



On Approval of the Lawmaking Rules of the Government of the Republic of Kazakhstan

Unofficial translation

Decree of the Government of the Republic of Kazakhstan dated December 29, 2016 No. 907.

Unofficial translation

Footnote. The title - as reworded by Decree of the Government of the Republic of Kazakhstan No. 511 of 23.07.2021 (shall come into force ten calendar days from the date of its first official publication).

In accordance with paragraph 4 of Article 17-1 of the Law of the Republic of Kazakhstan "On Legal Acts", the Government of the Republic of Kazakhstan **HEREBY RESOLVES:**

Footnote. Preamble - as amended by Decree of the Government of the Republic of Kazakhstan dated March 17, 2023 No. 236 (shall be enforced ten calendar days after the day of its first official publication).

1. That the attached Lawmaking Rules of the Government of the Republic of Kazakhstan shall be approved.

Footnote. Paragraph 1 - as reworded by Decree of the Government of the Republic of Kazakhstan No. 511 of 23.07.2021 (shall be put into effect ten calendar days from the date of its first official publication).

2. To invalidate some resolutions of the Government of the Republic of Kazakhstan in accordance with the appendix to this resolution.

3. This resolution shall be enforced from the date of its signing and is subject to official publication.

*Prime Minister
of the Republic of Kazakhstan*

B. Sagintayev

Approved by
Decree of the Government
of the Republic of Kazakhstan
No. 907 of December 29, 2016

Lawmaking Rules of the Government of the Republic of Kazakhstan

Footnote. The Rules - as reworded by Decree No. 511 of the Government of the Republic of Kazakhstan dated 23.07.2021 (shall be enforced after ten calendar days from the date of its first official publication).

Chapter 1: General provisions

1. These Rules for the legislative work of the Government of the Republic of Kazakhstan (hereinafter referred to as the Rules) have been developed in accordance with subparagraph 4)

of paragraph 2 of Article 19 of the Law of the Republic of Kazakhstan "On the bodies of justice", paragraph 4 of Article 17-1 of the Law of the Republic of Kazakhstan "On legal acts" (hereinafter referred to as the Law) and shall determine the procedure for the development, placement, public discussion, approval of regulatory policy advisory documents, as well as draft laws prepared as a legislative initiative of the Government of the Republic of Kazakhstan (hereinafter referred to as the Government), as well as draft regulatory legal acts developed in accordance with paragraph 15 article 17-1 of the Law.

Footnote. Paragraph 1 - as amended by Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication).

2. The following terms shall be used in these Rules:

1) information support and clarification programme - a list of measures for informing citizens of amendments to the legislation of Kazakhstan affecting their rights and legitimate interests, and for ensuring the efficient implementation of the adopted law;

2) Internet portal of open regulatory legal acts (hereinafter - the Internet portal of open regulatory legal acts) - a component of the e-government web portal providing placement of draft regulatory legal acts and other information for the public discussion procedure under the Law of the Republic of Kazakhstan "On Access to Information";

3) Open RLA Web Portal Automated Workstation (hereinafter "AWS") - an application provided by the operator of the e-government information and communication infrastructure to manage the settings and content that is hosted on the Open RLA Web Portal;

4) the E-Zannama Information System is a unified legal system intended to analyse (monitor) the legislation of the Republic of Kazakhstan and to automate specific rulemaking processes;

5) excluded by Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication);

6) excluded by Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication);

7) target group - a person, a group of persons whose rights and interests will be affected by a proposed regulation (draft legal act));

8) a pilot project - a procedure undertaken by a public authority to identify the effect of the regulation being introduced;

9) persons targeted by the regulations - those who are subject to the regulations;

10) regulatory burden - the financial burden on the persons targeted by the regulations due to the imposition of binding requirements by the legislation of the Republic of Kazakhstan, including time and human resources;

11) regulatory policy - state regulation of social relations by means of regulatory legal acts;

12) a regulatory policy advisory document (hereinafter referred to as the Consultative document) is a document of the established form, which should contain problems of state regulation in a particular area, ways to solve them, justification for the need to develop a draft law and other provisions determined by the Government of the Republic of Kazakhstan;

13) an explanatory memorandum to a draft act is a compulsory document attached to the draft act justifying the necessity of the draft act with a detailed description of the goals, objectives and main provisions of the draft act, set out in a form that provides general information on the draft act and contributes to raising public awareness of the future regulatory policy;

14) e-Government information and communication infrastructure operator (hereinafter referred to as operator) is a legal entity, designated by the Government, tasked with ensuring the functioning of the e-Government information and communication infrastructure assigned thereto.

Footnote. Paragraph 2 as amended by Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication).

3. The Rules shall serve to ensure the enforcement of regulatory policy and the formation of uniform mechanisms for the implementation of the Government's legislative initiative by means of consistent compliance with the envisaged procedures, including procedures for forecasting the consequences of a projected regulation, procedures for public discussion of draft laws and other regulatory policy procedures

4. Central executive authorities, as well as other public authorities as agreed thereto shall be responsible for the legislative work of the Government including:

1) development of a consultative document, its discussion with interested bodies, organizations and target groups;

2) excluded by Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication);

3) excluded by Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication);

4) posting a consultative document on the Internet portal of open legal acts for public discussion, obtaining the positions of members of the Interdepartmental Commission on Legislative Activities (hereinafter referred to as the Commission), opinions of public councils, expert councils on entrepreneurship issues (hereinafter referred to as the Expert councils), the National Chamber of Entrepreneurs of the Republic Kazakhstan (hereinafter referred to as the NCE) in the manner specified in these Rules;

5) sending a consultative document to the Ministry of Justice of the Republic of Kazakhstan (hereinafter referred to as the Ministry of Justice) to obtain a preliminary opinion on the possibility of its submission to a meeting of the Commission;

6) consideration of the consultative document at a meeting of the Commission;

7) in case of approval of the consultative document by the Commission, the creation of a working group to develop a draft law;

8) developing draft legislation, including secondary legislation, if the draft legislation provides for their adoption, necessary for the submission of the accompanying materials to the draft legislation for consultation;

9) excluded by Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication);

10) performing a regulatory impact analysis of a draft law providing for the introduction of a regulatory instrument or toughening regulation in relation to business entities, under a procedure to be determined by the competent authority for entrepreneurship, in cases where it is required by the Entrepreneurship Code;

11) placing the draft law on the Internet portal of open legal acts for public discussion, obtaining the conclusions of scientific expertise (except linguistic expertise), public councils, expert councils and the National Chamber of Entrepreneurs as specified herein;

12) holding a public hearing on a draft law, as decided by the first head of the public authority or the person acting as head of the public authority;

13) coordination of the draft law with interested state bodies and organizations in accordance with the Law and the Regulations of the Government of the Republic of Kazakhstan, approved by the Decree of the Government of the Republic of Kazakhstan dated January 6, 2023 No. 10 (hereinafter referred to as the Regulations of the Government);

14) excluded by Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication);

15) posting the draft law on the Internet portal of open regulatory legal acts;

16) submission of a draft law to the Office of the Government of the Republic of Kazakhstan (hereinafter referred to as the Office of the Government) and its consideration in accordance with the Regulations of the Government;

17) endorsement of a draft law by the Executive Office of the President of the Republic of Kazakhstan (hereinafter referred to as the "Presidential Executive Office") as per the Rules of Endorsement of Draft Laws of the Republic of Kazakhstan by the President of the Republic of Kazakhstan and by the Executive Office of the President of the Republic of Kazakhstan of the draft laws submitted by the Government to the Majilis of Parliament of the Republic of

Kazakhstan approved by Decree No. 873 of May 17, 2002 of the President of the Republic of Kazakhstan (hereinafter referred to as the "Rules of Endorsement of Draft Laws of the Republic of Kazakhstan by the President of Kazakhstan");

18) conducting scientific linguistic expertise of the draft law after the approval of the draft law with the Administration of the President, the Government Office before their submission to the Parliament;

19) submitting a draft law to the Majilis of the Parliament of the Republic of Kazakhstan (hereinafter, the Majilis of the Parliament);

20) introducing and supporting a draft law when it is considered by the Chambers of the Parliament of the Republic of Kazakhstan (hereinafter referred to as the Parliament);

21) under the Regulation of the Government, providing for the implementation of the adopted law, including the timely approval of by-laws, if the respective draft law provides for their adoption;

22) submitting a programme of information support and clarification of the adopted law for approval by the Ministry of Justice and the competent mass media authority, pursuant to the procedure laid down herein;

23) performing legal monitoring of a regulatory legal act, including assessing the efficiency of the law and the achievement of the target indicators reflected in the consultation document, under the procedure established by the Rules for Legal Monitoring, approved by Decree of the Government of the Republic of Kazakhstan No. 486 of August 29, 2016.

