



On approval of the Rules for maintenance of the State register of normative legal acts of the Republic of Kazakhstan, the Reference Control Bank of normative legal acts of the Republic of Kazakhstan

Invalidated Unofficial translation

Decree of the Government of the Republic of Kazakhstan dated July 25, 2016 No. 439. Abolished by the Decree of the Government of the Republic of Kazakhstan dated July 13, 2023 No. 560

Unofficial translation

Footnote. Abolished by the Decree of the Government of the Republic of Kazakhstan dated July 13, 2023 No. 560 (it is put into effect after ten calendar days after the date of its first official publication).

In accordance with paragraph 4 of article 53 of the Law of the Republic of Kazakhstan dated April 6, 2016 "On legal acts" the Government of the Republic of Kazakhstan **HEREBY DECREES:**

1. to approve the attached Rules for maintenance of the State register of normative legal acts of the Republic of Kazakhstan, the Reference Control Bank of normative legal acts of the Republic of Kazakhstan.

2. To recognize invalidated certain decisions of the Government of the Republic of Kazakhstan according to annex to this decree.

3. This decree shall come into force from the date of its first official publication.

*Prime Minister
of the Republic of Kazakhstan*

K. Massimov

Approved
by decree of the Government
of the Republic of Kazakhstan
dated July 25, 2016 no. 439

Rules for maintenance of the State register of normative legal acts of the Republic of Kazakhstan, the Reference Control Bank of normative legal acts of the Republic of Kazakhstan

Footnote. Rules as amended by decree of the Government of the Republic of Kazakhstan dated 29.07.2019 No.545 (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Chapter 1. General provisions

1. These Rules for maintenance of the State register of normative legal acts of the Republic of Kazakhstan, the Reference Control Bank of normative legal acts of the Republic of Kazakhstan (hereinafter referred to as the Rules) have been developed in accordance with paragraph 4 of article 53 of the Law of the Republic of Kazakhstan dated April 6, 2016 "On legal acts" (hereinafter referred to as the Law) and shall determine the procedure for maintenance of the State register of normative legal acts of the Republic of Kazakhstan, the Reference Control Bank of normative legal acts of the Republic of Kazakhstan.

2. Main definitions, used in the present Rules:

1) State register of normative legal acts of the Republic of Kazakhstan (hereinafter referred to as the State register) means a unified system of state registration of normative legal acts of the Republic of Kazakhstan, containing the details of normative legal acts and other information of information and reference nature about these acts;

2) Reference Control Bank of normative legal acts of the Republic of Kazakhstan (hereinafter referred to as the Reference Control Bank) means an aggregate of normative legal acts on paper and electronic system of normative legal acts in form of an electronic document, information of which is entered into the State register of normative legal acts of the Republic of Kazakhstan;

3) The Intranet portal of state bodies (hereinafter referred to as the IPSB) means an information system designed for automatization of departmental and interdepartmental business processes of government bodies;

4) reference control normative legal act means a normative legal act on paper and in the form of an electronic document (with amendments and additions), signed by electronic digital signature of an official of the authorized organization determined by the Government of the Republic of Kazakhstan for maintenance of the State register of normative legal acts of the Republic of Kazakhstan, the Reference Control Bank of normative legal acts of the Republic of Kazakhstan (hereinafter referred to as the authorized organization);

5) electronic document flow system means a system of exchange of electronic documents, relations between the participants of which shall be regulated by the Law of the Republic of Kazakhstan dated January 7, 2003 "On electronic document and electronic digital signature" and other normative legal acts of the Republic of Kazakhstan;

6) electronic digital signature means a set of electronic digital symbols created by electronic digital signature and confirming the authenticity of the electronic document, its belonging and invariance of the content.

3. The State register and the Reference Control Bank shall be created for the purposes of ensuring uniform state registration of normative legal acts of the Republic of Kazakhstan.

4. Maintenance of the State register and the Reference Control Bank shall be carried out by the authorized organization.

5. Normative legal acts entered into the Reference Control Bank, shall be subject to registration in chronological order.

6. For the reference control normative legal acts, the period of storage shall be "permanently".

7. Normative legal acts marked as "Restricted", "Without publication in printed media", "Off the record" shall be placed in the Reference Control Bank in the electronic form in kind of details in accordance with subparagraphs 2), 3), 4), 5), 6), 7) of article 22 of the Law.

