



On approval of the Rules for training, retraining and advanced training of civil servants

Unofficial translation

Decree of the Government of the Republic of Kazakhstan dated March 15, 2018 № 125.

Unofficial translation

Footnote. The title in the wording of the resolution of the Government of the RK dated 02.10.2020 № 636 (shall be enforced from the day of its first official publication).

In accordance with paragraph 4 of Article 34 of the Law of the Republic of Kazakhstan “On the Civil Service of the Republic of Kazakhstan”, the Government of the Republic of Kazakhstan RESOLVES:

Footnote. Preamble - as amended by the Resolution of the Government of the Republic of Kazakhstan dated 03.11.2023 № 969 (shall be enforced ten calendar days from the date of its first official publication).

1. To approve the attached Rules for training, retraining and further training of civil servants and the requirements for educational organizations executing advanced training of civil servants.

Footnote. Paragraph 1 in the wording of the resolution of the Government of the RK dated 02.10.2020 № 636 (shall be enforced from the day of its first official publication).

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

*Prime Minister
of the Republic of Kazakhstan*

B. Sagintayev
Approved
by the decree №125 of the
Government
of the Republic of Kazakhstan
dated March 15, 2018

Rules

for training, retraining and further training of civil servants, requirements for educational organizations executing advanced training of civil servants

Footnote. The title in the wording of the resolution of the Government of the RK dated 02.10.2020 № 636 (shall be enforced from the day of its first official publication).

1. These Rules for training, retraining and advanced training of civil servants, requirements for educational organizations providing advanced training for civil servants (hereinafter referred to as the Rules) have been developed in accordance with paragraph 4 of Article 34 of the Law of the Republic of Kazakhstan “On the Civil Service of the Republic of Kazakhstan” (hereinafter referred to as the Law) and establish the procedure for training on postgraduate education programs, retraining and advanced training of civil servants on

additional education programs in educational organizations provided for by these Rules, as well as requirements for educational organizations providing advanced training for civil servants.

Footnote. Paragraph 1 - as amended by the Resolution of the Government of the Republic of Kazakhstan dated 03.11.2023 № 969 (shall be enforced ten calendar days from the date of its first official publication).

Chapter 1. Training and retraining of civil servants

2. The training of civil servants shall be carried out on the basis of a state educational order to send a state body to the Academy of Public Administration under the President of the Republic of Kazakhstan (hereinafter referred to as the Academy of Public Administration) and the Academy of Justice under the Supreme Court of the Republic of Kazakhstan (hereinafter referred to as the Academy of Justice).

The term of study under postgraduate education programs and the procedure for admission to training shall be determined by the rules for admission to training approved by educational organizations, as well as in accordance with the current legislation of the Republic of Kazakhstan.

Under the state order, civil servants have the right to study in postgraduate education programs.

Civil servants shall be allowed to participate in the competition for training within the framework of the state educational order under postgraduate education programs, taking into account the combined terms of study and subsequent development, which do not exceed the retirement age established by law at the time of submission of documents, as well as their holding a permanent position in the state body.

If a public servant is sent by a state body to study under a state order for postgraduate education, he/she shall be granted leave without pay and shall retain his/her place of work (position).

A civil servant shall be obliged to complete his studies within the framework of the state order for postgraduate education programs in the direction of a state body, including obtaining a degree in the corresponding postgraduate education program.

Civil servants who have successfully completed their studies shall be issued a document confirming the full mastery of the professional educational program of postgraduate education

Footnote. Paragraph 2 in the wording of the resolution of the Government of the RK dated 02.10.2020 № 636 (shall be enforced from the day of its first official publication).

3. Retraining of persons entered for the first time the administrative public service of corps "B" or for the first time appointed to a leading administrative position of the corps "B", shall be conducted in the Academy of Public Administration and its branches (hereinafter referred to as the branches).

4. The Academy of Public Administration retrains civil servants of “B” Corps of groups of categories “A”, “B”, of categories C-1, C-2, C-3, C-4, C-5, C-O-1, C-O-2, D-1, D-2, D-O-1, E-1, and also civil servants of local executive bodies, territorial subdivisions of the central executive and central state bodies located in Astana.

