



## **On approval of the Regulations on the Central Election Commission of the Republic of Kazakhstan**

### *Unofficial translation*

Decree of the President of the Republic of Kazakhstan dated November 11, 1996 N 3205.

#### *Unofficial translation*

Pursuant to sub-paragraph 2) of Article 14 of the Constitutional Law of the Republic of Kazakhstan “On the President of the Republic of Kazakhstan”, I HEREBY RESOLVE:

Footnote. The preamble - as reworded by Decree of the President of the Republic of Kazakhstan No. 109 of 23.01.2023.

1. To approve the Regulation on the Central Election Commission of the Republic of Kazakhstan (attached).

2. To recognize as terminated:

Decree of the President of the Republic of Kazakhstan dated December 21, 1993 N 1469 "On approval of the Regulation on the Central Election Commission of the Republic of Kazakhstan" (CAPG of the Republic of Kazakhstan, 1993, N 48, art. 579);

Decree of the President of the Republic of Kazakhstan dated February 22, 1996 N 2856 "On Amendments to the Regulation on the Central Election Commission of the Republic of Kazakhstan" (CAPG of the Republic of Kazakhstan, 1996, N 7, art. 38).

3. This Decree shall come into effect from the date of signing.

*The President of the  
Republic of Kazakhstan*

Approved by  
Decree of the President of the  
Republic of Kazakhstan  
dated November 11, 1996 No. 3205

## **REGULATIONS on the Central Election Commission of the Republic of Kazakhstan**

Footnote. Regulation as amended by Decree of the President of the Republic of Kazakhstan dated 12.02.2013 No. 501.

### **Chapter 1. General provisions**

Footnote. The title of Chapter 1 - as reworded by Decree of the President of the Republic of Kazakhstan No. 109 of 23.01.2023.

1. The Central Election Commission of the Republic of Kazakhstan (hereinafter referred to as the Commission) shall be the permanent state body of the Republic of Kazakhstan, shall head the unified system of election commissions of the Republic.

2. The Commission shall carry out its activities in accordance with the Constitution and laws of the Republic of Kazakhstan, acts of the President of the Republic of Kazakhstan, other normative legal acts, as well as this Regulation.

3. The Commission shall be a legal entity in the organizational and legal form of a state institution, and shall have seals and stamps with its name in the state language, forms of the established sample, in accordance with the legislation of the Republic of Kazakhstan, accounts in the Treasury bodies.

4. The Commission shall enter into civil law relations on its own behalf.

5. The Commission shall have the right to act as a party to civil law relations on behalf of the state, if it is authorized to do so in accordance with the legislation of the Republic of Kazakhstan.

6. The Commission on the issues of its competence in the manner prescribed by the legislation of the Republic of Kazakhstan shall adopt resolutions.

7. The structure and staffing limit of the Commission staff shall be approved in accordance with the current legislation of the Republic of Kazakhstan.

8. Legal address of the Commission: 4 Beybitshilik Street, Astana, 010000, Republic of Kazakhstan.

**Footnote. Paragraph 8 - as reworded by Decree of the President of the Republic of Kazakhstan No. 109 of 23.01.2023.**

9. The full name of the state body shall be the state institution "Central Election Commission of the Republic of Kazakhstan".

10. These Regulations shall be the constituent document of the Commission.

11. Financing of the Commission activities shall be carried out from the republican budget

12. The Commission shall be prohibited from entering into contractual relations with business entities for fulfilling the duties that are the functions of the Commission.

If the Commission is given the right to carry out income-generating activities by legislative acts, then the income received from such activities shall be directed to the state budget.

## **Chapter 2. Mission, main objective, functions, rights and responsibilities of the Commission**

**Footnote. Title of Chapter 2 - as reworded by Decree of the President of the Republic of Kazakhstan No. 109 of 23.01.2023.**

13. Mission of the Commission: ensuring the rights of citizens to participate in the management of state affairs directly or through their representatives by holding free and fair elections and republican referendums.

14. The main task of the Commission shall be to conduct fair, genuine and free elections and republican referendums in the Republic of Kazakhstan.