Footnote. Paragraph 4 as amended by Decrees of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication); dated March 17, 2023 No. 236 (shall be enforced upon expiration of ten calendar days after the day of its first official publication).

5. Requirements for the development of a consultative document, as well as a program of information support and clarification on the draft law and on the adopted law do not apply to draft laws on the republican budget, a guaranteed transfer from the National Fund of the Republic of Kazakhstan, the volume of transfers of a general nature between the republican and regional budgets, budgets cities of republican significance, the capital and draft laws on introducing amendments and additions to them.

Footnote. Paragraph 5 - as amended by Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication).

5-1. Draft laws, draft interim decrees of the Government of the Republic of Kazakhstan, having the force of law, prepared in accordance with paragraph 15 of Article 17-1 of the Law, as well as draft by-laws, for the implementation of these projects, may only be developed with the consent of the Prime Minister of the Republic Kazakhstan at the initiative of the state body.

The term for the development of these draft regulatory legal acts should not exceed 5 (five) calendar days from the date of receipt of the approval of the Prime Minister of the Republic of Kazakhstan.

For these draft regulatory legal acts, the terms for public discussion, as well as for the submission of recommendations of the public council, and expert opinions, on the portal of open regulatory legal acts shall be 5 (five) calendar days.

The term for consideration of a consultative document by the Commission from the date of the end of the period for public discussion of draft regulatory legal acts on the portal of open regulatory legal acts should be no more than 3 (three) calendar days.

The term for approval by state bodies of draft regulatory legal acts should not exceed 5 (five) calendar days.

Draft by-laws are developed, subject to approval, public discussion, and examinations, simultaneously and within the same time frame with draft laws and draft temporary decrees of the Government of the Republic of Kazakhstan, having the force of law, for the implementation of which they are developed.

Footnote. The rules are supplemented by paragraph 5-1 in accordance with the Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication).

Chapter 2: Developing an advisory document

6. The drafting bodies of the consultation document shall be the central executive authorities, as well as other public authorities in consultation therewith.

Other bodies, organisations and citizens shall have the power to make proposals for solving existing problems of state regulation, that shall be submitted to the drafting bodies for consideration and reflected in the consultation document.

Research and other organisations, scientists in relevant fields of science, specialists in different fields of knowledge may be involved in the preparation of the consultation document, if necessary.

7. The development of an advisory document may be preceded by studies, sociological surveys, and recommendations from international and other organisations. Reporting materials from the studies shall be compulsory annexes to the Consultation Paper.

8. The development of a consultative document shall be carried out taking into account the Message of the President of the Republic of Kazakhstan to the people of Kazakhstan, the provisions of the annual message of the Constitutional Court of the Republic of Kazakhstan, the regulatory resolutions of the Constitutional Court of the Republic of Kazakhstan, the Supreme Court of the Republic of Kazakhstan, documents of the State Planning System and action plans for their implementation, decisions of the Government, results from legal monitoring of regulatory legal acts, analysis of the effectiveness of legislation, the practice of applying the legislation of the Republic of Kazakhstan in relevant sectors and areas of public

life, materials of scientific and practical conferences, seminars, meetings held on the problems of current legislation, appeals of individuals and legal entities, materials provided by non-governmental organizations, the information contained in the media.

Footnote. Paragraph 8 - as amended by Decree of the Government of the Republic of Kazakhstan dated February 9, 2023 No. 103 (shall be enforced ten calendar days after the day of its first official publication).

9. The development of the consultation document shall be in the form set out in Annex 1 hereto and shall include:

1) analysis of existing legislation and practice in the relevant area of legal regulation, identification of problems and reasons for inadequate efficiency of existing legal mechanisms (if any), including identification of the existence of a multiplicity of acts regulating similar social relations;

2) study, compilation and analysis of economic, sociological, statistical and other relevant information;

3) investigating and forecasting the social, financial, economic, environmental, legal and other consequences (positive/negative) of proposed decisions, including analysis of possible social risks, as well as trends and options for social relations in a particular area in connection with such decisions;

4) examining international experience and undertaking a comparative legal analysis;

5) determination of the (target) indicators, the expected results to be achieved in the regulated area of social relations due to the adoption of the draft law over the next five years.

The arguments in favour of legislation shall be concrete, linking negative phenomena and processes to inadequate existing legislation in detail. The arguments shall include cases from law enforcement practice, with a brief outline of the situations encountered, conclusions and proposals.

When forecasting the social consequences of proposed solutions, their impact on the development of society as a whole and on its individual social groups, on improving the standard of living and quality of life is analysed: impact on the level of education and employment, social structure of society, accessibility of health services, improvement of housing conditions, development of civil society institutions, assessment of possible social risks and other consequences.

In forecasting the financial and economic consequences of proposed decisions, the following shall be assessed:

1) direct and indirect revenues and expenditures from national and local budgets, including the attraction of grant funding and loans;

2) revenues and expenditures of enforcers and other actors involved in the implementation of the legislation;

3) other expenditures and revenues as well as other economic effects (impact on the development of competition, availability of credit, job creation and other effects).

In predicting the environmental consequences of proposed decisions, the direction, nature and extent of the impact that a legislative act will have on the environment shall be assessed.

The anticipated impact of proposed solutions on the existing mechanism of legal regulation of social relations in a particular area, including the establishment, specification of rights and obligations, elimination of legal gaps, elimination of defective, ineffective and declarative norms, shall be assessed as part of the legal impact prediction.

The advisory document must be accompanied by appropriate material demonstrating the validity and reliability of the information contained therein.

10. The target groups shall be identified by the drafting authority based on an analysis of the insufficient efficiency of existing legal mechanisms and the consequences of proposed decisions in the relevant area of legal regulation.

11. Excluded by Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication).

12. For advisory documents that affect the interests of private business entities, announcements (informational messages) shall be published (distributed) in the media, including placement on Internet resources, no later than 2 (two) working days before their consideration by the NCE and the expert council.

Footnote. Paragraph 12 - as amended by Decree of the Government of the Republic of Kazakhstan dated April 11, 2022 No. 209 (shall be enforced ten calendar days after the day of its first official publication).

13. After fulfilling the conditions stipulated in paragraph 12 of these Rules, the developer body must ensure the procedures for publishing and discussing the advisory document by posting the advisory document on the Internet portal of open legal acts and the Internet resource of the state body in the state and Russian languages.

Discussion of the advisory document with the public shall include posting it on the Internet portal of publicly available legal acts for public discussion, as well as public hearings and debates.

Depending on the nature of the social relations to be regulated, discussions may be conducted using one or more of the above methods.

The sequence of public hearings, debates shall be determined by the developing authority itself.

Footnote. Paragraph 13 as amended by Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication).

14. Placement of a consultative document, a draft law shall be carried out through the AWS by employees of the developing bodies. Access to the AWS to employees of developing bodies is provided by the operator based on applications from state developing bodies.

The timeframe for discussion of the advisory document on the open regulatory legal acts Internet portal shall be determined independently by the drafting public authorities but shall not be less than fifteen (15) working days.

If more than one hundred (100) comments are received on a posted advisory document, the deadline for posting the advisory document on the open regulatory legal acts Internet portal shall be automatically extended by ten (10) working days.

Footnote. Paragraph 14 as amended by Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication).

15. The advisory document affecting the interests of business entities shall be subject to mandatory discussion with the NCE and expert councils.

An advisory document affecting the rights, freedoms and obligations of citizens shall be subject to mandatory discussion with public councils, excluding cases where the establishment of a public council in a public authority is not provided for by the Law of the Republic of Kazakhstan "On Public Councils".

16. The developing bodies send to the NCE, expert councils, public councils, Republican state enterprise on the right of economic management "Institute of Legislation and Legal Information" (hereinafter referred to as ILLI), members of the Commission, notification of the placement of a consultative document on the Internet portal of open NLAs to receive positions, expert opinions recommendations, including at each subsequent agreement with the interested state bodies, no later than 2 (two) working days.

