

On the Legal Status of Foreigners

Unofficial translation

The Law of the Republic of Kazakhstan dated 19 June, 1995 № 2337.

Unofficial translation

Footnote. The form of the act and the title are changed, the Preamble is excluded by the Law of the Republic of Kazakhstan dated 12.01.2007 № 227.

Throughout the text:

the word “of the Decree”, “by the Decree”, “Decree” are replaced by the words “of the Law”, “by the Law”, “Law”; the words “foreign nationals”, “Foreign nationals”, “by Foreign nationals”, “by foreigner nationals”, “foreign nationals”, “foreign national”, “to foreign nationals”, “to Foreign nationals”, “to foreign national”, “to Foreign national” “Foreign national”, are replaced by the words “foreigners”, “Foreigners”, “by Foreigners”, “by foreigners”, “foreigners”, “foreigner”, “to foreigners”, “to Foreigners”, “to foreigner”, “to Foreigner”, “foreigner” by the Law of the Republic of Kazakhstan dated 12.01.2007 № 227.

Section I. General Provisions Article 1. Legislation on the legal status of foreigners in the Republic of Kazakhstan

Legislation of the Republic of Kazakhstan on the legal status of foreigners is based on the Constitution of the Republic of Kazakhstan and determines, in accordance with it, the basic rights and duties of foreigners, the procedures for their entry into the Republic of Kazakhstan, stay and movement within its territory and departure from the Republic of Kazakhstan.

Legislation on the legal status of foreigners in the Republic of Kazakhstan consists of this Law and other regulatory legal acts of the Republic of Kazakhstan.

Legal status of foreigners in the Republic of Kazakhstan may also be determined by the international treaties of the Republic of Kazakhstan.

If an international treaty ratified by the Republic of Kazakhstan establishes rules other than those that contained in this Law, the rules of the international treaty shall apply.

Footnote. Article 1, as amended by the Law of the Republic of Kazakhstan dated 12 January, 2007 № 227; dated 13.05.2020 № 327-VI (shall be enforced ten calendar days after the day of its first official publication).

Article 2. Foreigners and stateless persons in the Republic of Kazakhstan

Foreigners in the Republic of Kazakhstan are the persons that are not citizens of the Republic of Kazakhstan and have proof of citizenship of another state.

Persons that are not citizens of the Republic Kazakhstan, and do not have proof of citizenship of another state are recognized as stateless.

Article 3. Principles of legal status of foreigners in the Republic of Kazakhstan

Foreigners in the Republic of Kazakhstan enjoy the rights and freedoms, as well as bear the duties established for citizens of the Republic of Kazakhstan, unless otherwise provided by the Constitution, laws of the Republic of Kazakhstan and international treaties ratified by the Republic of Kazakhstan.

Foreigners in the Republic of Kazakhstan are equal before the law and the court, may not be subjected to any discrimination based on origin, social, official and property status, gender, race, nationality, language, attitude to religion, beliefs, place of residence or any other circumstances.

The use of their rights and freedoms by foreigners should not harm the interests of the Republic of Kazakhstan, the rights and legitimate interests of its citizens and other persons and is inseparable from the performance of their duties established by the laws of the Republic of Kazakhstan.

Footnote. Article 3 – as amended by the Law of the Republic of Kazakhstan dated 16.05.2024 № 82-VIII (effective ten calendar days after the date of its first official publication).

Article 4. Foreigners permanently residing and temporarily staying in the Republic of Kazakhstan

Foreigners who have received permission for permanent residence in the Republic of Kazakhstan in the manner determined by the Ministry of Internal Affairs of the Republic of Kazakhstan shall be recognized as permanent residents of the Republic of Kazakhstan.