15. The Commission, within its competence, in accordance with the legislation of the Republic of Kazakhstan, shall perform the following functions:

1) control on the territory of the Republic of Kazakhstan over the implementation of the legislation on elections and republican referendum and ensuring its uniform application;

2) adopt, within its competence, decisions that are binding on the entire territory of the Republic of Kazakhstan, as well as other legal acts on the organization and conduct of elections;

3) organize the preparation and conduct of elections of the President of the Republic of Kazakhstan, deputies of the Mazhilis of the Parliament of the Republic of Kazakhstan;

4) manage the organization and conduct of elections of deputies of the Senate of the Parliament of the Republic of Kazakhstan;

5) register candidates for the President of the Republic of Kazakhstan, issue them the appropriate certificates, refuse to register or cancel the decision on registration of the candidate for the President, no later than on the seventh day after the registration of candidates for the President, publish a registration message in the media indicating the surname, first name, patronymic, year of birth, position (occupation), place of work and residence of each presidential candidate, as well as, depending on the discretion of the presidential candidate, information on his affiliation with a public association, nationality;

6) establish the compliance of a candidate for the President of the Republic of Kazakhstan with the requirements imposed on him by the Constitution and the Constitutional Law of the Republic of Kazakhstan "On elections in the Republic of Kazakhstan";

7) together with the authorized body in the field of health, establish the requirements for a medical certificate and a list of diseases that prevent registration as a candidate for the President of the Republic;

8) determine the procedure for establishing the free command of a candidate for President of the state language in accordance with the decision of the Constitutional Council of the Republic on the official interpretation of Paragraph 2 of Article 41 of the Constitution of the Republic of Kazakhstan;

9) consider the issue of admitting political parties to participate in the elections of a part of deputies of the Mazhilis of the Parliament of the Republic of Kazakhstan and deputies of maslikhats of the Republic of Kazakhstan, elected according to party lists;

9-1) establishes electoral constituencies for the election of deputies to the Majilis of Parliament in single-member territorial constituencies and determine their boundaries, publishes in the mass media the list of electoral constituencies and information on their boundaries;

10) register party lists for elections of deputies of the Mazhilis of the Parliament of the Republic of Kazakhstan and, no later than on the tenth day after their registration, publish a

registration message in the media indicating the name of the political party and the number of persons included in the party list, as well as the surname, first name, patronymic, year of birth, position (occupation), place of work and residence of each person included in the party list;

11) excluded by Decree of the President of the Republic of Kazakhstan No. 109 of 23.01.2023;

12) upon registration, issue an appropriate certificate to a candidate for deputy of the Mazhilis of the Parliament of the Republic of Kazakhstan;

13) refuse to register or cancel the decision on registration of the party list for elections of deputies of the Mazhilis of the Parliament of the Republic of Kazakhstan in the cases provided for by the Constitutional Law of the Republic of Kazakhstan "On elections in the Republic of Kazakhstan";

14) excluded by Decree of the President of the Republic of Kazakhstan No. 109 of 23.01.2023;

15) decide on the exclusion of the person included in the party list, from the list for the election of deputies of the Mazhilis of the Parliament of the Republic of Kazakhstan in the cases stipulated by the Constitutional Law of Republic of Kazakhstan "On Elections in the Republic of Kazakhstan";

16) sum up the results of the elections of the President and deputies of the Parliament as a whole in the Republic of Kazakhstan, register the elected President and deputies of the Parliament of the Republic of Kazakhstan, publish a message about this in the mass media;

17) establish a quota for the distribution of deputy mandates based on the results of voting on the party lists of the Mazhilis of the Parliament;

18) after publication in the mass media of the results of elections of deputies of the Parliament of the Republics and hand over to each deputy a certificate and a badge of the sample established by the Commission;

19) appoint and organize repeated voting and repeated elections in elections of the President of the Republic of Kazakhstan;

20) declare as invalid the elections of deputies of the Mazhilis of the Parliament of the Republic of Kazakhstan in the corresponding administrative-territorial unit, appoint a second vote in the cases provided for by the Constitutional Law of the Republic of Kazakhstan "On elections in the Republic of Kazakhstan";

21) appoint repeated elections of deputies of the Parliament of the Republic of Kazakhstan in the cases provided for by the Constitutional Law of the Republic of Kazakhstan "On elections in the Republic of Kazakhstan";

22) appoint elections of deputies of the Parliament of the Republic of Kazakhstan instead of retired ones;

23) prepare for consideration issues related to the application of penalties to deputies, their compliance with the requirements of paragraph 3 of article 52 of the Constitution of the

Republic of Kazakhstan, the rules of parliamentary ethics, as well as the termination of the powers of deputies and deprivation of their powers and parliamentary immunity.