Expert opinions are a written position of the NCE or a member of the expert council, are advisory in nature and are mandatory annexes to the draft regulatory legal act before its adoption, including at each subsequent approval of this draft with interested state bodies.

The term set for the submission of expert opinions, conclusions, and recommendations on a consultative document cannot be less than fifteen working days from the date of receipt of a notice of its placement on the Internet portal of open legal acts in the NCE, members of the expert council, public council, ILLI.

Footnote. Paragraph 16 - as amended by Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication).

17. NCEs, expert councils, public councils, ILLI, and members of the Commission shall post their positions, expert opinions, conclusions, and recommendations to the consultative document on the Internet portal of open NLAs in the state and Russian languages.

Expert opinions, conclusions, and recommendations of public councils are advisory in nature and are mandatory annexes to the consultative document, the draft law before its adoption, including at each subsequent approval of this project with interested state bodies.

In the event of failure to submit expert opinions, conclusions, recommendations of public councils within the set deadline, the consultation document shall be deemed to have been agreed without comment.

In case of disagreement with the expert opinions, conclusions or recommendations, the developing authority shall prepare a justification for the disagreement and post it on the open regulatory legal acts Internet portal within five (5) working days.

Footnote. Paragraph 17 as amended by Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication).

Chapter 3: Holding public debates

18. The developer shall notify the target groups identified in the advisory document of their possibility to participate in public debate on the open regulatory legal acts Internet portal , public hearings and/or debates, disclosing the following information:

- 1) the name of the public authority organising the public hearing;
- 2) date, method (debate/public hearing) of discussion, for public hearings also the venue and time;
- 3) a brief description of the problem(s) outlined in the advisory document;
- 4) contact details (addresses, emails, telephone numbers) of the persons responsible for organising the discussions in the public authority organising the discussions;
- 5) a link to the open regulatory legal acts Internet portal of the advisory document, with an indication of the possibility of commenting on it.

Twenty (20) working days prior to the public hearing, the developer shall place an announcement in the media, including the open regulatory legal acts Internet portal and the developer's website, stating the information referred to in part one of this paragraph.

The target groups shall be notified of the impending public discussion in one or more of the following ways:

- 1) targeted distribution of invitations by post, by hand or by e-mail to specific target audiences;
- 2) the publication of an announcement on the website of the public authority hosting the discussion;
- 3) by publishing an advertisement in the media;
- 4) SMS notifications in the form of a short text message to the mobile phone number of the target group representatives;
- 5) by other means specified in the advisory document.

Members of the public and expert councils, NCE, ILLI shall also be notified of the forthcoming public hearing and/or debate.

19. Public debate on the open regulatory legal acts Internet portal shall be subject to the following conditions:

- 1) accept comments and/or recommendations with brief justifications from users registered on the e-government web portal, not certified with an electronic digital signature;
- 2) avoid the use of obscene language, abusive language, advertising or other information not related to the consultation document, draft concept or draft law;
- 3) when sending comments and (or) proposals on a consultative document or a draft law, indicate a specific structural element of the draft (section, article, paragraph, subparagraph).

Comments and/or recommendations from users of information received after the deadline for public discussion of drafts, as set by the public authority developing the draft, shall not be considered.

Drafters shall consider comments and proposals of information users within 3 (three) working days after their publication in the form of a comment on the Internet portal of open legal acts. A drafter's decision to accept or reject a comment and (or) a proposal from an information user must be motivated, precise, free of general justifications, declarative provisions and published under the comment received.

Footnote. Paragraph 19 as amended by Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication).

20. As part of the content of the e-government web portal, the operator shall monitor compliance with the conditions for public discussion of posted drafts as set out herein.

Within one (1) working day, the operator shall verify whether the comments and/or recommendations of users of the information comply with the requirements hereof and shall decide whether or not to publish them, stating the grounds for doing so.

21. Public hearings shall be held in an open format in the state and Russian languages, with online broadcasting, in a venue that can accommodate those wishing to attend the public hearing or using available information and communication technology.

The public authority shall ensure the involvement of the media and coverage of the public hearings, including on social media platforms.

In order to provide the necessary premises, persons wishing to attend a public hearing held indoors shall register at least seven (7) working days in advance on the e-government web portal or on the drafter's (discussion organiser's) website.

Persons wishing to attend public hearings held using accessible information and communication technologies shall register at least five (5) working days in advance on the e-government web portal or on the drafter's (discussion organiser's) website.

Public hearings held indoors shall be open to registered persons upon presentation of proof of identity.

All registered persons shall have the power to attend public hearings held using accessible information and communication technologies.

At a public hearing, citizens may make a separate presentation with the length of the presentation to be determined by the organiser.

Those wishing to make a presentation at least seven (7) working days prior to the debate shall register on the e-government web portal or the drafter's (organiser of the debate) website and submit an abstract of their presentation.

The report shall contain reasoned proposals to address the problems identified in the advisory document and/or existing comments and/or suggestions for solutions to the problems proposed by the drafter.

At the public discussion itself, the drafters' representatives shall briefly present the advisory document, report on the comments and suggestions received, supported and rejected. The positions of the drafter shall be given on those rejected.

Proposals and suggestions made during the public hearings shall be recorded in the minutes and the position of the public authority shall also be formed in respect of them. If it is not possible to form a position at the venue of the debate, such a position shall be formed within a period not exceeding three (3) working days of the public debate and shall be posted on the website of the public authority and on the open regulatory legal acts Internet portal.

Suggestions and comments made following the presentation of the interested persons' report shall also be recorded in the minutes of the public hearing.

22. Debates shall be held in an open format in the state and Russian languages, with online streaming and media coverage.

Debates shall be held with at least two (2) participants representing different positions on the solution of public regulation problems in a particular area.

Twenty (20) working days prior to the debate, the drafting authority shall publish an announcement on the open regulatory legal acts Internet portal and the official website of the public authority.

An application to participate in the debate shall be submitted on the open regulatory legal acts Internet portal.

Ten (10) working days prior to the debate, the acceptance of applications to participate in the debate shall be closed.

The length, format and other specifics of the debate shall be determined by the organisers and shall ensure a full discussion of the consultation document. However, the speaking time shall not be to the advantage of any of the participants in the debate.

The organizer shall select the participants of the debates from among the applicants. With the consent of the applicants, the organiser shall group the participants based on their submitted talking points to solve the issues specified in the advisory document.

Five (5) days prior to the debate, the organisers will publish a list of participants admitted to the debate.

23. Based on the results of public discussions (public discussions on the Internet portal of open legal acts, public hearings, and debates), the developer shall prepare a report in the form in accordance with Annex 2 to these Rules. Subsequently, the report shall be a mandatory annex to the draft law at all stages of its consideration.

The report shall be made available on the open regulatory legal acts Internet portal and on the website of the public authority.

Footnote. Paragraph 23 as amended by Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication).

Chapter 4. Submitting a consultative paper to the commission

Footnote. The heading of chapter 4 - as amended by Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication).

24. Based on the results of the public discussion of the consultative document, the developer shall decide on the need for legislative changes or the absence of such.

The presentation of arguments testifying to the need to adopt a legislative act should be specific, establishing in detail the connection between negative phenomena and processes and insufficiently effective current legislation. As an argument, it shall be necessary to give examples from law enforcement practice, indicating a brief plot of the existing situations, conclusions and proposals.

Footnote. Paragraph 24 - as amended by Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication).

25. Excluded by Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication).

26. Excluded by Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication).

27. Members of the Commission, including the Ministry of Justice, within 15 (fifteen) working days, except for urgent instructions received with instructions from the leadership of the Administration of the President or the Government, shall consider the consultative document and give official comments to the developer through the Internet portal of open legal acts.

Footnote. Paragraph 27 - as amended by Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced after ten calendar days after the date of its first official publication).

28. Excluded by Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication).

29. In the absence of any comments and (or) proposals of members of the Commission, the state body sends a consultative document to the Ministry of Justice to organize its consideration at a meeting of the Commission.

If the members of the Commission have comments and (or) suggestions, the developer, within a month, shall work out such comments to ensure their maximum removal.

According to the comments that have not been withdrawn, protocols of disagreements shall be drawn up, which must be signed by the members of the Commission who gave comments, within a period of not more than 2 (two) business days from the date of its submission by the developers.

Footnote. Paragraph 29 - as amended by Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication).

