



**On approval of Model Regulation on certification of employees of law enforcement bodies of the Republic of Kazakhstan**

*Invalidated Unofficial translation*

Decree of the President of the Republic of Kazakhstan dated July 8, 2005 N 1612.

*Unofficial translation*

**Footnote. Abolished by Decree of the President of the Republic of Kazakhstan dated December 19, 2022 No. 61**

In order to further improve the activities of law enforcement bodies of the Republic of Kazakhstan, **I HEREBY RESOLVE:**

1. To approve the attached Model Regulation on certification of employees of law enforcement bodies of the Republic of Kazakhstan (hereinafter - the Model Regulation ).

2. The Government of the Republic of Kazakhstan and the heads of law enforcement bodies of the Republic of Kazakhstan to bring their acts in line with the Model Regulation and take measures arising from this Decree.

3. This Decree shall enter into force from the date of signing.

*President of the  
Republic of Kazakhstan*

APPROVED  
by the Decree of the  
President of the  
Republic of Kazakhstan  
dated July 8, 2005 N 1612

**MODEL REGULATION**

**on certification of employees of law enforcement bodies of the Republic of Kazakhstan**

**Footnote. Model Regulation as amended by the Decree of the President of the Republic of Kazakhstan dated 21.12.2016 No. 390 (shall be enforced from the date of its first official publication).**

**1. General provisions**

1. This Model Regulation (hereinafter - the Regulation) shall define the organization of certification of employees of law enforcement bodies, educational organizations of law enforcement bodies and state institutions of law enforcement bodies of the Republic of Kazakhstan (hereinafter - employees).

2. Certification of employees (hereinafter - certification) - a periodically carried out procedure to determine the level of their professional training, legal culture and ability to work with citizens.

3. Employees shall pass certification after each subsequent three years of continuous service in the law enforcement system. At the same time, certification must be carried out no later than six months from the date of the specified time.

In cases where employees subject to certification are appointed to new positions, they shall pass certification one year after the appointment. In case of appointment to equivalent positions, if this did not entail changes in functional duties, this period shall not be taken into account.

When passing certification, the service in the system of law enforcement bodies shall be considered continuous when no more than three months have passed from the day of dismissal of an employee from the service in the system of law enforcement bodies to the day he is accepted for service in the system of law enforcement bodies, provided that he had no labor relations with other legal entities (except for state bodies) and individuals during the specified period.

4. The head of the law enforcement body and his deputies, as well as employees who have been working in law enforcement bodies for at least twenty years shall not be subject to certification.

Women employees shall not be subject to certification during their pregnancy and parental leave. They shall be certified after entering the service no earlier than six months and no later than one year.

5. Employees studying in educational organizations as part of the state order for training of civil servants shall pass certification at the end of training, but not earlier than one year after being appointed to the post in the law enforcement system.

Certification of employees seconded to state bodies shall be carried out in the manner prescribed for employees of relevant state bodies, and employees seconded to international organizations shall pass certification upon returning from an international organization, but not earlier than a year after taking up a position in the law enforcement system.

6. Certification shall include a number of consecutive stages:
- 1) preparation for certification;
  - 2) passing of the established standards for determining professional suitability;
  - 3) computer testing of the employee to be certified for knowledge of the legislation of the Republic of Kazakhstan and logical thinking;
  - 4) passing of a polygraph examination;
  - 5) an interview with an employee conducted by a certification commission;
  - 6) delivery of a decision of the certification commission.

## **2. Organization of preparation for certification**

7. Upon maturity of the certification, at the instruction of the head of the law enforcement body, an educational organization of the law enforcement body and the state institution of the law enforcement body or the authorized head of the relevant personnel services, shall organize preparations for the certification.

Preparation shall include:

- 1) development of a certification schedule and a list of employees subject to certification;
- 2) organization of explanatory work on the objectives and procedure for certification;
- 3) determination of the timing and place of testing;
- 4) preparation of the necessary documents for the certified employees (track record, competitiveness indicator, service profile).

The procedure and conditions for testing, standards for determining professional suitability, and threshold values for job categories (hereinafter referred to as threshold values) shall be established by regulatory legal acts of law enforcement bodies.

The procedure for passing a polygraph examination shall be determined by the Government of the Republic of Kazakhstan.

8. The personnel service of the law enforcement body, the educational organization of the law enforcement body and the state institution of the law enforcement body once in six months shall determine the employees to be certified.

9. At the recommendation of the personnel service, the head shall approve the list of employees subject to certification, and the timing of its conduct.

10. The personnel service shall notify employees in writing of the dates for the certification no later than one month before the start of certification.