The branches of the Academy of Public Administration retrain civil servants of the corps "B" of categories D-3, D-4, D-5, C-O-3, C-O-4, C-O-5, C-O-6, C-R-1, C-R-2, C-R-3, C-R-4, C-R-5, D-O-2, D-O-3, D-O-4, D-O-5, D-O-6, D-R-1, D-R-2, D-R-3, D-R-4, D-R-5, E-2, E-3, E-4, E-5, E-R-1, E-R-2, E-R-3, E-R-4, E-R-5, E-G-1, E-G-2, E-G-3, E-G-4.

Footnote. Paragraph 4 - as amended by the Resolution of the Government of the Republic of Kazakhstan dated 03.11.2023 № 969 (shall be enforced ten calendar days from the date of its first official publication).

4-1. Training under the program "Head of the new formation" for political servants and special retraining courses when appointed to senior positions shall be carried out at the Academy of Public Administration and autonomous educational organizations. The program "Head of the new formation" shall be developed by the Academy of Public Administration together with the autonomous organization of education.

Special retraining courses shall include special curricula and training methods developed by the Academy of Public Administration in conjunction with the autonomous organization of education for administrative civil servants of corps A, as well as other categories of civil servants determined by the authorized body for public service affairs in agreement with the Administration of the President of the Republic of Kazakhstan.

Footnote. The Rules as added by the paragraph 4-1 in accordance with the resolution of the Government of the RK dated 02.10.2020 № 636 (shall be enforced from the day of its first official publication).

5. Civil servants shall be assigned to retraining no later than six months from the date of appointment to the position.

6. Civil servants who first entered the administrative public service of corps "B" shall undergo retraining in full-time, online (in real time through Internet connections, webinars), remote and/or combined (face-to-face) forms.

Persons who have previously held positions in law enforcement and special state bodies, as well as military personnel who have been dismissed from service after reaching the age limit in military service shall be exempted from retraining.

Footnote. Paragraph 6 in the wording of the resolution of the Government of the RK dated 02.10.2020 № 636 (shall be enforced from the day of its first official publication).

7. Civil servants, first appointed to the leading administrative state position of corps B, shall be retrained in full-time and/or online (in real time through Internet connections, webinars) forms.

Persons with at least one (1) year experience in leading positions in previous areas of activity in the quasi-public sector and/or in the civil, military and law enforcement services shall be exempted from retraining.

Footnote. Paragraph 7 in the wording of the resolution of the Government of the RK dated 02.10.2020 № 636 (shall be enforced from the day of its first official publication).

8. The duration of the terms of retraining shall be at least 120 academic hours.

9. Civil servants who have successfully completed retraining shall be issued with a document confirming completion of retraining courses in paper and/or electronic form.

In the document confirming the completion of retraining courses, information shall be indicated about the civil servant who has undergone retraining (surname, first name, patronymic (if any), the name of the educational institution in which the civil servant underwent retraining, the name of the retraining course, the number of academic hours and the period of retraining courses, position, surname, first name, patronymic (if available), the signature of the authorized person of the educational institution, the number of the certificate of retraining, the city in which the retraining took place, and the seal of the educational institution.

The document confirming the completion of retraining courses, issued in electronic form, shall be certified by the electronic digital signature of the authorized person of the educational institution.

Footnote. Paragraph 9 in the wording of the resolution of the Government of the RK dated 13.12.2019 № 925).

10. If a civil servant passes the retraining off-job, his salary shall be preserved for this period.

Chapter 2. Advanced training of civil servants

11. The Academy of Public Administration and the Autonomous Organization of Education shall provide further training for political civil servants.

The training of administrative civil servants of Corps "A" shall be carried out at the Academy of Public Administration, administrative civil servants of Corps "B" - at the Academy of Public Administration and its branches.

The professional development of civil servants of the "B" corps can be carried out in educational organizations that carry out advanced training of civil servants, according to the profile of the state body.

Footnote. Paragraph 11 in the wording of the resolution of the Government of the RK dated 02.10.2020 № 636 (shall be enforced from the day of its first official publication).

11-1. The Human Resources Management Service shall organize work to improve the qualifications of civil servants in educational organizations that provide advanced training for civil servants, according to the state body profile.

Educational organizations that provide advanced training for civil servants must meet the requirements stipulated by the current legislation of the Republic of Kazakhstan regulating educational activities.