Control over the attendance of deputies at meetings of the Chambers of Parliament and their bodies, as well as the inadmissibility of a deputy transferring his vote shall be exercised by members of the Commission.

The procedure for consideration and submission to the Parliament of the Republic of Kazakhstan of the above issues shall be regulated by the relevant provision approved by the Commission;

24) adopt a resolution stating the fact of the occurrence of grounds entailing the termination of the powers of a deputy of the Parliament, and a resolution stating the fact that the relevant person has lost the powers of a deputy of the Parliament of the Republic of Kazakhstan;

25) establish the results of voting on the termination of the powers of a deputy of the Senate of the Parliament of the Republic of Kazakhstan by the decision of the electors; approve samples of documents on the termination of the powers of a deputy of the Senate of the Parliament of the Republic of Kazakhstan by decision of the electors;

26) in conformity with the population size of the administrative-territorial units decides the number of Maslikhat deputies to be elected from these units when a new convocation is formed;

27) appoint regular and extraordinary elections of deputies of maslikhats;

28) in the arrangement and conduct of elections of deputies to the maslikhats, district, city of regional significance, city of district significance, village, settlement, rural district and members of other local government bodies, supervises the compliance of the activities of territorial election commissions with the requirements of the Constitutional Law of the Republic of Kazakhstan "On Elections in the Republic of Kazakhstan" and in the discovery of breaches of the Constitutional Law of the Republic of Kazakhstan "On Elections in the Republic of Kazakhstan" revoke their decisions;

28-1) jointly with the competent authority for civil service, determines the list of documents required to verify the compliance of the candidate for akims of a district, regional city, city of district significance, village, settlement, rural district with the requirements of the laws of the Republic of Kazakhstan in the sphere of civil service;

29) to determine an order of magnitude and volume of postings of election commissions print media out of the funds provided by the republican and local budgets;

30) inform voters about the course of the election campaign for the elections of the President of the Republics and Kazakhstan and deputies of the Parliament of the Republic of Kazakhstan;

31) specifies the procedure for election campaigning and information support for elections of the President of the Republic of Kazakhstan, deputies of the Parliament, maslikhats of the Republic of Kazakhstan, akim of a district, city of regional significance, city of district

significance, village, settlement, rural district, as well as members of other local self-government bodies;

32) posts on its website the data supplied by the media, users of online platforms on the fees, conditions and procedures for the provision of airtime, print space and amount of information for the election campaign;

33) determine the procedure and conditions for holding pre-election debates;

34) organize pre-election debates on television for presidential candidates, political parties that have nominated party lists of candidates for deputies of the Mazhilis of the Parliament of the Republic of Kazakhstan;

35) approve the instruction on the registration of trustees;

36) excluded by Decree of the President of the Republic of Kazakhstan No. 109 of 23.01.2023;

37) establish the procedure for keeping electoral documents;

38) prescribes the form and text of ballot papers for the election of the President and deputies to the Majilis of the Parliament by party lists, the form of ballot papers for the election of deputies to the Senate of the Parliament, deputies to the Majilis of the Parliament elected from single mandate territorial constituencies, deputies to maslikhats, district, city of regional importance, city of district importance, village, settlement, rural district and members of other local authorities, the procedure for their production, as well as the degree of protection;

39) draw lots to establish the sequence of including the names of political parties in the ballot paper for voting in the election of deputies of the Mazhilis of the Parliament of the Republic of Kazakhstan in the manner determined by the Commission;

40) ensure the production of ballots for the elections of the President of the Republic of Kazakhstan and deputies of the Parliament of the Republic of Kazakhstan;