30. Based on the results of the development, the finalized consultative document with protocols of disagreements shall be re-posted on the Internet portal of open NLAs, of which the members of the Commission shall be notified by the developer within 2 (two) working days.

After that, the members of the Commission, including the Ministry of Justice, within 7 (seven) working days, shall consider the finalized consultative document and may comment only on the comments they have not previously eliminated or new provisions that have appeared after working out with other members of the Commission.

The positions of the members of the Commission are repeatedly reflected on the Internet portal of open NLAs.

Footnote. Paragraph 30 - as amended by Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication).

31. The developer may agree with the comments of the members of the Commission, shall finalize the advisory document and submit it for reconsideration in accordance with paragraph 30 of these Rules, or draw up additional protocols of disagreements and submit a consultative document with protocols of disagreements to the Ministry of Justice to organize its consideration at a meeting of the Commission.

The Ministry of Justice shall submit a consultative document, and in case of protocols of disagreement, together with such protocols, for consideration by the members of the Commission.

An advisory document received for consideration at a meeting of the Commission without comments and (or) proposals, after a brief presentation, shall be put to a vote.

During the meeting of the Commission, comments and (or) proposals in the voice shall not be accepted.

Voting on the consultative document received with the protocols of disagreements shall be carried out for each comment included in the protocols of disagreements. An advisory document may be approved provided that there are no remarks not withdrawn in this way.

Footnote. Paragraph 31 - as amended by Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication).

32. Consultative documents may not be approved by the Commission:

1) providing for the regulation of public relations, which are already sufficiently regulated by the current legislation;

2) contradicting the fundamental principles of law (priority of human rights, legality, equality, justice, etc.);

3) the subject of regulation which does not comply with paragraph 3 of Article 61 of the Constitution of the Republic of Kazakhstan.

Footnote. Paragraph 32 - as amended by Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication).

33. After approval at the meeting of the Commission, the consultative document is subject to placement on the official Internet resource of the developer.

Footnote. Paragraph 33 - as amended by Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication).

34. Excluded by Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication).

Chapter 5. Drafting the law

35. The development of draft laws shall be carried out only based on and in strict accordance with their advisory documents.

Conceptual changes and additions may be made to the draft law only on behalf of the President of the Republic of Kazakhstan within the framework of special and annual messages of the Head of State to the people of Kazakhstan on the situation in the country and the main directions of the domestic and foreign policy of the republic.

In other cases, if in the process of developing a draft law it becomes necessary to amend the consultative document, such an issue is submitted at the request of the state body drafter to the Commission meeting.

The Commission shall adopt one of the following decisions by a majority of votes:

1) if the changes are conceptual, send the consultative document for revision with the procedures established by these Rules;

2) if the changes do not significantly change the developed approaches to the regulation of legal relations, and are also not aimed at resolving problematic issues not previously considered, approve the introduction of changes to the consultative document.

Footnote. Paragraph 35 - as amended by Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication).

36. To prepare a draft law, a working group shall be established by order of the head of the drafting authority or a person acting in his or her capacity, or the relevant departments shall be tasked with.

37. The working group must involve representatives of the target groups, employees of the legal department of the drafter responsible for preparing the draft law, representatives of state bodies whose competence covers the draft regulations to be adopted in the implementation of the draft law, and the ILLI staff.

Representatives of the NCE and accredited associations of private businesses must be involved in the drafting of legislation that affects the interests of private businesses.

38. Specialists from various fields of knowledge, scientific institutions and other organisations, academics, representatives of non-profit and other organisations may be involved in the preparation of draft laws.

Members of Parliament may, at any stage, take part in the work of the working group preparing the draft law.

When drafting laws, the drafter shall be entitled to use scientific concepts of development of legislation of the Republic of Kazakhstan, results of fundamental and applied scientific research conducted by an authorised organisation designated by the Government of the Republic of Kazakhstan in the field of legal support of state activity and other materials.

39. The number of members, the frequency of meetings and the format of the working group shall be decided by the developer.

Meetings of the working group may be organised by means of accessible information and communication facilities (online, videoconferencing, etc.).

40. The draft by-laws to be adopted in the implementation of the draft law shall be prepared and the accompanying materials, the list of which is specified in paragraph 51 hereof, shall be compiled together with the text of the draft law.

If the development of a draft by-law falls within the competence of another public authority, that public authority shall submit the relevant draft by-law to the drafting authority.

However, the public authorities competent for the elaboration of a draft by-law must submit drafts of the by-law within one month of receipt of the relevant request.

For the purpose of timely submission of draft laws, when submitting a draft law to the interested public authorities for approval, the public drafting authority must promptly request from them information on the expediency of developing a new by-law or amending an existing by-law in the field of the social legal relations they regulate.

If the development of draft by-laws is not required, the public authorities, competent for the development of such draft by-laws, shall, within five (5) working days, send a corresponding response to the request received from the drafting authority.

No reference to secondary legislation shall be allowed in draft laws if there are no drafts thereof.

Financial and economic calculations shall be prepared for a draft law that reduces public revenues or increases public expenditure.

An explanatory memorandum to a draft law affecting the interests of business entities shall contain the results of calculations confirming the reduction and/or increase of costs of business entities due to the introduction of the law.

41. The drafting authority shall ensure that the draft law is directed for scientific legal, economic, anticorruption and other expert examinations of the draft law, except for the draft law on the republican budget, guaranteed transfer from the National Fund of the Republic of Kazakhstan, on the volume of transfers of a general nature between the republican and regional budgets, budgets of cities of national importance and the capital, and the draft law on making amendments and additions thereto.

The findings of these scientific assessments shall be of an advisory nature.

42. Regulatory impact analysis shall be performed on a draft law affecting the interests of private business entities in the circumstances and under the procedure laid down in the Entrepreneurship Code.

The findings of the regulatory impact analysis shall be posted on the public internet resources of the regulatory authorities.

43. A draft law, the implementation whereof may lead to negative impacts on the environment, shall be subject to a mandatory state environmental impact assessment as prescribed by the environmental legislation of the Republic of Kazakhstan.

The findings of the state environmental impact assessment shall be binding.

44. A positive opinion of the Republican Budget Commission shall be required on a draft law, the implementation whereof will reduce revenues or increase expenditures of the national and local budgets and/or the National Fund.

45. Upon completion of the work of the working group, the draft law, along with a comparative table thereto (in cases of amendments and (or) additions to laws) as per Annex 6 hereto and an explanatory memorandum for discussion thereof as per Annex 7 hereto, shall be posted for public discussion on the Internet portal of open legal acts as regulated hereby and on the Internet site of the public authority prior to submission to the interested public authorities for approval.

The explanatory memorandum shall be accompanied by presentations, charts showing the essence and content of the draft law in a clear and comprehensible manner.

Discussion on the open regulatory legal acts Internet portal and/or public hearings on draft laws shall be held after the publication of the relevant draft law on the open regulatory legal acts Internet portal and as per chapter 3 hereof.

The representatives of target groups, members of the public council, expert councils, NCE and ILLI shall be notified by the drafting authority on the posting of the draft law on the open regulatory legal acts Internet portal and shall be invited to give recommendations, comments, suggestions or (expert) opinions.

These requirements shall apply to each subsequent placement and coordination of the draft law with the public authorities concerned.

46. From the day of the drafting of a law of social importance, the drafting authority shall post a press release on its website in the national and Russian languages and may hold a public hearing under the procedure laid down herein.

A draft law of social significance shall be understood to mean a draft law which directly or indirectly affects human rights and interests and the interests of society as a whole.

47. Draft laws that affect the interests of private business entities shall be subject to obligatory publication (dissemination) in the media, including posting on Internet resources, prior to their consideration by the NCE and the expert council.

The deadline set by the drafters for the submission of recommendations by the public council, the expert opinions of the NCE and expert boards, and the ILLI conclusions may not be less than fifteen (15) working days from the date they receive the notification.

The public council, expert councils, NCE and ILLI shall post their recommendations, (expert) opinions on the draft law in the national language and in Russian on the open regulatory legal acts Internet portal.

The recommendations of the public council, the NCE's expert opinions, the expert council and the ILLI's conclusions shall have an advisory nature and shall be binding annexes to the draft law prior to its adoption, including for each subsequent approval of this draft by the public authorities concerned.

If the public council does not provide advice, the NCE and members of the advisory council within the deadline set by the drafter, the draft law shall be deemed to have been agreed without comment.