To ensure the appropriate quality of professional training of civil servants, the educational organizations implementing the programs of advanced training of administrative servants of the "B" corps shall meet the following personnel, training, methodological and material and technical support requirements:

1) conducting advanced training sessions by persons holding a doctoral or PhD degree, Doctor of Philosophy (PhD) degree, doctorate in the profile or master's degree and who have practical experience of professional activity and (or) conducting trainings in the field corresponding to the training subject for at least the last 3 years;

2) conducting advanced training classes with the involvement of at least 40% of lecturers from among the organization's full-time staff;

3) compliance of the content of training programs for advanced training seminars with the specifics of the activities of the state body -customer, as well as with the requirements defined in the technical specification to the public procurement contract;

4) availability of a classroom stock, either owned or under lease agreements, corresponding to the trainees' number, sanitary and technical standards and rules;

5) availability of owned library stock, computer hardware and interactive facilities with access to the Internet, corresponding to the number of students of advanced training seminar programs.

Educational organizations implementing advanced training for civil servants, when providing educational services, shall be guided by the methodology for calculating the cost of retraining and advanced training of civil servants, approved by the authorized body for civil service affairs.

The list of organizations providing educational services to improve the qualifications of civil servants shall be established by the Coordination Council under the authorized body for civil service affairs (hereinafter referred to as the Coordination Council).

Footnote. The rules have been supplemented by paragraph 11-1 in accordance with the Resolution of the Government of the Republic of Kazakhstan dated 02.10.2020 № 636 (shall be enforced from the first day of its first official publication); as amended by the Resolution of the Government of the Republic of Kazakhstan dated 03.11.2023 № 969 (shall be enforced ten calendar days from the date of its first official publication).

12. Administrative civil servants of corps "A" shall pass the advanced training at least once in three year.

Advanced training shall be conducted on assignment, corresponding to functional duties of a civil servant.

13. Excluded by the resolution of the Government of the RK dated 02.10.2020 № 636 (shall be enforced from the day of its first official publication).

14. At the Academy of Public Administration, civil servants of Corps “B” of groups of categories “A”, “B”, categories C-1, C-2, C-3, C-4, C-5, C-O-1, C-O-2, D-1, D-2, D-O-1, E-1, undergo advanced training, as well as civil servants of local executive bodies, territorial divisions of central executive and central state bodies located in Astana.

In the branches of the Academy of Public Administration civil servants undergo advanced training of the corps "B" of categories D-3, D-4, D-5, C-O-3, C-O-4, C-O-5, C-O-6, C-R-1, C-R-2, C-R-3, C-R-4, C-R-5, D-O-2, D-O-3, D-O-4, D-O-5, D-O-6, D-R-1, D-R-2, D-R-3, D-R-4, D-R-5, E-2, E-3, E-4, E-5, E-R-1, E-R-2, E-R-3, E-R-4, E-R-5, E-G-1, E-G-2, E-G-3, E-G-4. Employees of these categories can undergo advanced training in the activity profile of the state body in educational organizations that provide advanced training for civil servants.

Judiciary staff can also undergo advanced training at the Academy of Justice.

Footnote. Paragraph 14 - as amended by the Resolution of the Government of the Republic of Kazakhstan dated 03.11.2023 № 969 (shall be enforced ten calendar days from the date of its first official publication).

15. Corps “B” servants shall undergo advanced training:

1) at least once every three years;

2) in case of receiving a rating “performs functional duties unsatisfactorily” at the end of the year within three months based on the assessment results of the of the servants’ performance.

Advanced training in the cases referred to in subparagraph 1) of this paragraph shall be conducted in an area corresponding to the functional duties and aimed at developing a civil servant’s competencies.

If, during the last eight quarters in a row, performance assessment results “performs functional duties effectively” are received, the servant may undergo advanced training at any time convenient for the servant and the employer, with observance of the time frames specified in subparagraph 1) of this paragraph, with the possibility of independent choice by the servant of topics of seminars and organization of training from a number of organizations determined by the Coordination Council.

Advanced training in the cases referred to in subparagraph 2) of this paragraph shall be given in the area in which the civil servant’s activity is recognized as unsatisfactory.

