

On approval of the Accounting Rules for persons who are citizens of the Republic of Kazakhstan, permanently residing outside the Republic of Kazakhstan, foreigners wishing to adopt orphans, children left without parental care, who are citizens of the Republic of Kazakhstan

Unofficial translation

Order of Acting . Minister of Foreign Affairs of the Republic of Kazakhstan dated June 14, 2016 No. 11-1-2 / 262. It is registered in the Ministry of Justice of the Republic of Kazakhstan on July 21, 2016 No. 13958.

Unofficial translation

In accordance with paragraph 3 of Article 89 of the Code of the Republic of Kazakhstan " On Marriage (Matrimony) and Family" and subparagraph 1) of Article 10 of the Law of the Republic of Kazakhstan "On Public Services" **I HEREBY ORDER:**

Footnote. The preamble is in the wording of the order of the acting Minister of Foreign Affairs of the Republic of Kazakhstan dated 19.12.2022 No. 11-1-4/705 (shall be enforced upon expiry ten calendar days after the day of its first official publication).

1. To approve the attached Rules for the registration of persons who are citizens of the Republic of Kazakhstan, permanently residing outside the Republic of Kazakhstan, foreigners wishing to adopt orphans, children left without parental care, who are citizens of the Republic of Kazakhstan.

2. The Department of Consular Services of the Ministry of Foreign Affairs of the Republic of Kazakhstan shall ensure:

1) in the manner prescribed by law, the state registration of this order in the Ministry of Justice of the Republic of Kazakhstan;

2) within ten calendar days after the state registration of this order in the Ministry of Justice of the Republic of Kazakhstan, sending a copy of it in print and electronic form for official publication in periodicals and the Әділет legal system ;

3) within five working days from the date of receipt of this order from the Ministry of Justice of the Republic of Kazakhstan, sending a copy of it in hard copy and electronic form to the Republican state enterprise on the basis of economic management “Republican Legal Information Center of the Ministry of Justice of the Republic of Kazakhstan” for submission to the Reference Control Bank normative legal acts of the Republic of Kazakhstan;

4) the placement of this order on the official Internet resource of the Ministry of Foreign Affairs of the Republic of Kazakhstan.

3. The control over the execution of this order shall be entrusted to the First Deputy Minister of Foreign Affairs of the Republic of Kazakhstan Tleuberdi M.B.

4. This order becomes effective after ten calendar days after the day its first official publication.

Acting
Minister of Foreign Affairs
Republic of Kazakhstan

M. Tleuberdi

“Agreed”

Minister of Education and Science
Republic of Kazakhstan

_____ E. Sagadiev

June 22, 2016

Approved by the
Order of the Acting
Minister of Foreign Affairs of the
Republic of Kazakhstan
dated June 14, 2016 No. 11-1-2 / 262

Rules for registering persons who are citizens of the Republic of Kazakhstan, permanently residing outside the Republic of Kazakhstan, foreigners wishing to adopt orphans, children left without parental care, who are citizens of the Republic of Kazakhstan

Footnote. The Rules are in the wording of the order of the acting Minister of Foreign Affairs of the Republic of Kazakhstan dated 19.12.2022 No. 11-1-4/705 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Chapter 1. General Provisions

1. The rules for registering persons who are citizens of the Republic of Kazakhstan, permanently residing outside the Republic of Kazakhstan, foreigners wishing to adopt orphans, children left without parental care, who are citizens of the Republic of Kazakhstan (hereinafter - the Rules), have been developed in accordance with paragraph 3 of Article 89 of the Code of the Republic of Kazakhstan "On Marriage (Matrimony) and Family" (hereinafter - the Code "On Marriage (Matrimony) and Family") and subparagraph 1) of Article 10 of the Law of the Republic of Kazakhstan "On Public Services" (hereinafter - the Law on Public Services) and shall determine the procedure for registering citizens of the Republic of Kazakhstan permanently residing outside the Republic of Kazakhstan, foreigners wishing to adopt orphans, children left without parental care, who are citizens of the Republic of Kazakhstan.