41) determine the procedure for amending ballot papers in case of withdrawal of a candidacy, cancellation of the decision to nominate a candidate, cancellation of the decision to register candidates, party lists;

42) establishes the forms of lists of voters (electors), signature lists for the collection of signatures of voters in support of candidates for the post of president, the collection of signatures of electors in support of candidates for the Senate of the Parliament and for the collection of signatures of voters in support of candidates for akims of districts, cities of regional value, cities of district value, villages, settlements, rural districts, signature lists to collect signatures of citizens for the recall of deputies of the Majilis of Parliament and Maslikhats of the Republic of Kazakhstan, elected in single-mandate territorial electoral districts;

43) approve the regulations on the reliability and badge of the deputy of the Parliament of the Republic, their samples and description;

44) determines a sample of certificate and badge for the President, deputies of maslikhats, as well as a sample of certificate for the akim of a district, city of regional significance, district significance, village, settlement, rural district and members of other local self-government bodies;

45) establish the procedure and use of the electronic electoral system in the part not regulated by the Constitutional Law of the Republic of Kazakhstan "On elections in the Republic of Kazakhstan";

46) determine the electoral districts and polling stations in which the electronic electoral system or its separate elements will be used;

47) set the time of launching the electronic electoral system;

48) maintain a unified electronic Register of citizens - voters of the Republic of Kazakhstan;

49) determine the procedure for verifying and submitting information in electronic form about voters and the boundaries of polling stations;

50) determine the procedure for the formation of voter lists for voting, as well as their submission to election commissions;

51) organize the production, determine the procedure for issuing and recording absentee ballots for the right to vote;

52) carry out international cooperation in the field of electoral systems;

53) establish a sample certificate for accredited observers;

54) determine the procedure and organize work in the direction of citizens of the Republic of Kazakhstan to observe elections in foreign states;

55) organize clarification of the legislation on elections of the Republic of Kazakhstan;

56) place on the official Internet resource to the Commission at the normative legal acts on the election legislation of the Republic of Kazakhstan, the information on the appointment and conduct of elections, as well as on the results of the counting of votes in the last election;

57) carry out work on the study of electoral practice and improvement of the legislation on elections in the Republic of Kazakhstan for the official submission by the subject of the right of legislative initiative of the draft legislative act;

58) periodically publishes an information bulletin;

59) organize and conduct training of participants in the electoral process;

60) conduct seminars with representatives of political parties and other participants in the electoral process on the organization and conduct of elections;

61) when holding elections using the electronic electoral system, train members of the relevant election commissions on its use;

62) through the mass media, organize training of the population on the use of the electronic electoral system in elections;

63) draw up and submit to the Government of the Republic an approximate estimate of the costs of the election campaign based on budget applications submitted by territorial election commissions, in the manner determined by the Commission;

64) distribute among the election commissions the funds of the republican budget allocated for the conduct of the election campaign;

65) determine the procedure for opening a special temporary account, spending electoral funds and the corresponding banking institution;

66) establishes the procedure and amount of allocation of funds for speeches to candidates ;

67) publishes in the mass media information on the total amount of money received by the election fund and its sources within five days after the publication of the results of elections of the President, deputies of the Majilis of the Parliament of the Republic of Kazakhstan;

68) determine the procedure for financing political parties;

69) control the creation of the necessary material and technical conditions for the activities of electoral commissions;

70) coordinate work to create conditions for the implementation of the electoral rights of citizens with disabilities;

71) approve the instructions for equipping the polling station at the polling station, polling station;

72) establish the form of ballot boxes made of transparent voting material and samples of the seals of election commissions;

73) purchase goods, works and services for the creation, development, implementation, maintenance, administration, operation and system maintenance of information and communication infrastructure facilities, an Internet resource and material and technical support for electoral activities from the Republican state enterprise based on the right of economic management "Engineering and Technical Center of the Central Election Commission of the Republic of Kazakhstan";

74) directs the election commissions at elections of the President of the Republic of Kazakhstan, deputies of the Parliament of the Republic of Kazakhstan, at recall of deputies of the Majilis of the Parliament, elected in single-mandate territorial constituencies;

75) consider applications and complaints on decisions and actions (inaction) of election commissions;