Footnote. Paragraph 15 - as amended by the Resolution of the Government of the Republic of Kazakhstan dated 03.11.2023 № 969 (shall be enforced ten calendar days from the date of its first official publication).

16. The duration of the advanced training shall be from 8 to 80 academic hours except for the advanced training in the foreign and international organizations of education.

17. Administrative civil servants, passed the retraining courses shall be assigned to advanced training workshops no later than three years from the date of completion of the retraining courses.

18. Advanced training of civil servants may be conducted under the training programs of the Academy of Public Administration with invitation of foreign teachers.

19. Civil servants who have successfully completed advanced training shall be issued a certificate confirming completion of advanced training, in paper and/or electronic form.

The certificate shall contain information about a civil servant who has undergone advanced training (surname, first name, patronymic (if any), the name of the educational institution in which the state employee underwent advanced training, the direction of advanced training, the number of academic hours and the period of advanced training, position, surname, first name, patronymic (if any), the signature of the authorized person of the educational institution, the certificate number, the city in which advanced training took place, and the seal of the educational institution.

The certificate issued in electronic form shall be certified by the electronic digital signature of the authorized person of the educational institution.

Footnote. Paragraph 19 in the wording of the resolution of the Government of the RK dated 13.12.2019 № 925.

20. In the event of allocation of funds and technical aid by the international organizations, governments of foreign states or other organizations, or other means, not prohibited by the current legislation of the Republic of Kazakhstan, the state body shall assign to the advanced training a civil servant, whose functional duties comply with the theme of the advanced training.

21. If a civil servant passes the off-job advanced training, his salary shall be preserved for this period.

Chapter 3. Coordination of training, retraining and advanced training of civil servants

22. For the purposes of elaboration of offers on improvement of organization of training, retraining and advanced training, the Coordination Board shall be established under the authorized body for civil service affairs. The authorized body for civil service affairs shall approve the regulations and the composition of the Coordination Board.

23. Human Resources Management services (HR services) of central state bodies, their departments and territorial divisions no later than the 10th day of the month following the reporting quarter, using the integrated information system “e-kyzmet” or other information systems shall submit to the authorized body for civil service affairs a report on civil servants passed retraining and advanced training, in accordance with the form established by the authorized body for civil service affairs.

Human Resources Management services (HR services) of local executive and representative bodies no later than the 5th day of the month, following the reporting quarter using the integrated information system “e-kyzmet” or other information systems shall submit

to the territorial subdivisions of the authorized body for civil service affairs a report on civil servants passed retraining and advanced training, in accordance with the form established by the authorized body for civil service affairs.

Chapter 4. The procedure for work repayment of civil servants who have completed training in the framework of a state order at a state body and at civil service

24. Immediately after completing training on postgraduate programs a civil servant shall be under commitment to work continuously in the public service for at least three years, unless otherwise established by the legislation of the Republic of Kazakhstan.

In this case, he shall be committed to serve at least one year immediately after completion of training in the state body that referred the civil servant for training, with the exception of the cases specified in part four of this paragraph.

The period during which a civil servant is on social leave shall not be counted in the service period.

After completing postgraduate education programs, a civil servant may continue working in another state body if he occupies a higher position in this state body in accordance with the procedure established by the legislation.

A civil servant who has completed postgraduate education programs may be granted a deferment of work off commitment by decision of the authorized body for civil service affairs

Footnote. Paragraph 24 - as amended by the Resolution of the Government of the Republic of Kazakhstan dated 03.11.2023 № 969 (shall be enforced ten calendar days from the date of its first official publication).

25. The obligation of a civil servant, stipulated by paragraph 24 of the Rules, shall be terminated prematurely without reimbursement of budgetary funds, allocated for his training and costs related to the training in cases:

- 1) of death of a civil servant, certified by the corresponding documents;
- 2) termination of the civil service on the basis of subparagraph 3) of paragraph 1 of article 61 of the Law of the Republic of Kazakhstan "On the Civil Service of the Republic of Kazakhstan".

26. A civil servant upon completion of the training on the programs of postgraduate education shall return to the civil service for work repayment no later than 30 (thirty) calendar days from the date of issuance of the document, certifying its completion.

27. Counting of the term of work repayment in a state body that assigned a civil servant to the training within the framework of a state order on programs of postgraduate education shall start from the moment of issuing an act of a state body on commencement of work by the civil servant who has been preserved the place of work.