11. The direct head of the employee subject to certification shall draw up his service profile in the standard form of the service profile of the employee subject to certification in accordance with Annex 1 to this Regulation and submit it to the personnel service no later than three weeks before the meeting of the certification commission.

12. The service profile should contain an objective and reasonable assessment of the professional, personal qualities and performance of the employee subject to certification for the period consisting of his three-year continuous stay in the service in the law enforcement system and the period that has passed after that before the certification.

If for the period specified in part one of this paragraph, the employee has worked in another structural unit of the law enforcement body (institution (organization) of the law enforcement body) or in another law enforcement body (institution (organization)

of the law enforcement body), the personnel service shall request the necessary information about the certified employee from the relevant structural unit or law enforcement body (institution (organization) of the law enforcement body) and attach it to the certification materials.

13. The direct head shall be obliged to familiarize the employee with the service profile submitted to him under signature no later than two weeks before the meeting of the certification commission.

14. The employee shall have the right to declare his disagreement with the service profile on him and provide the personnel service with additional information characterizing him.

A written application of the employee about his disagreement with the service profile with the available additional information characterizing him shall be submitted to the chairman of the certification commission and to the personnel service no later than seven working days before the meeting of the certification commission.

15. The personnel service shall send the collected documents (service profile, track record, competitiveness indicator, results of passing the established standards for determining professional suitability, test results for knowledge of the legislation of the Republic of Kazakhstan and logical thinking, a conclusion on the results of a polygraph examination and, other information, if available, provided for in paragraphs 12 and 14 of this Regulation) to the certification commission no later than a week before its meeting.

### **3. Certification commission**

16. The certification commission shall be created by the order of the head at the recommendation of the personnel service.

The chairman of the certification commission shall be appointed from among its members.

The certification commission must include at least five members.  
Replacement of absent members of the certification commission shall not be allowed.

The secretary of the certification commission shall be a representative of the personnel service, determined by its head.

The secretary of the certification commission shall provide organizational support for its work and shall not be entitled to take part in the vote.

17. Depending on the areas of work of the law enforcement body, the educational organization of the law enforcement body or state institution of the law enforcement body, several certification commissions may be created.

18. The head of the certification commission and its members must occupy the same or a higher position than the employees subject to certification.

19. The composition of the certification commission shall include the heads of structural divisions, representatives of personnel services (or persons who run these units), as well as other employees of the law enforcement body, educational organizations of the law enforcement body or state institution of the law enforcement body, except for the employees undergoing certification.

20. A meeting of the certification commission shall be considered valid if at least two-thirds of its composition is present at it.

21. The decision of the certification commission shall be adopted by open vote and shall be deemed adopted if a majority of the votes of the members of the certification commission present at the meeting voted for it. In the event of a tie, the decision shall be deemed adopted, for which the chairman of the certification commission voted.

22. The decision of the certification commission may serve as one of the grounds for enrolling an employee in the personnel reserve, nominating an employee for a higher position, demotion or dismissal of an employee.

23. The decision of the attestation commission may be appealed by the employee to the head of the law enforcement body, the educational organization of the law enforcement body and state institution of the law enforcement body, or to the authorized head within a month and (or) in court.

#### **4. Interview during certification**

24. The employees who have passed the established standards in the initial and repeated certification for determining professional suitability, except for prosecutors who received a result above a threshold value during testing, shall be admitted for interviewing.

Employees who have not passed the established standards for determining professional suitability or who received a result below the threshold during testing shall not be allowed to be interviewed and shall be subject to re-certification by the decision of the certification commission in the manner defined by the Law of the Republic of Kazakhstan “On Law Enforcement Service” (hereinafter - the Law) and this Regulation.

25. The list of certified employees admitted to the interview shall be placed on information boards or on the Internet resources of law enforcement bodies, educational organizations of law enforcement bodies and state institutions of law enforcement bodies, except for the employees of law enforcement bodies, information about which shall not be subject to disclosure in accordance with the laws of the Republic of Kazakhstan.

26. At a meeting of the certification commission, an interview shall be conducted with the certified employee.

27. To ensure the transparency and objectivity of the work of the certification commission, no more than three observers shall be involved in a meeting of the certification commission.

The observers may be deputies of the Parliament of the Republic of Kazakhstan and maslikhats of all levels, representatives of public associations.

A person who was previously subordinate to the head of the law enforcement body, educational organization of the law enforcement body or state institution of the law enforcement body in which the relevant certification commission was created shall not be involved in the work of the certification commission as an observer.

The announcement of the date and time of the meeting of the certification commission shall be published on the Internet resource of the law enforcement body, the educational organization of the law enforcement body and the state institution of the law enforcement body a week before the interview.