A prerequisite for granting a permanent residence permit in the Republic of Kazakhstan is confirmation by the person applying for such a permit, with the exception of ethnic Kazakhs, persons born or previously held citizenship of the Republic of Kazakhstan or the Kazakh Soviet Socialist Republic, as well as persons entitled to obtain citizenship of the Republic of Kazakhstan in a simplified manner on the basis of international treaties, ratified by the Republic of Kazakhstan, and their family members who arrived together or separately, foreigners, those who have in-demand professions, the list of which is approved by the authorized body on population migration, their ability to pay in accordance with the procedure and amounts determined by the Ministry of Internal Affairs of the Republic of Kazakhstan.

Foreigners who are in the Republic of Kazakhstan on another legal basis, as well as recognized as victims, witnesses, witnesses entitled to protection, suspects, accused or defendants in criminal cases, except for foreigners specified in part one of this Article, until the completion of criminal proceedings, are considered to be temporarily staying in the Republic of Kazakhstan.

Kandas shall have the right to simultaneously submit documents for obtaining a permit for permanent residence in the Republic of Kazakhstan and acceptance into the citizenship of the Republic of Kazakhstan in a simplified (registration) procedure.

Footnote. Article 4 is in the wording of the Law of the Republic of Kazakhstan dated 12.01.2007 № 227; as amended by the Law of the Republic of Kazakhstan dated 10.12.2013 №153 -V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 24.11.2015 №421-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 27.12.2019 № 292-VI (the order of enforcement see Article 2); dated 13.05.2020 № 327-VI (see Article 2 for the procedure for enactment); dated 26.12.2022 № 168-VII (shall be enforced upon expiry of sixty calendar days after the day of its first official publication); dated 19.04.2023 № 223-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 16.05.2024 № 82-VIII (effective ten calendar days after the date of its first official publication).

Article 5. Granting of asylum

The Republic of Kazakhstan provides for the right of asylum to foreigners that are victims of human rights violations.

The question of political asylum is decided by the President of the Republic of Kazakhstan.

Footnote. Article 5, as amended by the Law of the Republic of Kazakhstan dated 12 January, 2007 № 227.

Section II. Basic rights, freedoms and duties of foreigners in the Republic of Kazakhstan Article 6. Labour activity and leisure

Foreigners may engage in labour activity in the Republic of Kazakhstan on the basis and in the manner prescribed by the legislation and international treaties of the Republic of Kazakhstan. In order to ensure the realization of the constitutional right of citizens of the Republic of Kazakhstan on the freedom of labour, the legislative acts may establish the limits on the implementation of labour activity of foreigners in the Republic of Kazakhstan.

Foreigners may not be appointed to certain positions or engage in certain kinds of labour activity, if in accordance with the legislation of the Republic of Kazakhstan appointment to these positions or engaging in such activity is associated with belonging to the citizenship of the Republic of Kazakhstan.

Foreigners permanently residing in the Republic of Kazakhstan have the same rights and bear the same obligations in labour relations as citizens of the Republic of Kazakhstan.

Foreigners, temporarily staying in the Republic of Kazakhstan can be the subjects of private entrepreneurship. At the same time, carrying out entrepreneurial activity without forming a legal entity shall not be allowed.

Foreigners, residing in the Republic of Kazakhstan shall have the right to leisure on the same basis as citizens of the Republic of Kazakhstan.

Footnote. Article 6, as amended by the Laws of the Republic of Kazakhstan dated 16 March, 2001 № 164; dated 12 January, 2007 № 227; dated 16.04.2018 № 147-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 7. Health protection

Foreigners and stateless persons, residing on the territory of the Republic of Kazakhstan, shall be provided with medical assistance if there is a policy of voluntary medical insurance, unless otherwise stipulated by the laws of the Republic of Kazakhstan and international treaties, ratified by the Republic of Kazakhstan.

Footnote. Article 7 is in the wording of the Law of the Republic of Kazakhstan dated 16.11.2015 №406-V (shall be enforced from 01.01.2018).