28. In the event of a reorganization of a state body that has sent a civil servant for training, training shall be carried out in a reorganized state body, taking into account Article 56, paragraphs 6 to 10, of the Law.

Footnote. Paragraph 28 in the wording of the resolution of the Government of the RK dated 02.10.2020 № 636 (shall be enforced from the day of its first official publication).

29. If it is impossible to meet the work off commitment, a civil servant who has completed training within the state order, shall file an application to the authorized body for civil service affairs for a deferment of fulfillment of work off commitments, attaching supporting documents in the following cases:

- 1) treatment of a disease that interferes with the performance of work;
- 2) termination of public service on the grounds provided for in subparagraphs 1) and 2) of paragraph 1 of Article 52, as well as subparagraph 5) of paragraph 1 of Article 57 of the Labor Code of the Republic of Kazakhstan;
- 3) termination of public service based on the resignation of the main employee;
- 4) granting of social leave;
- 5) conscription for military service in the Armed Forces, other troops and military formations of the Republic of Kazakhstan.

At the occurrence of disease preventing fulfillment of the work off duty, the confirming document is a certificate issued by the medical advisory commission (hereinafter referred to as the MAC) on a civil servant's health condition from a medical organization, with conclusion on the inability to continue work.

Footnote. Paragraph 29 - as amended by the Resolution of the Government of the Republic of Kazakhstan dated 03.11.2023 № 969 (shall be enforced ten calendar days from the date of its first official publication).

29-1. The authorized body for civil service affairs shall examine the materials and make a decision on granting or refusing to grant the respective deferment no later than seven working days from the date of receipt of the application for deferment to the civil servant.

The civil servant shall be notified of the decision made by the authorized body for civil service affairs by a corresponding letter.

Footnote. Paragraph 29-1 - as amended by the Resolution of the Government of the Republic of Kazakhstan dated 03.11.2023 № 969 (shall be enforced ten calendar days from the date of its first official publication).

29-2. The deferment in the case specified in subparagraph 1) of paragraph 29 of these Rules shall be granted for the period of treatment of the disease that prevents the performance of work, and for a period of no more than three months after the completion of treatment of the disease.

The deferment in the cases specified in subparagraphs 2) and 3) of paragraph 29 of these Rules shall be granted for no more than six months after termination of public service.

The deferment in the case specified in subparagraph 4) of paragraph 29 of these Rules shall be granted for the period of social leave.

The deferment in the case specified in subparagraph 5) of paragraph 29 of these Rules shall be granted for the period of conscription for military service in the Armed Forces, other troops and military formations of the Republic of Kazakhstan and for a period of no more than six months after the completion of the specified conscription.

Footnote. Paragraph 29-2 - as amended by the Resolution of the Government of the Republic of Kazakhstan dated 03.11.2023 № 969 (shall be enforced ten calendar days from the date of its first official publication).

29-3. At least one month before the end of the deferment the Academy of Public Administration, shall send a notice to the person, who was granted the deferment, of the need to resume working.

After the end of the deferment period the person indicated in part one of this paragraph shall resume work and, within five working days from the date of resumption of work, provide the Academy of Public Administration with a certificate from the place of work.

In case of failure to submit the relevant certificate within the indicated time frame, measures shall be taken to recover the funds allocated for his training in accordance with paragraph 30-1 of these Rules.

Footnote. Paragraph 29-3 - as amended by the Resolution of the Government of the Republic of Kazakhstan dated 03.11.2023 № 969 (shall be enforced ten calendar days from the date of its first official publication).

30. Conditions for working off in the civil service and in a state body after completing training at the Academy of Justice, other obligations of a civil servant shall be reflected in the relevant training contract provided for by the Rules for admission to training at the Academy of Justice under the Supreme Court of the Republic of Kazakhstan.

Conditions for working off in the civil service and in a state body after completing training at the Academy of Public Administration, other obligations of a civil servant shall be reflected in the relevant training contract provided for by the Rules for admission to training at the Academy of Public Administration under the President of the Republic of Kazakhstan.

In this case, a civil servant who has completed a doctoral program shall complete the defense of a doctoral dissertation at the dissertation council of the Academy of Public Administration within two years after completion of training.