In agreeing with the recommendations of the (expert) opinion, the drafter shall make appropriate amendments and/or additions to the draft law.

Should the drafting authority disagree with the recommendations, (expert) conclusions, the drafting authority shall form a position with reasons for disagreement. Within ten working days, the drafter shall post the relevant letter to the public council, the NCE, the ILLI, and the expert council on the open regulatory legal acts Internet portal.

48. Based on the results of the public discussions of a draft law (public discussions on the open regulatory legal acts Internet portal, public hearings), the drafting authority shall prepare

a report in the form of Annex 8 hereto. The report shall subsequently be a compulsory appendix to the draft law at any stage of its consideration.

The report shall be made available on the open regulatory legal acts Internet portal.

49. When drafting a law, the drafting authority shall develop a draft information and explanatory programme on the draft law on a compulsory basis.

The objective of the information support and clarification programme on the draft law shall be to provide extensive coverage of the key forthcoming amendments to the legislation of the Republic of Kazakhstan affecting the rights, freedoms and legitimate interests of natural and legal persons.

The information support and clarification programme for the draft law shall cover a full range of activities to ensure information and clarification of the rights, obligations and responsibilities of the actors involved, other innovations (testing of innovations in a limited format), regulatory, financial and economic, infrastructure support for the proposed initiatives, information and methodological support and coordinated work of the persons involved in the implementation of the proposed innovations.

The list of citizen information activities stipulated in Annex 5 hereto shall constitute a standard programme of information support and clarification. The requirements of the standard information support and clarification programme shall be fully implemented as per the indicators specified therein, and public authorities may envisage additional measures for informing citizens in their information support and clarification programmes in addition to those that are mandatory ones.

50. The draft program of information support and clarification on the draft law shall be approved by the first head of the developing body after its approval by the Ministry of Justice and the authorized body in the field of mass media upon approval of the draft law.

A report on the implementation of the information support program and clarifications on the draft law shall be submitted to the Ministry of Justice and the authorized body in the field of mass media. The Ministry of Justice analyzes and summarizes the submitted information and sends it to the Government Office by January 25 of the year following the reporting period.

Footnote. Paragraph 50 - as amended by Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication); as amended by Decree of the Government of the Republic of Kazakhstan dated March 17, 2023 No. 236 (shall be enforced ten calendar days after the day of its first official publication).

51. The prepared draft law with accompanying documents shall be sent for approval to the interested state bodies and organizations.

Accompanying documents mean the following documents prepared in the state and Russian languages:

1) a draft resolution of the Government of the Republic of Kazakhstan on the submission of a draft law to the Mazhilis of the Parliament;

2) an explanatory note to the draft Government Decree, prepared in accordance with the requirements of the Government Regulations;

3) a draft explanatory note to the draft law justifying the need to adopt the draft with a detailed description of the goals, objectives and main provisions of the draft law;

4) a draft law providing for the introduction of amendments and (or) additions to the current legislative acts shall be accompanied by a comparative table of the current and proposed versions of the articles with the appropriate justification for the amendments and additions in the form in accordance with Annex 6 to these Rules.

Herewith, the justifications must include a reference to a specific paragraph or provision of the consultative document approved at the meeting of the Commission;

5) approved consultation document;

6) a statement on the results of the discussion of the draft law in the media, including on the Internet, and taking into account public opinion when finalizing them.

The certificate shall be accompanied by a program of information support and explanations and reports on the results of public discussions of the consultative document and the draft law;

7) financial and economic calculations, if the implementation of the draft law will entail a reduction in revenues or an increase in expenditures of the Republican and local budgets and (or) the National Fund, the attraction of grants, loans or sponsorship from international sources ;

8) conclusions based on the results of scientific (legal, economic, anti-corruption and other) expertise, depending on the legal relations regulated by the draft law.

In case of disagreement with the conclusion of scientific expertise, the developer of the draft law must attach written substantiations of the reasons for disagreement with the relevant conclusion, which were sent to the expert, authorized organization;

9) conclusions of the ILLI on the consultative document and the draft law;

10) if the draft law affects the interests of private entrepreneurship entities, expert opinions of the NCE and accredited associations of private entrepreneurship entities are attached to the draft law;

11) if the draft law concerns the rights, freedoms and duties of citizens, it shall be accompanied by recommendations for discussing the draft law with public councils, except for cases when the creation of a public council in a state body is not provided for by the Law of the Republic of Kazakhstan "On Public Councils";

12) a copy of the positive decision of the Republican Budget Commission concerning draft laws providing for a reduction in revenues or an increase in expenditures of the Republican and (or) local budgets and (or) the National Fund of the Republic of Kazakhstan;

13) a list of legislative acts subject to change or recognition as invalid in connection with the adoption of the relevant legislative act;

14) drafts of by-laws necessary for the implementation of a draft law, if the adoption of by-laws is necessary to ensure its operation;

15) the draft law providing for the introduction of a regulatory instrument or the tightening of regulation concerning private entrepreneurship entities shall be accompanied by the conclusion of the authorized body for entrepreneurship on compliance with the established procedures by regulatory state bodies, as well as the results of the regulatory impact analysis in cases where the need for regulatory impact analysis is provided Entrepreneurial Code;

16) draft a program of information support and clarification.

Footnote. Paragraph 51 - as amended by Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication).

52. State bodies and organizations to which the draft law is sent for approval must prepare their comments and (or) proposals on the draft law or report their absence to the developing body that developed the draft law.

The remarks of the state body and organization on the draft law must contain proposals for the elimination of shortcomings, and be substantiated and exhaustive.

When agreeing on a draft law developed as a legislative initiative of the Government, the Ministry of Justice gives an opinion on the draft law, including the establishment of the fact of a comprehensive study of the draft law and disclosure of the subject of regulation on the draft by-law normative legal act.

Draft legislative acts, with the exception of draft codes, shall be agreed upon by state bodies within 5 (five) business days (by the Ministry of Justice within 7 (seven) business days).

Draft codes of the Republic of Kazakhstan shall be coordinated by state bodies within 7 (seven) working days (by the Ministry of Justice within 10 (ten) working days).

Footnote. Paragraph 52 - as amended by Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication).

53. Where comments and/or proposals are received, the draft law shall be finalised. Where comments and/or proposals are rejected, the drafter shall provide a reasoned justification.

Amendments and/or additions to the draft law shall be discussed with the working group.

When a draft law is re-considered by the governmental authorities, comments and/or proposals may only be made on new and/or amended provisions of the draft law.

54. After the draft law is agreed upon with state bodies and organizations and before it is submitted to the Office of the Prime Minister, the draft law shall be posted on the Internet portal of open legal acts.

Footnote. Paragraph 54 - as amended by the Decree of the Government of the Republic of Kazakhstan dated March 17, 2023 No. 236 (shall be enforced ten calendar days after the day of its first official publication).

55. The procedure for submitting a draft law to the Government Office shall be established by the Regulations of the Government.

Footnote. Paragraph 55 - as amended by Decree of the Government of the Republic of Kazakhstan dated March 17, 2023 No. 236 (shall be enforced ten calendar days after the day of its first official publication).

Chapter 6. Pilot project

56. A pilot project shall be undertaken to test and determine the level of efficiency of the proposed rule in the draft law.

57. If a proposed rule of law in a draft law requires prior approval, the rule of law shall be limited by the law containing it to certain time limits for its validity.

Within the validity period of the piloted regulation, the competent authority shall assess the efficiency of the piloted regulation, which shall determine the positive and negative effects, social and other factors that have influenced the application of such regulation, the costs incurred and revenues obtained due to the implementation of the pilot project.

58. Analysis of the practice of the rule of law being piloted shall entail:

- 1) identifying the scope of the rule of law to be piloted;
- 2) determining the level of efficiency of the piloted norm in law enforcement practice by sending enquiries, conducting surveys, collecting feedback, etc;
- 3) an analysis of the positive and negative effects after the implementation of the norm being piloted;
- 4) analysis of appeals from citizens, legal persons to public authorities on the norm to be piloted;
- 5) analysis of the acts of prosecutorial supervision concerning the practice of the norm to be piloted;
- 6) analysis of judicial acts, in terms of the frequency of appeals and decisions rendered;
- 7) analysis of information contained in the media and on Internet resources on public telecommunications networks, including social media;
- 8) collection of statistical data on the enforcement of the norm being tested, etc..