Article 8. Social security

Foreigners permanently residing in the Republic of Kazakhstan, in matters of social security, including pensions, shall have the same rights and bear the same responsibilities as the citizens of the Republic of Kazakhstan.

Footnote. Article 8 is in the wording of the Law of the Republic of Kazakhstan dated 20.04.2023 № 226-VII (shall be enforced from 01.07.2023).

Article 9. The right to housing, other property and personal non-property rights

Foreigners, permanently residing in the Republic of Kazakhstan shall have the same rights and bear the same obligations in housing relations as the citizens of the Republic of Kazakhstan, unless otherwise stipulated by the Constitution, laws and international treaties.

Foreigners may have a dwelling and other property on the right of ownership in the Republic of Kazakhstan (except for temporarily staying foreigners), may have the rights of the author of works of science, literature and art, discovery, invention, rationalization proposal, industrial design, as well as other property and personal non-property rights, except for the cases, established by the Constitution, laws and international treaties.

Foreigners permanently residing in the Republic of Kazakhstan, use their property and moral rights as citizens of the Republic of Kazakhstan.

Foreigners temporarily staying in the Republic of Kazakhstan have the right to use the property and personal non-property rights on the grounds and in the manner prescribed by the legislation and international treaties of the Republic of Kazakhstan.

Footnote. Article 9, as amended – by the Law of the Republic of Kazakhstan dated 1 March, 2001 № 160; dated 24.11.2015 №421-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 10. Getting an education

Foreigners and stateless persons, permanently residing in the Republic of Kazakhstan, shall have the equally with the citizens of the Republic of Kazakhstan right to get preschool, primary, basic secondary and general secondary education in accordance with the legislation of the Republic of Kazakhstan in the field of education.

Stateless persons, permanently residing in the Republic of Kazakhstan shall be entitled to get free technical and vocational, secondary, higher and postgraduate education on a competitive basis in accordance with the state educational order, if the education of each of these levels, they get the first time.

The right of foreigners to get free technical and vocational, secondary, higher and postgraduate education on a competitive basis in accordance with the state educational order is defined by the international treaties of the Republic of Kazakhstan.

Foreigners, adopted to educational institutions have the rights and bear the obligations of students and pupils in accordance with the legislation of the Republic of Kazakhstan.

Footnote. Article 10 as amended – by the Law of the Republic of Kazakhstan dated 27 July, 2007 № 320 (the order of enforcement see Article 2).

Article 11. Use of cultural achievements

Foreigners shall have the right to use cultural achievements in the Republic of Kazakhstan as citizens of Kazakhstan. They shall protect the historical and cultural monuments, and other cultural values.

Article 12. Participation in public associations

Foreigners, permanently residing in the Republic of Kazakhstan have the right to join public associations, except for political parties and public associations that pursue political goals, and if it does not contradict the statute (regulations) of these associations.

Article 13. Freedom of conscience

Foreigners, staying in the Republic of Kazakhstan, are guaranteed the freedom of conscience as citizens of Kazakhstan.

Incitement of hostility and hatred in connection with religious beliefs is prohibited.

Article 14. Marital and family relations

Foreigners in the Republic of Kazakhstan may conclude and discharge marriages with citizens of the Republic of Kazakhstan and other persons, and have the rights and bear responsibilities in marital and family relations as citizens of the Republic of Kazakhstan in accordance with the legislation and international treaties of the Republic of Kazakhstan.

Article 15. Inviolability of dwelling, honour and dignity

Foreigners shall be guaranteed inviolability of dwelling, honour and dignity in the Republic of Kazakhstan.

Article 16. Movement on the territory of the Republic of Kazakhstan and choice of a place of residence

Foreigners may freely move on the territory of the Republic of Kazakhstan open to foreigners, and choose a place of residence in accordance with the manner, established by the legislation of the Republic of Kazakhstan. Restrictions on movement and choice of residence are established by acts of the authorized state bodies of the Republic of Kazakhstan, when it is necessary to ensure national security, public order, health or morals, or the protection of the rights and legitimate interests of citizens of the Republic of Kazakhstan and others.