Failure to fulfill the above obligations shall entail the civil servant's reimbursement to the state of the budget funds allocated for his training, including foreign internship, with the exception of scholarship costs, in proportion to the unfulfilled obligations.

Footnote. Paragraph 30 - as amended by the Resolution of the Government of the Republic of Kazakhstan dated 03.11.2023 № 969 (shall be enforced ten calendar days from the date of its first official publication).

30-1. In case of failure to fulfill obligations by a civil servant, the Academy of Public Administration and the Academy of Justice shall take measures to recover the funds allocated for his training, including foreign internship, with the exception of scholarship costs, in the order established by the legislation of the Republic of Kazakhstan.

Footnote. The Rules have been supplemented with Paragraph 30-1 pursuant to the Resolution of the Government of the Republic of Kazakhstan dated 02.10.2020 № 636 (effective from the day of its first official publication; as amended by the Resolution of the Government of the Republic of Kazakhstan dated 03.11.2023 № 969 (shall be enforced ten calendar days from the date of its first official publication)).

Chapter 4-1. Procedure for monitoring fulfillment of the the work off duty by civil servants who have completed training under the state order, in the civil service and in the state body that referred him/her for training

Footnote. The Rules have been supplemented with Chapter 4-1 pursuant to the Resolution of the Government of the Republic of Kazakhstan dated 03.11.2023 № 969 (shall be enforced ten calendar days from the date of its first official publication).

30-2. Monitoring of fulfillment of the the work off duty by civil servants who have completed training under the state order, in the civil service and in the state body that referred him for training, shall be conducted by the authorized body for civil service affairs.

Monitoring shall be conducted every six months for three years by reconciling data on the place of work of persons who completed training through the integrated information system “E-Kyzmet”.

Footnote. The Rules have been supplemented with Paragraph 30-2 pursuant to the Resolution of the Government of the Republic of Kazakhstan dated 03.11.2023 № 969 (shall be enforced ten calendar days from the date of its first official publication).

30-3. In case of absence of data on the civil servant in the integrated information system "E-Kyzmet", the authorized body for civil service affairs shall send a notification to the civil servant who has completed training under the state order about the need to provide a certificate from the place of work.

The notification shall be sent by registered mail with acknowledgment of receipt and (or) telephonogram, and (or) telegram, and (or) text message to the subscriber's cellular number or email address, or using other communication means that ensure recording of the notice or call

A civil servant who has completed training within the state order, shall provide a verification from the place of work to the Academy of Public Administration no later than June 15 and December 15 of the calendar year.

Footnote. The Rules have been supplemented with Paragraph 30-3 pursuant to the Resolution of the Government of the Republic of Kazakhstan dated 03.11.2023 № 969 (shall be enforced ten calendar days from the date of its first official publication).

30-4. A civil servant who has completed training within the state order shall provide copies of acts of a state body to the Academy of Public Administration within three working days after its issuance, in the following cases:

- 1) dismissal from a state body;
- 2) taking up a higher or other position in the state body that referred him for training;
- 3) granting of social leave to a civil servant.

Footnote. The Rules have been supplemented with Paragraph 30-4 pursuant to the Resolution of the Government of the Republic of Kazakhstan dated 03.11.2023 № 969 (shall be enforced ten calendar days from the date of its first official publication).

Chapter 5. Other issues of training, retraining and advanced training of civil servants

31. The authorized body for civil service affairs shall plan expenses for training, retraining and advanced training in accordance with the requirements of the budget legislation of the Republic of Kazakhstan.

Footnote. Paragraph 31 in the wording of the resolution of the Government of the RK dated 02.10.2020 № 636 (shall be enforced from the day of its first official publication).

32. Local executive bodies shall plan the expenses for training, retraining and advanced training in the Academy of Public Administration in accordance with the requirements of the budgetary legislation of the Republic of Kazakhstan.

33. Administrators of budgetary programs shall plan the expenses for training, retraining and advanced training of civil servants in accordance with the budgetary legislation of the Republic of Kazakhstan.

Advanced training be conducted in accordance with the requirements of the state bodies, except for the advanced training in the foreign and international organizations of education.

In the event of creation of a uniform human resources management service (HR service), the administrator of budgetary program shall be the state body, in which structure it is takes place.