2. The public service "Registration of persons who are citizens of the Republic of Kazakhstan, permanently residing outside the Republic of Kazakhstan, foreigners wishing to adopt orphans, children left without parental care, who are citizens of the Republic of Kazakhstan" (hereinafter - the public service) shall be provided by foreign institutions of the Republic of Kazakhstan (hereinafter - the service provider) to citizens of the Republic of

Kazakhstan permanently residing outside the Republic of Kazakhstan, foreigners wishing to adopt orphans, children left without parental care who are citizens of the Republic of Kazakhstan, or their authorized representatives (hereinafter - the service recipient).

Chapter 2. The procedure for the provision of a public service

3. To receive a public service, the service recipient shall submit to the service provider a written application (in any form) for registration indicating the surname, name, patronymic (if any), date and place of birth, passport number, by whom and when issued, as well as the following documents :

1) a petition from an adoption agency accredited by the Committee for the Protection of Children's Rights of the Ministry of Education of the Republic of Kazakhstan in accordance with the Code "On Marriage (Matrimony) and Family" in the form according to Appendix 1 to the Rules.

For persons who are citizens of the Republic of Kazakhstan, permanently residing in a country that has ratified the Convention on Legal Assistance and Legal Relations in Civil, Family and Criminal Matters, signed in Minsk on January 22, 1993 (hereinafter - the Convention), and foreigners who are citizens of the country, ratified the Convention, it is necessary to submit a petition of the authorities of this country, performing the functions of guardianship or trusteeship;

2) a completed registration card of persons who are citizens of the Republic of Kazakhstan permanently residing outside the Republic of Kazakhstan, foreigners wishing to adopt orphans, children left without parental care, who are citizens of the Republic of Kazakhstan, with a photograph in the form according to Appendix 2 to the Rules;

3) a notarized, as well as a legalized or apostilled letter of consent to assume obligations in the event of adoption of an orphan child, a child left without parental care, who is a citizen of the Republic of Kazakhstan, for submission through adoption agencies or a service provider to the Committee for the Protection of Children's Rights of the Ministry of Education of the Republic of Kazakhstan of reports on the conditions of his/her life, education, upbringing, and health status until the age of eighteen in the form according to Appendix 3 to the Rules.

The list of basic requirements for the provision of a public service, including the characteristics of the process, the form, content, and result of the provision, as well as other information, taking into account the specifics of the provision of public services, is given in Appendix 4 to these Rules.

If an incomplete package of documents provided for in paragraph 3 of these Rules is provided, or if the requirements provided for by these Rules are violated, the service provider shall refuse to accept them.

4. When the service recipient submits a complete package of documents, in accordance with the list provided for in paragraph 3 of these Rules, the service provider, within three

working days from the date of receipt of the documents, shall register the service recipient as those wishing to adopt orphans, children left without parental care who are citizens Republic of Kazakhstan, and shall issue an appropriate certificate of registration in the form, according to Appendix 5 to these Rules. A copy of the certificate shall be attached to the registration card.

If grounds for refusing to provide a public service are identified, the service provider shall inform the service recipient within two calendar days of the preliminary decision to refuse to provide the public service, as well as the time, date and place, method of holding the hearing to enable the service recipient to express a position on the preliminary decision.

The notification of the hearing shall be sent at least three working days before the end of the term for the provision of public service. The hearing shall be held no later than two working days from the date of notification.

Based on the results of the hearing, the service provider shall issue a certificate of registration as a person/person wishing/wishing to adopt an orphan child, a child left without parental care, who is a citizen of the Republic of Kazakhstan, or refuse to provide a public service.

5. Refusal to provide public services shall be carried out on the grounds specified in paragraph 9 of the List of basic requirements for the provision of public services.

6. In accordance with subparagraph 11) of paragraph 2 of Article 5 of the Law "On Public Services", the service provider shall ensure that data is entered into the information system for monitoring the provision of public services on the stage of provision of public services.

7. Registration cards shall be stored in alphabetical order in the card index of those registered under the section "Persons who are citizens of the Republic of Kazakhstan, permanently residing outside the Republic of Kazakhstan, foreigners wishing to adopt orphans, children left without parental care, who are citizens of the Republic".