To participate in a meeting of the certification commission as an observer, a person shall submit a written application to the appropriate law enforcement body in the form in accordance with Annex 2 to this Regulation with an attached copy of an identity document, as well as documents confirming his membership in a public association.

The application shall be submitted after the publication of the announcement of the date and place of the meeting of the certification commission, but no later than one working day before it begins.

On the day of the interview, persons identified as observers from among the first who submitted an application shall be registered in the personnel service with the presentation of the original documents proving their identity and confirming their membership in a public association.

Notification of admission or refusal of admission to attend the meeting of the certification commission of persons who submitted applications for participation as an observer shall be made by the personnel service by telephone, by sending information to their email addresses and mobile phones.

During the interview process, observers shall not ask questions to the certified employees. Observers shall not be allowed to take actions that impede the work of the certification commission, and disclose information regarding the personal data of the certified employees.

Prior to the interview, the Secretary of the certification commission shall familiarize the observers with the Observer's Memo in the form in accordance with Annex 3 to this Regulation.

28. During the meeting, the certification commission shall examine the submitted materials, listen to the certified employee. The certified employee shall be asked no more than fifteen questions.

Questions asked to the certified employee should be aimed at determining the level of his professional training, legal culture and ability to work with citizens. During the interview, the certification commission shall rely on the functional duties of the certified employee. If necessary, the level of knowledge of strategic and program documents, as well as other documents regulating the performance of the certified employee, shall be determined.

29. The interview should take place in an atmosphere of correctness and goodwill.

The interview with each participant shall be recorded using technical means of recording (audio, video).

Materials recorded during the interview with the help of technical means of recording shall be stored in the personnel service for three years.

30. Employees who were absent from the meeting of the certification commission for good reasons, shall be interviewed after entering the service.

If the employee failed to attend the meeting of the certification commission without good reason, the certification commission shall make a decision on re-certification of the employee.

31. Based on the results of the interview, the certification commission shall make one of the following decisions:

1) corresponds to the position held and is recommended for admission to the personnel reserve or promotion to a higher position;

2) corresponds to the position held;

3) is subject to re-certification;

4) does not correspond to the position held and is recommended for demotion.

When making a decision, the certification commission shall take into account the correctness and completeness of the answers of the certified employee to the questions asked, the service profile, the competitiveness indicator, the results of testing for knowledge of the legislation of the Republic of Kazakhstan and logical thinking, a conclusion on the results of a polygraph examination and, if available, other information provided for in paragraphs 12 and 14 of this Regulation.

32. The decision of the members of the certification commission shall be entered in the Voting List in the form in accordance with Annex 4 to this Regulation.

33. The decision of the certification commission within three working days shall be drawn up in a minutes that is signed by the members of the certification commission who were present at its meeting and the secretary.

34. The personnel service shall enter the decision of the certification commission in the Certification sheet of the employee subject to certification in the form in accordance with Annex 5 to this Regulation. The employee subject to certification shall get acquainted with the decision for signature within three working days from the date of its adoption.

The certification sheet of the employee who has passed certification and his service profile shall be stored in a personal file.

35. In the event that facts of falsification of test results or the passing of standards to determine professional suitability are revealed, the decision of the certification commission shall be subject to cancellation by a higher certification commission or a higher head of a law enforcement body.

Attestation commissions shall be higher and lower in relation to each other if the heads of law enforcement bodies, educational organizations of law enforcement bodies or state institutions of law enforcement agencies in which these certification commissions are created are higher and lower officials in relation to each other.

## **5. Re-certification**

36. Re-certification shall be carried out no earlier than three months and no later than six months from the date of the initial certification in the manner specified by the Law and this Regulation.

37. During re-certification, the employees who have not passed the established standards for determining professional suitability or who received a result below the threshold value and who fail to show up at the meeting of the certification commission without good reason by the decision of the certification commission shall be recommended for demotion or dismissal in the order defined by the Law and this Regulation.

38. The certification commission, after re-certification, shall take one of the following decisions:

- 1) corresponds to the position held;
- 2) does not correspond to the position held and is recommended for demotion;
- 3) does not correspond to the position held and is recommended for dismissal.

39. The adoption by the attestation commission of a decision on the employee's inconsistency in the position held with a recommendation on dismissal shall be a negative result of certification.

ANNEX 1  
to Model Regulation  
on certification of employees  
of law enforcement bodies of the  
Republic of Kazakhstan

## **MODEL FORM of the service profile of the employee subject to certification**

(filled in by the direct head of the employee)

Full name of employee \_\_\_\_\_

\_\_\_\_\_



Position \_\_\_\_\_

Date of appointment \_\_\_\_\_

Special rank, rank or qualification class \_\_\_\_\_

1. Performance of official duties (a list of main issues is provided in the solution of which the employee was involved; evaluates the effectiveness and good faith for performance of official duties, creative initiative, work with citizens, etc.)