Article 17. Taxes and fees

Foreigners are subject to taxes and fees in the Republic of Kazakhstan on the same basis as citizens of the Republic of Kazakhstan, unless otherwise provided by the legislation and international treaties of the Republic of Kazakhstan.

Article 18. Protecting the rights of foreigners

Foreigners in Kazakhstan shall have the right to appeal to the courts, the Commissioner for Human Rights in Kazakhstan and other public authorities for the protection of their property and personal non-property rights.

Foreigners use procedural rights in court as citizens of the Republic of Kazakhstan, except in cases provided for in the international treaties of the Republic of Kazakhstan.

Footnote. Article 18 as amended by Law № 91-VII of 29.12.2021 (shall be enacted ten calendar days after the date of its first official publication).

Article 19. Restrictions in electoral right

Foreigners in the Republic of Kazakhstan may not vote or be elected to the representative and other elective state bodies and positions, as well as take part in republican referendum.

Article 20. Military service obligation

Military obligation shall not apply to foreigners, permanently residing in the territory of the Republic of Kazakhstan.

Footnote. Article 20 is in the wording of the Law of the Republic of Kazakhstan dated 12 January, 2007 № 227.

Section III. Entry into the Republic of Kazakhstan and departure of foreigners from the Republic of Kazakhstan Article 21. Establishing the rules of entry into the Republic of Kazakhstan,

departure of the Republic of Kazakhstan, transit through the territory of the Republic of Kazakhstan

The rules for entry into the Republic of Kazakhstan of foreigners, their departure from the Republic of Kazakhstan and transit through the territory of the Republic of Kazakhstan shall be established by this Law and other regulatory legal acts of the Republic of Kazakhstan.

Footnote. Article 21 as amended by the Law of the Republic of Kazakhstan dated 13.05.2020 № 327-VI (shall be enforced ten calendar days after the day of its first official publication).

Article 22. Enter into the Republic of Kazakhstan

Foreigners may enter the Republic of Kazakhstan on valid foreign passports or equivalent documents in the presence of entry visas of the Republic of Kazakhstan, unless otherwise specified in the agreement of the Republic of Kazakhstan and the concerned party or the Government of the Republic of Kazakhstan.

Foreigner is prohibited to entry into the Republic of Kazakhstan:

- 1) in the interests of national security, public safety and public health;
- 2) if his (her) actions are aimed at forced changing the constitutional order;
- 3) if he (she) acts against the sovereignty and independence of the Republic of Kazakhstan, calls for violation of the unity and integrity of its territory;
- 4) if he (she) incites interethnic, inter-confessional and religious hostility;
- 5) if it is necessary to protect the rights and legitimate interests of citizens of the Republic of Kazakhstan and other persons;
- 6) if the national security bodies of the Republic of Kazakhstan have information about his involvement in extremist or terrorist activities or involvement in an organization recognized as extremist or terrorist in the Republic of Kazakhstan;
 - 6-1) if the court recognizes in his actions a recurrence of crimes or a dangerous recurrence of crimes;
- 7) if he has not executed an administrative penalty for committing an administrative offense imposed on him during his previous stay in the Republic of Kazakhstan;
 - 7-1) if he has not executed or served a sentence for committing a criminal offense assigned to him during his previous stay in the Republic of Kazakhstan;
 - 7-2) if he holds a leading position in an organized group (criminal organization);
 - 7-3) if he has committed a grave or especially grave crime on the territory of the Republic of Kazakhstan and has been transferred to the state of his nationality in accordance with international treaties ratified by the Republic of Kazakhstan on the transfer of convicted persons or the agreement of the Prosecutor General of the Republic of Kazakhstan with the competent authorities and officials of a foreign state reached on the basis of the principle of reciprocity;

