipients opened with the bank's institutions at the place of residence.

23. Compensation to a minor recipient shall be paid within two months from receipt of the documents by transferring it to the recipient's current, savings or correspondent account opened with a second-tier bank at the place of residence, with simultaneous notification of the guardianship and trusteeship authorities, also his legal representatives.

24. After the compensation transfer to the recipient, a corresponding entry shall be made in the registration log of applications for lump-sum compensation in the form of Appendix 4 to these Rules, indicating the date, compensation sum and the number of the payment document.

25. The authorized bodies referred to in paragraph 2 of these Rules shall adopt departmental acts of detail in the implementation of provisions of these Rules proceeding from the specifics of their activities.

26. Disputes arising from the compensation payment shall be considered in accordance with the statutory procedure of the Republic of Kazakhstan.

Appendix 1
to the Rules for paying lump-sum
compensation in case of death incident (
death)
of a military servant during the
performance
of military service or a draftee called to
military
trainings, upon establishment of his
disability
or in case of a maim sustained by him
in the performance of military service
duties

To: _____

(head of the structural unit of the authorized state body,
making payment of lump-sum compensation)

from _____

(Surname, Name, Patronymic (if any) of the applicant)

Residing at _____

Tel.: _____

APPLICATION for payment of a lump-sum compensation

I request to pay me a compensation in connection with

—

—

(indicate the nature of event)

Previously _____ received lump-sum compensation (yes, no)
compensation in connection with _____

(indicate the nature of event)

I ask you to transfer the due compensation payment to:

—

(region, district, city, recipient's residence address)

Bank office No. _____

Branch No. _____

Personal account or current account _____

—

In the name _____

(Surname, Name, Patronymic (if any))

IIN of recipient _____

Documents attached to the application:

1. _____

—

2. _____

—

3. _____

—

4. _____

5. _____

6. _____

" _____ " _____ . Applicant _____
(day) (month) (year) signature (Surname, Name, Patronymic (if any))

Appendix 2
to the Rules for paying lump-sum
compensation in case of death incident (death)
of a military servant during the
performance
of military service or a draftee called to
military
trainings, upon establishment of his
disability
or in case of a maim sustained by him
in the performance of military service
duties

" Corner stamp "

CERTIFICATE

This is to certify that _____
(rank, Surname, Name, Patronymic (if any))
is doing (did) the service in) _____
(name of the institution and position as on the day of the event occurrence)
from " ____ " _____ to " ____ " _____ .
(date) (date)

Salary as on " ____ " _____ 20 ____ (date of event) was:

(sum in words)
including:
basic salary _____
pay for rank _____

Reason for dismissal (if he was dismissed):

The certificate is issued for assigning a lump-sum compensation in case of death incident (death) of a military servant during the performance of military service or a draftee called to

military trainings, in the event of established disability or in the event of his injury sustained in performance of military service duties.

Seal

Commander (Chief) _____
(signature)

(Surname, Name,
Patronymic (if any))

Chief financial officer (_____
Accountant) (signature)

(Surname, Name,
Patronymic (if any))

Appendix 3
to the Rules for paying lump-sum
compensation in case of death incident (
death)
of a military servant during the
performance
of military service or a draftee called to
military
trainings, upon establishment of his
disability
or in case of a maim sustained by him
in the performance of military service
duties

"Corner stamp"

CERTIFICATE

This is to certify that

- (rank, Surname, Name, Patronymic (if any))
during performance of his military service duties (at military trainings) _____

- (indicate the circumstances of sustaining the injury)
received _____
(day, month, year) (severe or light, indicate in words)
maim (wound, injury, contusion), during performance of his military service duties.

- (delete if not applicable) (indicate the nature and localization)

of maim (wound, injury, contusion) sustained in the result of military service duties performance).

in connection with which from " ____ " _____ 20 ____ to " ____ " _____ 20 ____.

He was under treatment at _____

_____ (indicate the name of military hospital)

The certificate is issued for assigning a lump-sum compensation in the event of maim (wound, injury, contusion) sustained by army servant or draftee, which did not entail his disability

Seal _____

Chairman
of the military medical commission _____
(signature)

(Surname, Name, Patronymic (if any))

Appendix 4
to the Rules for paying lump-sum compensation in case of death incident (death) of a military servant during the performance of military service or a draftee called to military trainings, upon establishment of his disability or in case of a maim sustained by him in the performance of military service duties

Registration log of applications for lump-sum compensation

Item No.	Military rank	Full name of servant, draftee who sustained maim (wound, injury, contusion), illness	Date of receipt Ref. No.	Office of origin of the materials	Reason for damage compensation (disability, serious or light injury)	Amount of lump-sum compensation	No. and date of payment order
1	2	3	4	5	6	7	8