2. Knowledge of strategic and program documents in the field of the activities of the state body, the application of professional knowledge, as well as, if it is included in official duties, the use of communication and information technologies (knowledge of strategic and program documents, the level of professional knowledge, knowledge of communication and information technology, their use in work, etc.).

3. Compliance with the rule of law, including anti-corruption legislation, the Code of Ethics for civil servants of the Republic of Kazakhstan, as well as the state and labor discipline (information on disciplinary sanctions, compliance with the law, including anti-corruption legislation, the Code of Ethics for civil servants, and state and labor discipline, internal service regulations, etc. is indicated).

4. Personal qualities (personal qualities of the employee: sociability, ability to work with citizens, ability to self-improvement, leadership, etc.).

5. The final assessment of the employee's activity (opinion of a direct head about the employee is indicated: corresponds to the position held or does not correspond, may be recommended for a higher or lower position, etc.).

6. Other information.\*

Full name of the head \_\_\_\_\_

Position \_\_\_\_\_

Rank (class rank) \_\_\_\_\_

Date " \_\_\_\_ " \_\_\_\_\_ 20\_\_\_\_

\* Additions may be included in the service profile taking into account the specifics of law enforcement bodies

ANNEX 2  
to the Model Regulation  
on certification of employees of  
law enforcement bodies of the  
Republic of Kazakhstan  
Form  
To the Chairman of certification  
commission

### Application for participation as an observer

Please allow me to participate as an observer at the meeting of a certification  
commission

\_\_\_\_\_,  
(the name of the law enforcement body)  
which is to be held \_\_\_\_\_.  
(date, time)

Full name, position Signature

Contacts:

Tel: \_\_\_\_\_

E-mail: \_\_\_\_\_

Address: \_\_\_\_\_

ANNEX 3  
to the Model Regulation  
on certification of employees of  
law enforcement bodies of the  
Republic of Kazakhstan

### Observer's memo

The observer has the opportunity:

- 1) to get acquainted with information about the certified;
- 2) to attend the interviews with them;
- 3) to express opinion on the interview procedure after its completion;
- 4) to give an overall assessment of the progress of the interview;
- 5) to get acquainted with the minutes of the meetings of the certification  
commission;

6) to express opinion on the work of the certification commission in writing to the  
leadership of the state body.

The observer cannot:

- 1) disclose the personal data of the certified;
- 2) interfere in the interview process, impede the course of the meeting of the  
certification commission;
- 3) provide any assistance to the certified;
- 4) influence members of the certification commission when they make decisions;
- 5) publicly evaluate or express an opinion on the individual certified employees,  
their personal qualities.

ANNEX 4  
to the Model Regulation

on certification of employees of  
law enforcement bodies of the  
Republic of Kazakhstan  
Form

**VOTE SHEET FULL NAME**

№	Special rank, class rank or qualification class FULL NAME, positions of ordinary and commanding staff subject to certification	Conclusions and recommendations of the certification commission	Signature
1		corresponds to the position held and is recommended for admission to the personnel reserve or promotion to a higher position	
		2) corresponds to the position held	
		3) subject to re-certification	
		4) does not correspond to the position held and is recommended for demotion	
		5) does not correspond to the position held and is recommended for dismissal *	

\* Note: It is used only for repeated and extraordinary certification.

ANNEX 5  
to the Model Regulation  
on certification of employees of  
law enforcement bodies of the  
Republic of Kazakhstan  
Form

**Certification sheet of the employee to be certified**

1. FULL NAME \_\_\_\_\_
- \_\_\_\_\_
2. Position held at the moment of certification \_\_\_\_\_
- \_\_\_\_\_
3. Special rank, rank or qualification class \_\_\_\_\_
- \_\_\_\_\_
4. Decision of certification commission \_\_\_\_\_
- \_\_\_\_\_

5. Other information\* \_\_\_\_\_

\_\_\_\_\_  
Chairman of certification commission \_\_\_\_\_

\_\_\_\_\_  
(signature)  
Secretary of certification commission \_\_\_\_\_

\_\_\_\_\_  
(signature)  
Date of certification " \_\_\_\_ " \_\_\_\_\_ 20 \_\_\_\_ .  
I got acquainted with the certification sheet \_\_\_\_\_

\_\_\_\_\_  
(signature of employee and date)  
Stamp here \_\_\_\_\_

\* Additions may be included in the certification sheet taking into account the specifics of law enforcement bodies.