7) if he (she) did not perform the penalty for a criminal or administrative offence, imposed on him (her) during a previous stay in the Republic of Kazakhstan;

8) if during a previous stay in the Republic of Kazakhstan he (she) did not submit the declaration of individual income tax in the case, where the provision of such declarations is provided by the legislation of the Republic of Kazakhstan;

9) if he (she) has not provided a confirmation on the availability of funds necessary for stay and departure from the Republic of Kazakhstan, in the manner determined by the Ministry of Internal Affairs of the Republic of Kazakhstan, except for ethnic Kazakhs, persons born or previously held citizenship of the Republic of Kazakhstan or the Kazakh Soviet Socialist Republic, and members of their families;

10) if in the application for entry, he (she) reported false information or did not submit the required documents within the period, prescribed by the legislation of the Republic of Kazakhstan;

11) if he (she) has a disease that is a contraindication to enter the Republic of Kazakhstan.

12) if he has previously lost the citizenship of the Republic of Kazakhstan on the grounds provided for in subparagraph 8) of part one of Article 21 of the Law of the Republic of Kazakhstan "On Citizenship of the Republic of Kazakhstan";

13) if he was previously deprived of citizenship of the Republic of Kazakhstan on the grounds provided for in Article 20-1 of the Law of the Republic of Kazakhstan "On Citizenship of the Republic of Kazakhstan".

14) if he has committed a crime against the sexual integrity of a minor.

The national security bodies have the right not to explain the reason that served as the basis for refusing approval to foreigners and stateless persons to enter the Republic of Kazakhstan and certain areas (territories) closed to foreigners.

Foreigners who were previously expelled from the Republic of Kazakhstan, returned by readmission, are prohibited from entering the Republic of Kazakhstan for five years from the date of execution of the court decision on expulsion, departure by readmission.

Applications of the host persons for inviting foreigners to the Republic of Kazakhstan shall not be considered if, within twelve consecutive calendar months prior to the submission of such an application, the host persons were held liable two or more times for untimely informing the internal affairs bodies of immigrants, staying with them, and for not taking measures to draw up documents for the right of their stay in the Republic of Kazakhstan and to ensure departure from the Republic of Kazakhstan upon expiry of a certain period of stay. The entry visa or other corresponding documents are issued by diplomatic representatives and consular offices of the Republic of Kazakhstan or in some cases by the specifically authorized representatives of the Republic of Kazakhstan.

Entry visas or other documents corresponding to them are issued by diplomatic missions and consular offices of the Republic of Kazakhstan or in some cases by specially authorized representatives of the Republic of Kazakhstan.

Grounds for issuing visas shall be the invitations of receiving persons or the permission of the authorized state bodies of the Republic of Kazakhstan, unless otherwise stipulated by the international treaties of the Republic of Kazakhstan.

Footnote. Article 22 is in the wording of the Law of the Republic of Kazakhstan dated 10.12.2013 № 153-V (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by the laws of the Republic of Kazakhstan dated 03.11.2014 №244-V (shall be enforced from 02.01.2015); dated 24.11.2015 № 421-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 22.12.2016 № 28-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 11.07.2017 № 91-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 27.12.2019 № 292-VI (the order of enforcement see Article 2); dated 13.05.2020 № 327-VI (shall be enforced ten calendar days after the day of its first official publication); dated 19.04.2023 № 223-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 16.05.2024 № 82-VIII (effective ten calendar days after the date of its first official publication).

Article 23. Departure from the Republic of Kazakhstan

Foreigners depart from the Republic of Kazakhstan on valid foreign passports or equivalent documents in the presence of exit visas, issued by authorized state bodies of the Republic of Kazakhstan, unless otherwise specified in the agreement with the corresponding country or the Government of the Republic of Kazakhstan.