59. Following the analysis, the drafting authority shall prepare a report on the level of efficiency of the norm being piloted, which shall be accompanied by all the necessary materials collected in the course of the relevant analysis.

The report shall also be coordinated with the NCE and/or public councils, in case the norm being piloted affects the rights and freedoms of citizens and/or the interests of business entities.

60. If the analysis is negative, the norm being piloted shall cease to have effect after the expiry of the period for which it was adopted, as part of the pilot project.

If the analysis is positive, the developing authority shall draft a law on the adoption of the piloted norm, which must be accompanied by a report on the level of efficiency of the piloted norm.

Chapter 7. Simplified procedure for drafting laws

61. Draft laws developed under the simplified procedure are not subject to the requirements for drafting a consultative document.

A simplified procedure for the preparation of draft laws shall apply to the provisions of laws deemed unconstitutional, including those infringing upon the rights and freedoms of man and citizen enshrined in the Constitution.

Footnote. Paragraph 61 as amended by Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication).

62. The simplified procedure for drafting laws shall include:

- 1) preparation of a draft law;
- 2) posting a draft law on the Internet portal of open legal acts and agreeing on a draft law with interested state bodies and organizations in accordance with these Rules;
- 3) submission of a draft law to the Government and its consideration in accordance with the Regulations of the Government;
- 4) coordination of draft laws with the Administration of the President in accordance with the Rules for coordination of draft laws with the President of the Republic of Kazakhstan;
- 5) carrying out linguistic expertise of draft laws;
- 6) submission of a draft law to the Mazhilis of the Parliament;
- 7) presentation and support of draft laws during their consideration in the chambers of the Parliament.

Footnote. Paragraph 62 - as amended by Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication).

63. A draft law developed in a simplified manner concerning norms of laws recognized as unconstitutional, including those infringing on the rights and freedoms of a person and citizen enshrined in the Constitution, should contain only norms aimed at implementing the decision of the Constitutional Court.

Footnote. Paragraph 63 - as amended by Decree of the Government of the Republic of Kazakhstan dated February 9, 2023 No. 103 (shall be enforced ten calendar days after the day of its first official publication).

Chapter 8. Supporting an enacted law

64. Within seven working days of the adoption of a law by the Parliament, the drafting authority shall approve a programme of information support and explanation for the adopted law, which must be coordinated with the Ministry of Justice and the competent media authority.

The information and clarification programme on the adopted law shall stipulate a complete list of activities to provide information and clarification on the specific timing of the introduction of new (amended) regulatory approaches, on the new (amended) rights, obligations and responsibilities of regulatory actors, the expected effects on target groups, the economy and society, other innovations (testing of innovations in a limited format), regulatory, financial, economic, infrastructure support for the adopted approaches, information and methodological support and the coordinated work of those involved in the implementation of the adopted legislative amendments.

The list of citizen information activities foreseen in Annex 9 hereto shall constitute a standard programme of information support and clarification. The requirements of the standard information support and clarification programme shall be fully implemented as specified therein, and public authorities may provide for additional information measures in their information support and clarification programmes in addition to those that are mandatory ones.

65. A report on the implementation of the program of information support and clarification of the adopted law is submitted to the Ministry of Justice and the authorized body in the field of mass media. The Ministry of Justice analyzes and summarizes the submitted information and sends it to the Government Office until January 25 of the year following the reporting one.

Footnote. Paragraph 65 - as amended by Decree of the Government of the Republic of Kazakhstan dated March 17, 2023 No. 236 (shall be enforced ten calendar days after the day of its first official publication).

66. In order to ensure that the efficiency of the adopted law is assessed, the drafter shall submit an annual report to the Ministry of Justice on the level of achievement of the target indicators reflected in the advisory document, within five years of the adoption of the law.

The efficiency of the adopted law shall be assessed within the legal monitoring of the normative legal act under the procedure established by the Rules for Legal Monitoring, approved by Decree of the Government No. 486 of August 29, 2016.

Regulatory Policy Advisory Document

"

"

Footnote. Annex 1 - as amended by Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication).

1. Description of the problem:

No.	Problem question	The main causes of the problem	Analytical information showing the level and significance of the described problem	Ways to measure the problem
1				
2				

2. Analysis of the current situation, comparison of world experience that is most similar to national regulation:

No.	Current situation	International experience
1.		
2.		

3. Suggested ways to solve the described problem:

No.	Solution	Advantages	Disadvantages
1.			
2.			

4. The impact of the proposed solutions on:

	Advantages	Disadvantages
1. Social development (level of measurement of human capital)		
2. Entrepreneurship development		
3. Public authorities		
4. Economic system		
5. Ecological environment		
6. Volumes of revenues and expenditures of the state budget		
7. Others		

5. Expected results from the introduction of the proposed solution:

No.	Current performance	Result	Deadline (justification)
1			
2			

6. Implementation mechanisms with the indication of algorithms of actions in case of legislative regulation (institutional and organizational measures):

Events	Timing	Responsible state body (official)	Budget

7. Possible risks:

Possible risks (including social risks)	Reasons for possible risks	Risk management system

8. Target groups for public discussion:

List

9. Way of public discussion:

List (1 required and 2 optional)

10. Results of public discussion

(text)

No.	Suggested Solution	The attitude of the public (target groups)
1		
2		

11. Structure and content of the draft law (if a decision is made on the need to develop a legislative act)

(text)

12. Indicators for evaluating the effectiveness of the introduced regulation with an indication of the timing of their revision

(text)

Annex 2
to the Lawmaking Rules
of the Government
of the Republic of Kazakhstan

Report of the public consultation on the regulatory policy advisory document

“ _____ ”

Date of publication of the regulatory policy advisory document on the web portal of open legal acts _____

Date(s) of public discussion:

Public discussions on the open regulatory legal acts Internet portal _____

Public hearings _____

Debates _____

End date(s) of public discussion:

Public discussions on the open regulatory legal acts Internet portal _____

Public hearings _____

Debates _____

Form(s) of public discussion _____

Public discussions on the open regulatory legal acts Internet portal _____

Public hearings _____

Debates _____

Total number of comments and suggestions received _____

Of these, it has been accepted _____

Not accepted (grounds for non-acceptance) _____

Table of comments and suggestions received

No. s/o	Author	Suggestion/comment	Position of the PA	Note
1. Comments and/or suggestions received on the open regulatory legal acts Internet portal				
1.1. Those received during the public consultation process (the open regulatory legal acts Internet portal), with the exception of the actors mentioned in other sections of this report				
1.				
2.				
1.2. Those received directly at debates or public hearings, with the exception of actors referred to other sections in this report				
1.				
2.				
2. Those received from members of the public council				
1.				
2.				
3. Those received from members of the expert council				
1.				
2.				
4. Those received from the NCE				
1.				
2.				
5. Those received from accredited non-profit organisations				
1.				
2.				
3.				
6. Those received from the Institute of Legislation and Legal Information				
1.				
2.				
3.				

However, other work carried out as part of the public consultation may also be described in the report by the drafting authority.

* Sections 1.1, 2-5 of the report shall be generated automatically on the open regulatory legal acts Internet portal.

Section 1.2 shall be drawn up by the drafting authority and included in this report.

of the Government
of the Republic of Kazakhstan

Footnote. Annex 3 is excluded by the Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication).

Annex 4
to the Lawmaking Rules
of the Government
of the Republic of Kazakhstan

Footnote. Annex 4 is excluded by the Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication).