Normative legal acts classified as "top-secret", "secret" shall be subject to inclusion into the State register and Reference Control Bank

Chapter 2. Procedure of maintenance of the State register and the Reference Control Bank

8. Copies of regulatory legal acts of the President of the Republic of Kazakhstan, the Chairman of the Security Council of the Republic of Kazakhstan, the Parliament of the Republic of Kazakhstan and its chambers, the Constitutional Court of the Republic of Kazakhstan and the Supreme Court of the Republic of Kazakhstan are sent by state bodies to the authorized organization in paper and electronic form within ten calendar days from the date of signing in one copy in Kazakh and Russian, certified with a seal of a state body and a person authorized to sign regulatory legal acts certified by an electronic digital signature, specified in article 35 of the Law.

The normative legal acts of the Government of the Republic of Kazakhstan shall be sent to the authorized organization only in the form of electronic documents certified by an electronic digital signature of a person authorized to sign the normative legal acts specified in article 35 of the Law.

Footnote. Paragraph 8 as amended by the resolution of the Government of the Republic of Kazakhstan dated 09.02.2023 No. 103 (shall be enforced ten calendar days after the date of its first official publication).

9. Regulatory legal orders of the ministers of the Republic of Kazakhstan and other heads of central state bodies, heads of departments of central state bodies, regulatory legal resolutions of the Central Election Commission of the Republic of Kazakhstan, the Supreme Audit Chamber of the Republic of Kazakhstan, the National Bank of the Republic of Kazakhstan and other central state bodies, regulatory legal decisions of maslikhats, regulatory legal decisions of akimats, regulatory legal decisions of audit commissions and regulatory legal decisions of akims, who have passed state registration with the Ministry of Justice of the Republic of Kazakhstan (hereinafter – the Ministry of Justice) or its territorial bodies are sent by the judicial authorities to the authorized organization via the IPSB in electronic form, in Kazakh and Russian,

automatically within one day from the date of their entry into the Register of State Registration of regulatory legal acts.

In the absence of access to the IPSB, regulatory legal acts that have undergone state registration with the Ministry of Justice of the Republic of Kazakhstan and (or) its territorial bodies shall be directed by state bodies-developers to the authorized organization in paper and electronic form within ten calendar days from the date of state registration in one a copy in the Kazakh and Russian languages, certified by the seal of the state body and certified by the electronic digital signature of the person authorized to sign the regulatory legal acts specified in Article 35 of the Law.

Regulatory legal acts marked "For official use", "Not for publication in print", "Not for print", which have undergone state registration with the Ministry of Justice of the Republic of Kazakhstan and (or) its territorial bodies, shall be directed by state bodies to the authorized organization in electronic form in the form of details within ten calendar days from the date of state registration in the Kazakh and Russian languages, certified by the electronic digital signature of a person authorized to sign regulatory legal acts specified in Article 35 of the Law.

Footnote. Paragraph 9 as amended by Resolution No. 313 of the Government of the Republic of Kazakhstan dated 13.05.2021; as amended by the resolution of the Government of the Republic of Kazakhstan dated 29.12.2022 No. 1093 (shall be enforced from 01.01.2023).

10. The regulatory legal acts specified in part one of paragraph 9 of these Rules, which are not subject to state registration with the Ministry of Justice or its territorial bodies, are sent by state bodies to the authorized organization in electronic form within five working days from the date of their signing in Kazakh and Russian, certified by the electronic digital signature of the person authorized to sign the regulatory legal acts specified in article 35 of the Law.

Footnote. Paragraph 10 - as amended by the resolution of the Government of the Republic of Kazakhstan dated 29.12.2022 No. 1093 (shall be enforced from 01.01.2023).

11. Sending to the authorized organization the normative legal acts in electronic form, stipulated by paragraph 8, parts two and three of paragraph 9, as well as paragraph 10 of these Rules, shall be made through the system of electronic document flow.

The signing of the joint normative legal acts by digital signature shall be provided by the authorized body identified as responsible for the development of the normative legal act.

12. Registration of the received regulatory legal act in the Reference Control Bank shall be carried out if available in paper and electronic form.

Registration of the received regulatory legal acts specified in part two of paragraph 8, in parts one and three of paragraph 9, as well as in paragraph 10 of these Rules, is carried out without their availability in paper form.

Footnote. Paragraph 12 as amended by the resolution of the Government of the Republic of Kazakhstan dated 29.12.2022 No. 1093 (shall be enforced from 01.01.2023).

13. Normative legal acts submitted in the electronic form shall pass the procedure of authentication of the electronic digital signature, using which they are certified, in accordance with the procedure established by the authorized body in the field of informatization. The details and the text of a normative legal act shall be verified their appurtenance to one normative legal act.