Departure of foreigners from the Republic of Kazakhstan are not permitted:

- a) if there are grounds for bringing him (her) to justice - until the end of the proceedings;
- b) if he (she) has been convicted of a criminal offense, probation control has been established or a suspension of execution of the punishment has been applied to him (her)- prior to the serving of the punishment or exemption from punishment, the expiration of the probationary control period, the expiry of the term of suspension of the execution sentence, except for cases of his (her) deportation on the basis of the court decision;
- c) if he (she) evades the obligations, imposed on him (her) by the court - until the fulfillment of obligations;
- g) *is excluded by the Law of the Republic of Kazakhstan dated 07.12.2009 № 222-IV (the order of enforcement see Art. 2).*

Departure of foreigner from the Republic of Kazakhstan may be delayed until his (her) execution of property obligations, that are associated with the substantial interests of citizens of the Republic of Kazakhstan, and other individuals and legal entities.

Footnote. Article 23, as amended by the Laws of the Republic of Kazakhstan dated 07.12.2009 № 222-IV (the order of enforcement see Art. 2); dated 10.12.2013 № 153-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated

03.07.2014 №227-V (shall be enforced from 01.01.2015); dated 18.04.2017 №58-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 24. Transit

Foreigners passing through the territory of the Republic of Kazakhstan in transit follow the rules of transit to the checkpoint across the State Border of the Republic of Kazakhstan along the established route and may have stops in the territory of the Republic of Kazakhstan only at the points indicated in Kazakhstani transit visas, subject to permits issued by authorized for that by the state bodies of the Republic of Kazakhstan.

Footnote. Article 24 as amended by the Law of the Republic of Kazakhstan dated November 16.11.2020, № 375-VI (shall be enforced ten calendar days after the day of its first official publication).

Section IV. Responsibility of foreigners. Reducing the period of stay. Expulsion

Footnote. The heading of section IV has been amended in the Kazakh language, the text in the Russian language shall not be changed by the Law of the Republic of Kazakhstan dated 13.05.2020 № 327-VI (shall be enforced ten calendar days after the day of its first official publication).

Article 25. Grounds of responsibility for offenses

Foreigners, who have committed criminal, administrative or other offenses on the territory of the Republic of Kazakhstan shall be liable on general grounds with the citizens of the Republic of Kazakhstan, except for the cases, established by international treaties of the Republic of Kazakhstan.

Footnote. Article 25 is in the wording of the Law of the Republic of Kazakhstan dated 03.07.2014 № 227-V (shall be enforced from 01.01.2015).

Article 26. Responsibility for violation of the rules of stay in the Republic of Kazakhstan and transit through the territory of the Republic of Kazakhstan

Foreigners, who violate the rules of stay in the Republic of Kazakhstan, live on invalid documents, evade departure after the expiration of their stay, and who do not comply with the rules of transit through the territory of the Republic of Kazakhstan, shall be subject to administrative liability in accordance with the laws of the Republic of Kazakhstan.

A malicious violation of the rules of stay in the Republic of Kazakhstan and transit through the territory of the Republic of Kazakhstan by foreigners shall entail criminal liability under the laws of the Republic of Kazakhstan.

Footnote. Article 26, as amended by the Law of the Republic of Kazakhstan dated 12 January, 2007 № 227; dated 27.12.2019 № 292-VI (the order of enforcement see Article 2).

Article 27. Reducing the period of stay in the Republic of Kazakhstan

For a foreigner that violates the legislation on the legal status of foreigners may be reduced the period of stay in the Republic of Kazakhstan. Period of stay of a foreigner in the Republic of Kazakhstan may also be reduced in cases where the grounds for his (her) further stay have fallen.

Footnote. Article 27, as amended by the Law of the Republic of Kazakhstan dated 12 January, 2007 № 227.

Article 28. Expulsion from the Republic of Kazakhstan

Footnote. The heading of Article 28 has been amended in the Kazakh language, the text in Russian shall not be changed by the Law of the Republic of Kazakhstan dated 13.05.2020 № 327-VI (shall be enforced ten calendar days after the day of its first official publication).