Annex 5
to the Lawmaking Rules
of the Government
of the Republic of Kazakhstan

Standard programme for informing and clarifying the draft law

No. s/o	Name of action	Form of completion	Timeline	Target Indicator	Responsible bodies
1	2	3	4	5	6
ORGANISATIONAL WORK					
1.	Ensuring smooth and efficient work between the drafters of the law, the press office and other structural units	internal order/ rules/algorithm			drafting authority
2.	Preparation and submission to the designated media authority of a list with names and contacts of the drafters and the scope of work (especially interdepartmental draft laws)	a list of the officials responsible for drafting the law	5 working days prior to the date of publication on the open regulatory legal acts Internet portal		drafting authority
3.	Preparation and submission of a list of speakers (including name, contact details, area of work, preferred language) to the designated media authority. The list of speakers shall consist of drafters, working group members, experts in the field, civil society actors	list of speakers	5 working days prior to the date of publication on the open regulatory legal acts Internet portal	at least 1 list	drafting authority
4.	Drafting and forwarding information on potential risks (risk analysis	5 working days prior to the date of publication on the open regulatory	at least 1 analysis note	

	organisational, legal, social) to the media authority		legal acts Internet portal		drafting authority
5.	Preparation and submission of an analysis of frequently asked questions and answers to them to the designated media authority and posting on the website of the drafting authority	information publishing	throughout the duration of the public consultation on the regulatory legal act (as a result of the first week, the second week, the third week, the fourth week)	at least 2 information and reference materials	drafting authority
6.	Conducting ongoing monitoring of the information field	monitoring activity	for the duration of the public debate on the regulatory legal act	reference materials	drafting authority
7.	Preparation and dissemination to the designated media authority, as necessary, of media products to promote and explain the main aspects of the draft law (infographics, telegraphics, videos, etc.)	infographics and videos	5 working days prior to the date of publication on the open regulatory legal acts Internet portal	at least 2 media products in the state and Russian languages	drafting authority, Ministry of Information and Social Development

INFORMATION WORK

1.	Elaboration and transfer to the coordinator of the consolidated system of government websites of a list of keywords to be searched in browsers on the draft law	keyword list	5 working days prior to the date of publication on the open regulatory legal acts Internet portal	at least 1 list	drafting authority
2.	Posting on the drafting authority's own resources, an explanatory memorandum, a list of the by-laws related to the draft of the regulatory legal act, name and contact details of the developers, indicating the scope of work	publication on the drafting authority's own resources	within 3 working days of publication on the open regulatory legal acts Internet portal	at least 5 documents under one link, searchable by site and in Google, Yandex, Mail, Explorer	drafting authority
3.	Posting on the personal pages and social media of the first executives of the drafting authorities of the model message in the national language and in Russian	publishing a message on personal social media pages	within 3 working days of publication on the open regulatory legal acts Internet portal	coverage of at least 2 varieties of social media	drafting authority

4.	An explanatory memorandum, draft law, list of bylaws, and risk analysis to be prepared and sent to the Presidential Central Communications Service to decide whether or not to hold a press conference	reference materials	on the 10th day after publication on the open regulatory legal acts Internet portal	reference materials	drafting authority, Central Communications Service
5.	Preparation and placement of media products (infographics, videos) on their own resources, personal pages in social networks of first responders	publishing infographics and videos	within 3 working days of publication on the open regulatory legal acts Internet portal	at least 2 publications on at least 3 resources	drafting authority
6.	Organisation of expert support for the draft law	expert witnessing	after publication on the open regulatory legal acts Internet portal	at least 2 publications on at least 3 resources	drafting authority
7.	Discussion of the topic of the draft law on online social media platforms	online social media platforms	after publication on the open regulatory legal acts Internet portal	at least 2 discussions	drafting authority
8.	Organisation of media articles in Russian and Kazakh	articles on Internet portals and in print media	for the entire discussion period, with updates as the discussion progresses	at least 2 articles on the internet and an article in print media	drafting authority, Ministry of Information and Social Development
9.	Placement of infographics and videos in the media and social media, as submitted by the drafting authority (if necessary)	media and social media coverage	for the entire discussion period, with updates as the discussion progresses	at least 2 publications on social media with a reach of at least 5,000 users	drafting authority, Ministry of Information and Social Development
10.	Information support for briefings by the Central Communications Service to explain the draft law	stories in state media news blocks	after the briefing	at least 2 stories	drafting authority, Ministry of Information and Social Development, Central Communications Service
11	Organisation of discussions and interviews on the draft law in the programmes of national and	talk shows, interactive and	the entire period of	at least 3 programmes	drafting authority, Ministry of

	regional TV channels (as appropriate)	analytical programmes	discussion of the draft law		Information and Social Development
12	Information and analytical materials clarifying the draft law published on Internet resources	release of material on Internet resources	the entire period of discussion of the draft law	at least 5 materials	drafting authority

Annex 6
to the Rules of Legislative
Work of the Government
of the Republic of Kazakhstan

Comparative table to the draft law on amendments and additions to some legislative acts

Footnote. Annex 6 - as amended by Decree of the Government of the Republic of Kazakhstan dated December 28, 2022 No. 1082 (shall be enforced ten calendar days after the day of its first official publication).

No.	Structural element	Current edition	Suggested Revision	Rationale (including references to instructions, specific paragraph/provision of the consultation document, the substance of the amendment; clear and delimited rationale for each amendment introduced)
1.				
2.				

Annex 7
to the Lawmaking Rules
of the Government
of the Republic of Kazakhstan

Explanatory memorandum on the discussion of the draft law

“ _____ ”

Name of the public drafting authority;

the grounds for the adoption of the draft law with reference to relevant normative legal acts, norms of international treaties ratified by the Republic of Kazakhstan, decisions of international organisations to which the Republic of Kazakhstan is a party, protocol and other instructions of the President of the Republic of Kazakhstan, the leadership of the Government and/or other justifications of the necessity of its adoption;

the goals, objectives and main provisions of the draft law;

the anticipated consequences if the project is adopted;

timescales for expected results;
the financial need for the project and its financial security, including the source of funding and, where appropriate, the decision of the Republic Budget Commission;
the calculation showing a decrease and/or increase in the costs of business entities due to the introduction of the law, if the draft law affects the interests of business entities.

* The explanatory memorandum of the draft law for discussion shall be as concise, clear and simple as possible so as to outline all the main provisions of the draft law and to promote public awareness of the future regulatory policy.

No declarative, meaningless statements, difficult to understand words and expressions, metaphors shall be included.

Annex 8
to the Lawmaking Rules
of the Government
of the Republic of Kazakhstan

Report on the outcome of public discussions on the draft law

“ _____ ”

Date of publication of the draft law on the open regulatory legal acts Internet portal _____

_____ Total number of comments and suggestions received _____

Of these, it is accepted _____

Not accepted (grounds for non-acceptance) _____

Date(s) of public discussion (if any) _____

Table of comments and suggestions received

No. s/o	Author	Suggestion/comment	Position of the Public Authority	Note
1. Comments and/or suggestions received on the open regulatory legal acts Internet portal				
1.1 Those received during the public consultation process (the open regulatory legal acts Internet portal), with the exception of the actors mentioned in other sections of this report				
1.				
2.				
1.2 Those received directly at the public hearing, with the exception of actors referred to in other sections of this report				
1.				
2.				
2. Those received from members of the public council				
1.				
2.				
3. Those received from members of the expert council				
1.				
2.				

4. Those received from NCE				
1.				
2.				
5. Those received from accredited non-profit organisations				
1.				
2.				
3.				
6. Those received from the Institute of Legislation and Legal Information				
1.				
2.				
3.				

However, other work carried out as part of the public consultation may also be described in the report by the drafting authority.

* Sections 1.1, 2-5 of the report shall be generated automatically on the open regulatory legal acts Internet portal.

Section 1.2 shall be drawn up by the drafting authority and included in this report.

Annex 9
to the Rules of Legislative
Work of the Government
of the Republic of Kazakhstan

The standard program of information support of the adopted law

Footnote. Annex 9 - as amended by Decree of the Government of the Republic of Kazakhstan dated 11.04.2022 No. 209 (shall be enforced ten calendar days after the day of its first official publication).