76) cancel and suspend decisions of election commissions;

77) apply to the court to terminate the activities of the election commission;

78) perform the functions of the Central Referendum Commission;

79) consider applications and complaints about violations of the legislation on the republican referendum;

80) inform citizens about the course of preparation for the referendum;



81) approve the form of the registration certificate of the initiative group for the referendum;

82) register the referendum initiative group and the issue (s) proposed (proposed) by it for the referendum, and places an official message about this in the media;

83) issue a certificate of registration of a referendum initiative group simultaneously with the issuance of subscription lists;

84) make a decision to terminate the activities of the members of the initiative group for the referendum, the activities of the initiative group and to revoke the certificate of its registration in cases provided for by the Constitutional Law of the Republic of Kazakhstan " On the Republican Referendum";

85) recognize the holding of a referendum in certain precincts (administrative-territorial units) invalid in the cases provided for by the Constitutional Law of the Republic of Kazakhstan "On the Republican Referendum";

86) sum up the results of the referendum in the Republic of Kazakhstan as a whole, ensures the transmission of information about this in the media;

87) establish the forms and texts of voting ballots, voter lists, signature lists, and other documents required for holding a referendum; the time of voting, as well as the procedure for storing referendum documents;

88) determine the procedure and terms for keeping signature lists and final protocols based on the results of the collection of signatures by the referendum initiative group;

89) direct referendum commissions, cancels and suspends their decisions, and also distributes funds among them for organizing and holding a referendum;

90) control the state of material and technical support of referendum commissions;

91) create consultative and advisory bodies;

91-1) develops and approves regulations for accreditation of public associations and non-commercial organisations the statutory activity thereof includes observation of elections;

91-2) accredits republican public associations and non-profit organizations the statutory activities thereof include the implementation of election observation activities;

91-3) develops and approves the regulations for procurement of goods, works and services required for the organisation and activities of election commissions during the preparation and conduct of elections, referendum;

91-4) elaborates and approves the qualification requirements for members of territorial electoral commissions;

92) perform other functions in accordance with the legislation of the Republic of Kazakhstan.

**Footnote. Paragraph 15 as amended by Decree of the President of the Republic of Kazakhstan dated September 26, 2018 No. 758; as amended by Decrees of the President of the Republic of Kazakhstan No. 620 of 10.07.2021; No. 109 of 23.01.2023.**

16. The Commission, within its competence, shall have the following rights:

1) listen to reports of state bodies and organizations on issues related to the preparation and conduct of elections and republican referendums, as well as information from public associations bodies on compliance with the legislation on elections and republican referendums;

2) request and receive the necessary information and materials from state bodies, organizations, their officials in the manner prescribed by the legislation of the Republic of Kazakhstan;

3) excluded by Decree of the President of the Republic of Kazakhstan dated September 26, 2018 No. 758;

4) exercise other rights provided for by the current laws of the Republic of Kazakhstan, acts of the President and the Government.

Footnote. Paragraph 16 as amended by Decree of the President of the Republic of Kazakhstan dated September 26, 2018 No. 758.

16-1. The commission shall be obliged to:

1) comply with the legislation of the Republic of Kazakhstan on elections and take measures to ensure compliance with the legislation of the Republic of Kazakhstan on elections;

2) timely consider appeals and complaints about decisions and actions (inaction) of election commissions;

3) take measures to eliminate the violations and deficiencies identified (being identified) during the state audit;

4) provide every citizen with the opportunity to get acquainted with documents, decisions and sources of information affecting his rights and interests;

5) comply with The Constitution and legislation of the Republic of Kazakhstan and respect the rights, freedoms, honor and dignity of others.

Footnote. The Regulation was supplemented with paragraph 16-1 in accordance with Decree of the President of the Republic of Kazakhstan dated September 26, 2018 No. 758.

### **Chapter 3. Organisation of the work of the Commission**

Footnote. The title of Chapter 3 - as reworded by Decree of the President of the Republic of Kazakhstan No. 109 of 23.01.2023.

17. The Commission shall be formed by the Chairperson and six members in the manner prescribed by the Constitution of the Republic of Kazakhstan.