A foreigner may be expelled from the Republic of Kazakhstan:

- a) if his (her) actions are contrary to the interests of national security or public order;
- b) if it is necessary for the protection of health or morals, protection of the rights and legitimate interests of citizens of the Republic of Kazakhstan and other persons;
- c) if he (she) violated the legislation of the Republic of Kazakhstan;
- g) in the case of annulment of marriage in the manner prescribed by legislative acts, if the marriage with a citizen of the Republic of Kazakhstan was the basis for remaining him (her) for a permanent residence in the Republic of Kazakhstan.

The decision on expulsion shall be taken by the court. The foreigner is obliged to leave the Republic of Kazakhstan within the period specified in this decision. The execution of the court decision on expulsion from the Republic of Kazakhstan, in this case, shall be carried out by the controlled independent departure of the person being expelled or forced expulsion of the person from the Republic of Kazakhstan. If a person in respect of whom a decision on expulsion has been made does not leave the territory of the Republic of Kazakhstan within the period specified in the decision, he/she shall be subject to the preventive restriction of freedom of movement and forced expulsion with the sanction of the court. Preventive restriction of the freedom of movement of such a person shall be allowed in this case for the period necessary to organize his/her expulsion from the Republic of Kazakhstan, but not more than thirty days. The maintenance of such a person shall be carried out in a special institution of the internal affairs bodies in the manner determined by the Government of the Republic of Kazakhstan.

The internal affairs bodies, executing the court's decision on a forcible expulsion shall produce at checkpoints across the state border of the Republic of Kazakhstan the transmission

of a deportee foreigner or a stateless person to the Border Service of the National Security of the Republic of Kazakhstan for the official transfer of the foreigner or stateless person to the representative of the foreign state, to the territory of which the person is expelled.

The operation of the fourth part of Article 28 is suspended until 01.01.2024 by Article 31 of this Law.

A person being expelled from the Republic of Kazakhstan shall be obliged to undergo fingerprint registration before controlled independent departure or forcible expulsion from the Republic of Kazakhstan.

Footnote. Article 28, as amended by the Laws of the Republic of Kazakhstan dated 16.03.2001 № 164; dated 10.11.2001 № 255; dated 12.01.2007 № 227; dated 07.12.2009 № 222-IV (the order of enforcement see Art. 2); dated 22.07.2011 № 478-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 16.01.2013 № 71-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.06.2013 № 102-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 22.12.2016 № 28-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 30.12.2016 № 41-VI (shall be enforced from January 1, 2021); № 327-VI dated 13.05.2020 (shall be enforced ten calendar days after the day of its first official publication); № 385-VI dated 19.12.2020 (shall be enforced ten calendar days after the day of its first official publication).

Section V. Final provisions Article 29. Application of this Law in respect of stateless persons

Provisions of this Law shall apply to stateless persons, unless otherwise stipulated by the legislative acts of the Republic of Kazakhstan.

Article 30. Limitation of the scope of this Law

Provisions of this Law shall not affect to the privileges and immunities of heads and employees of foreign diplomatic and consular representatives, established by the legislation of the Republic of Kazakhstan and the international treaties of the Republic of Kazakhstan.

Article 31. The order of entry into force of this Law

This Law shall enter into force from the date of publication.

Suspend until January 1, 2024, the effect of part four of Article 28 of this Law.

Footnote. Article 31 as amended by the Law of the Republic of Kazakhstan dated 29.06.2021 № 58-VII (shall be enforced from 01.01.2021); dated 30.12.2022 № 177-VII (shall be enforced from 01.01.2023).

The President
of the Republic of Kazakhstan

© 2012. «Institute of legislation and legal information of the Republic of Kazakhstan» of the Ministry of Justice of the Republic of Kazakhstan