No.	Name of the event	Completion Form	Term	Target indicator	Responsible executors
1	2	3	4	5	6
Organizational work					
1.	Ensuring uninterrupted and efficient work between the developers of the law, the press service and other structural units	internal order/ rules/algorithm			body-developer
	Preparation and submission to the authorized media body of the adopted law, an explanatory note, a list of by-laws, a list of deferred		within 3 (three) working days		

2.	norms with an indication of the date of entry into force, which come into effect later than the official publication	package of documents	after the official publication		body-developer
3.	Preparation and submission to the authorized media body of a list of developers indicating their full names, contacts and areas of activity (this applies in particular to interdepartmental laws)	list of officials responsible for drafting the law	within 3 (three) working days after the official publication		body-developer
4.	Preparation and submission to the authorized media body of the list of speakers (indicating full name, contacts, the field of activity, and preferred language). The list of speakers should consist of the number of developers, the target group, experts in the field, community members	list of speakers	within 3 (three) working days after the official publication		body-developer
5.	Preparation and submission to the authorized body for the media of possible risks (organizational, legal, social) associated with the implementation of the law	risk analysis	within 3 (three) working days after the official publication	at least 1 analytical note	body-developer
			within 1 (one) calendar month		

6.	Carrying out continuous monitoring of the information field	monitoring activities	from the date of the official publication	information and reference materials	body-developer
7.	Preparation and submission to the authorized media body, as necessary, of media products to promote and explain the main aspects of the adopted law (infographics, telegraphic, videos, etc.)	media products	within 3 (three) working days after the official publication	at least 2 infographics and 1 video (if necessary) in the state and Russian languages	body-developer, MISD
Information work					
1.	Development and transfer to the coordinator of the consolidated system of sites of state bodies of a list of keywords for searching in browsers according to the law	list of keywords	within 3 (three) working days after the official publication	at least 1 list	body-developer
2.	Placing on the own resources of the body-drafter of the law, an explanatory note, a list of by-laws, a list of deferred rules indicating the date of entry into force	publication on own resources of the developing body	within 3 (three) working days after the official publication	the entire list under one link with the ability to search the site and in search engines Google, Yandex, Mail, Explorer	body-developer
3.	Placement on personal pages and in social networks of the first leaders of the body-developer of a standard message in the state and Russian languages. Example: "From today the Law " On....." comes into force. This	publication of a message on personal pages in social networks of the first heads of departments	within 3 (three) working days after the official publication	coverage of at least 2 types of social networks of top executives	body-developer

	Law is aimed at... For detailed information, you can follow the link (link to the agency's website) "				
4.	Preparation and submission to the CCS of a signed law, an explanatory note, a list of by-laws, a risk analysis, an analysis of the information field, a list of deferred norms for deciding on the advisability of holding a press conference	letter to the CCC with a package of documents	if necessary	press conference	body-developer, CCS (as agreed)
5.	Placement of developed infographics and videos on personal pages in social networks of the first leaders	publication of infographics and videos	within 3 (three) working days after the official publication	at least 2 publications on at least 2 resources	body-developer
6.	Organization of the publication of articles in the media and on Internet resources in the state and Russian languages	articles in the media and on Internet portals	within 1 (one) calendar month from the date of the official publication	at least 2 articles in the state and Russian languages	body-developer, MISD
7.	Organizing the placement of infographics and videos submitted by the developing body in the media and social networks (if necessary)	publications in the media and social networks	within 1 (one) calendar month from the date of the official publication	at least 2 publications in the media and social networks with a coverage of at least 5 thousand users	body-developer
8.	Informational support of the JCC briefings on the clarification of the adopted law	stories in the news blocks of the state media	after the briefing	at least 2 scenes	body-developer, CCS (as agreed)

9.	Organization of discussion and release of interviews on the adopted law in the programs of Republican and regional TV channels (as needed)	information and analytical programs	the entire period of discussion of the adopted law	at least 3 programs	body-developer, MISD, CCS (as agreed)
10.	Organization of expert support of the adopted law	involvement of experts	after official publication	at least 2 publications in print media	body-developer
11.	Ensuring the release of specialized programs to discuss and explain the adopted law on republican and regional TV channels (if necessary)	information and analytical programs	the entire period of discussion of the adopted law	at least 3 programs	MISD, CCS (as agreed)

Note: Explanation of abbreviations:

MISD - Ministry of Information and Social Development of the Republic of Kazakhstan

Mass Media - mass media

CCS - Central Communications Service under the President of the Republic of Kazakhstan

Appendix
to Resolution No. 907
of the Government
of the Republic of Kazakhstan
dated December 29, 2016

List of certain expired resolutions of the Government of the Republic of Kazakhstan

1. Resolution No. 840 of the Government of the Republic of Kazakhstan dated August 21, 2003 “On approval of the Rules for organizing law-drafting activities in the authorized bodies of the Republic of Kazakhstan” (Collected Acts of the President and the Government of the Republic of Kazakhstan No. 34, 2003, art. 344).

2. Paragraph 8 of amendments and additions entered on certain resolutions of the Government of the Republic of Kazakhstan, approved by Resolution No. 99 of the Government of the Republic of Kazakhstan, dated February 14, 2006 “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. 5, 2006, art. 99).

3. Paragraph 2 of amendments and additions entered on certain resolutions of the Government of the Republic of Kazakhstan, approved by Resolution No. 217 of the Government of the Republic of Kazakhstan dated March 20, 2007 “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. 9, 2007, art. 105).

4. Paragraph 3 of amendments and additions entered on certain resolutions of the Government of the Republic of Kazakhstan, approved by Resolution No. 822 of the Government of the Republic of Kazakhstan dated June 4, 2009 “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. 29, 2009, art. 255).

5. Paragraph 4 of amendments and additions entered on certain resolutions of the Government of the Republic of Kazakhstan, approved by Resolution No. 2206 of the Government of the Republic of Kazakhstan dated December 25, 2009 “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. 2, 2010, art. 16).

6. Paragraph 2 of amendments and additions entered on certain resolutions of the Government of the Republic of Kazakhstan approved by Resolution No. 632 of the Government of the Republic of Kazakhstan dated June 23, 2010 “On introducing amendments and additions and invalidation of certain resolutions of the Government of the Republic of Kazakhstan” (Collected Acts of the President and the Government of the Republic of Kazakhstan No. 39, 2010, art. 347).

7. Subparagraph 3) of paragraph 1 of Resolution No. 359 of the Government of the Republic of Kazakhstan dated April 5, 2011 “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. 29, 2011, art. 364).

8. Paragraph 3 of amendments and additions entered on certain resolutions of the Government of the Republic of Kazakhstan, approved by Resolution No. 590 of the Government of the Republic of Kazakhstan dated May 27, 2011 “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. 40, 2011, art. 506).

9. Paragraph 2 of amendments and additions entered on certain resolutions of the Government of the Republic of Kazakhstan, approved by Resolution No. 1067 of the Government of the Republic of Kazakhstan dated September 16, 2011 “On introducing

amendments and additions and invalidation of certain resolutions of the Government of the Republic of Kazakhstan” (Collected Acts of the President and the Government of the Republic of Kazakhstan No. 54, 2011, art. 767).

10. Subparagraph 2) of paragraph 1 of Resolution No. 213 of the Government of the Republic of Kazakhstan dated March 5, 2013 “On introducing amendments and additions to Resolutions No. 1300 of the Government of the Republic of Kazakhstan dated December 10, 2002 “ On Regulations of the Government of the Republic of Kazakhstan” and No. 840 dated August 21, 2003 “On approval of the Rules for organizing law-drafting activities in the authorized bodies of the Republic of Kazakhstan” (Collected Acts of the President and the Government of the Republic of Kazakhstan No. 19,2013, art. 326).

11. Paragraph 3 of amendments and additions entered on certain resolutions of the Government of the Republic of Kazakhstan, approved by Resolution No. 541 of the Government of the Republic of Kazakhstan dated May 29, 2013 “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. 35, 2013, art. 521).

12. Paragraph 2 of amendments and additions entered on certain resolutions of the Government of the Republic of Kazakhstan, approved by Resolution No. 1524 of the Republic of Kazakhstan, dated December 31, 2013 “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. 78, 2013, art. 1037).

13. Paragraph 6 of amendments and additions entered on certain resolutions of the Government of the Republic of Kazakhstan and Order No. 15-r of the Prime Minister of the Republic of Kazakhstan dated February 2, 2009 “On further measures on improving legislative activity”, approved by Resolution No. 1401 of the Government of the Republic of Kazakhstan dated December 30 2014 “On introducing amendments and additions to certain resolutions of the Government of the Republic of Kazakhstan” and Order No. 15-r of the Prime Minister of the Republic of Kazakhstan dated February 2, 2009 “ On further measures on improving legislative activity ”(Collected Acts of the President and the Government of the Republic of Kazakhstan No. 83-84, 2014, art. 722).

14. Paragraph 2 of amendments and additions entered to certain resolutions of the Government of the Republic of Kazakhstan, approved by Resolution No. 288 of the Government of the Republic of Kazakhstan dated April 24, 2015 “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. 24-25, 2015, art. 149).

15. Paragraph 2 of amendments and additions entered on certain resolutions of the Government of the Republic of Kazakhstan, approved by Resolution No. 1088 of the

Government of the Republic of Kazakhstan dated December 28, 2015 “On introducing amendments 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. 72-73 -74, 2015, art.545).

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