18. The Chairperson of the Commission shall be appointed to office and dismissed from the post by the President of the Republic of Kazakhstan.

19. Two members of the Commission shall be appointed by the President of the Republic of Kazakhstan and the Chambers of the Parliament of the Republic of Kazakhstan, respectively.

20. The Deputy Chairperson and the Secretary of the Commission shall be elected at the first meeting of the Commission.

The Chairperson, members of the Central Election Commission and employees of its staff shall exercise their powers on a professional permanent basis.

**Footnote. Paragraph 20 as amended by Decree of the President of the Republic of Kazakhstan dated September 26, 2018 No. 758.**

21. The Commission shall be led by the Chairperson.

22. Chairperson of the Commission shall:

1) **excluded by Decree of the President of the Republic of Kazakhstan dated September 26, 2018 No. 758;**

2) upon the entry of the President of the Republic of Kazakhstan into office, present the President with an appropriate certificate and a badge of the sample established by the Commission, as well as the standard of the President of the Republic of Kazakhstan and the "Altyn Kyran" ("Golden Eagle") order of a special sample;

3) approve the structure and staffing of the staff of the Commission within the limits of the number and payroll determined by the Government of the Republic of Kazakhstan;

4) at the first session of the Parliament, before the election of the Chairperson of the Mazhilis, preside over the meetings of the Mazhilis of the Republics and Kazakhstan;

5) represent the interests of the Commission in court and other state bodies, and also has the right to delegate the authority to represent the interests of the Commission to other persons by issuing an appropriate power of attorney.

The exercise of the powers of the Chairperson of the Commission during the period of his absence shall be carried out by the person replacing him, in accordance with the current legislation of the Republic of Kazakhstan.

**Footnote. Paragraph 22 as amended by Decree of the President of the Republic of Kazakhstan dated September 26, 2018 No. 758.**

23. Sessions of the Commission during the preparation and conduct of the election campaign shall be held at least once every two weeks. At other times, the meetings of the Commission shall be held as necessary at the initiative of the Chairperson or at least one third of the members of the Commission.

Meetings of the Commission shall be competent if attended by at least two thirds of the total number of members of the Commission. The decisions of the Commission shall be adopted by an open vote by a majority of votes from the total number of its members, except for other cases established by the constitutional laws of the Republic of Kazakhstan "On elections in the Republic of Kazakhstan" and "On the republican referendum".

Members of the Commission who do not agree with its decision have the right to express a dissenting opinion, which shall be attached in writing to the minutes of the meeting of the Commission.

24. Organizational and informational and legal support of the Commission activities shall be carried out by its staff.

25. The staff of the Commission shall be headed by the head of the staff of the Commission, who is appointed and dismissed by the Chairperson of the Commission.

#### **Chapter 4. Property of the Commission**

**Footnote. The title of Chapter 4 - as reworded by Decree of the President of the Republic of Kazakhstan No. 109 of 23.01.2023.**

26. The Commission may have, based on the right of operational management, separate property in cases provided for by the legislation of the Republic of Kazakhstan.

The property of the Commission shall be formed at the expense of the property transferred to it by the owner, as well as property (including cash income) acquired as a result of its own activities and other sources not prohibited by the legislation of the Republic of Kazakhstan.

27. The property assigned to the Commission shall belong to the republican property.

28. The Commission shall not have the right to independently alienate or otherwise dispose of the property assigned to it and property acquired at the expense of funds issued by it under the financing plan, unless otherwise provided by the legislation of the Republic of Kazakhstan.

#### **Chapter 5. Reorganisation and dissolution of the Commission**

**Footnote. The title of Chapter 5 - as reworded by Decree of the President of the Republic of Kazakhstan No. 109 of 23.01.2023.**

29. The reorganization and abolition of the Commission shall be carried out in accordance with the legislation of the Republic of Kazakhstan.

#### **The list of organizations under the jurisdiction of the Central Election Commission of the Republic of Kazakhstan**

**Footnote. The Regulation was supplemented by the List in accordance with Decree of the President of the Republic of Kazakhstan dated January 29, 2015 No. 995.**

Republican state enterprise on the right of economic management "Engineering and Technical Center of the Central Election Commission of the Republic of Kazakhstan".