In the case of a negative verification result, normative legal acts in electronic form shall be considered not received, of which a notification is sent to the sender indicating the reasons for not receiving the document from the information system of the Reference Control Bank in the electronic document management system.

Repeatedly normative legal acts in electronic form shall be sent by state bodies to the authorized organization within two working days from the date of receipt of the notification of non-receipt of the document.

14. Normative legal acts that are subject to entry into the State register, shall be included into it within five working days from the day they are received by the authorized organization and will be assigned to registration numbers.

15. The entry of the normative legal acts into the Reference Control Bank shall be made within five working days from the day they are received by the authorized organization.

16. The normative legal acts included in the Reference Control Bank shall be maintained in the control state by making current amendments and additions to them, recognition of certain parts of the normative legal acts as invalid or suspension thereof.

When making amendments and additions to normative legal acts, recognizing certain parts of normative legal acts as invalid or suspending their validity, marks shall be entered in their text that accurately reflect the wording of the introduced norms, as well as information on the form, date of adoption and number of the act.

17. When recognition of a normative legal act as invalid or suspension of its validity for a certain period, corresponding marks in the State Register and a mark on paper and (or) in electronic text of the normative legal act entered to the Reference Control Bank, about recognizing it invalid or suspended with the reference to the corresponding normative legal act.

18. When forming the Reference Control Bank, verification of texts of normative legal acts in the Kazakh and Russian shall not be performed.

19. Instructions on forming the Reference Control Bank as well as introduction of data into it shall be established by the Ministry of Justice of the Republic of Kazakhstan.

Annex
to the decree of the Government
of the Republic of Kazakhstan
dated July 25, 2016 no. 439

List of invalid certain decisions of the Government of the Republic of Kazakhstan

1. Decree of the Government of the Republic of Kazakhstan dated April 29, 2006 no. 343 "On approval of the Rules for maintenance of the State Register of normative legal acts, Reference Control Bank of normative legal acts of the Republic of Kazakhstan" (Collected Acts of the President and the Government of the Republic of Kazakhstan, 2006, no. 15, art. 149).

2. Decree of the Government of the Republic of Kazakhstan dated November 19, 2007 no. 1094 "On amendments and additions to the decrees of the Government of the Republic of Kazakhstan dated April 29, 2006 no. 343 and dated August 25, 2006 no. 817" (Collected Acts of the President and the Government of the Republic of Kazakhstan, 2007, no. 43, art. 510).

3. Paragraph 4 of amendments and additions, which are entered into certain decisions of the Government of the Republic of Kazakhstan, approved by the decrees of the Government of the Republic of Kazakhstan dated October 6, 2011 no. 1141 "On amendments and additions to certain decisions of the Government of the Republic of Kazakhstan" (Collected Acts of the President and the Government of the Republic of Kazakhstan, 2011, no. 56, art. 794).

4. Paragraph 2 of the decree of the Government of the Republic of Kazakhstan dated September 30, 2014 no. 1045 "On determining the state enterprise carrying out maintenance of the State Register of normative legal acts of the Republic of Kazakhstan and amendments to the decree of the Government of the Republic of Kazakhstan dated April 29, 2006 no. 343 "On approval of the Rules for maintenance of the State Register of normative legal acts, Reference Control Bank of normative legal acts of the Republic of Kazakhstan" (Collected Acts of the President and the Government of the Republic of Kazakhstan, 2014, no. 59-60, art. 564).

5. Subparagraph 1) of paragraph 1 of the decree of the Government of the Republic of Kazakhstan dated January 28, 2016 no. 35 "On amendments to the decrees of the Government of the Republic of Kazakhstan dated April 29, 2006 no. 343 "On approval of the Rules for maintenance of the State Register of normative legal acts, Reference Control Bank of normative legal acts of the Republic of Kazakhstan" and dated October 21, 2013 no. 1124 "On determining the Internet resource, carrying out official publication of normative legal orders of the ministers of the Republic of Kazakhstan

and other heads of central government bodies, heads of departments, of normative legal acts of central and local executive bodies, decisions of central government bodies, regulatory decisions of the Central Election Commission, regulatory legal decisions of maslikhats, as well as regulatory legal decisions of akimats and regulatory legal decisions of akims, and amendments to certain decisions of the Government of the Republic of Kazakhstan" (Collected Acts of the President and the Government of the Republic of Kazakhstan, 2016, no. 7, art. 30).

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