8. Information about registered service recipients, once every six months before the 1st day of the month following the reporting period (until July 1 and January 1) shall be sent to the Department of consular service of the Ministry of Foreign Affairs of the Republic of Kazakhstan for further transfer to the Committee for the Protection of Children's Rights of the Ministry of Education of the Republic of Kazakhstan until the 10th day of the month following the reporting period (until July 10 and January 10).

9. The Ministry of Foreign Affairs of the Republic of Kazakhstan, within three working days from the date of making changes and (or) additions to these Rules, shall update them and send them to the foreign institutions of the Republic of Kazakhstan and the Unified Contact Center.

Chapter 3 The procedure for appealing decisions, actions (inaction) of central state bodies, as well as service providers and (or) their officials on the issues of provision of public services

10. Consideration of a complaint on the provision of public services shall be carried out by a higher administrative body, an official, or an authorized body for assessing and monitoring the quality of the provision of public services (hereinafter - the body considering the complaint).

The complaint shall be submitted to the service provider and (or) the official, whose decision, action (inaction) is appealed.

The service provider, the official whose decision, action (inaction) is being appealed, no later than three working days from the date of receipt of the complaint, shall send it and the administrative file to the body considering the complaint.

At the same time, the service provider, the official whose decision, action (inaction) is being appealed, shall have the right not to send a complaint to the body considering the complaint if it makes a decision or other administrative action within three working days that fully meets the requirements specified in the complaint.

The complaint of the service recipient, received by the service provider, in accordance with paragraph 2 of Article 25 of the Law on Public Services, shall be subject to consideration within five working days from the date of its registration.

The complaint of the service recipient, received by the body considering the complaint, shall be subject to consideration within fifteen working days from the date of its registration.

Unless otherwise provided by the laws of the Republic of Kazakhstan, an appeal to the court shall be allowed after a pre-trial appeal in accordance with paragraph 5 of Article 91 of the Administrative Procedure and Procedural Code of the Republic of Kazakhstan.

Appendix 1
to the Rules for registration
of persons, who are citizens
of the Republic of Kazakhstan,
permanently residing outside
the Republic of Kazakhstan,
foreigners wishing to adopt orphans,
children, left without parental
care who are citizens
of the Republic of Kazakhstan
Form

Name of the adoption agency (on the official letterhead)

Address:

telephone:

" ___ " _____ 20__ No. _____

Name
of the foreign institution
of the Republic of Kazakhstan
foreign missions
Republic of Kazakhstan

Petition

_____ " (name of the adoption agency, license number, dated " ____ " ____, date of accreditation in the Republic of Kazakhstan) hereby asks to register a person/ persons wishing to adopt an orphan (orphans), a child (- children) left without parental care, who is (are) a citizen (s) of the Republic of Kazakhstan, _____.

This (these) citizen(s) meet all the requirements of the legislation of the Republic of Kazakhstan.

Signature of the official surname, name, patronymic (if any)

Appendix 2
to the Rules for registration
of persons, who are citizens
of the Republic of Kazakhstan,
permanently residing outside
the Republic of Kazakhstan,
foreigners wishing to adopt orphans,
children, left without parental
care who are citizens
of the Republic of Kazakhstan

_____ (name of
foreign institution of the Republic of Kazakhstan)

Photo

Registration card of persons who are citizens of the Republic of Kazakhstan, permanently residing outside the Republic of Kazakhstan, foreigners wishing to adopt orphans, children left without parental care, who are citizens of the Republic of Kazakhstan

1.	Surname, name, patronymic (if any)	
2.	Date and place of birth	
3.	Passport number, by whom and when issued	
4.	Citizenship	
5.	Residential address	
6.	Education	
7.	Place of work	
8.	Surname, name, patronymic (if any) of the spouse	

9.	Date and place of birth	
10.	Passport number, by whom and when issued	
11.	Citizenship	
12.	Residential address	
13.	Education	
14.	Place of work	

" ___ " _____ 20__ года

I hereby give my consent to access to personal data of restricted access, which are required for the provision of public services in accordance with Article 8 of the Law of the Republic of Kazakhstan "On Personal Data and their Protection".

Signature _____

" ___ " _____ 20__

Appendix 3
to the Rules for registration
of persons, who are citizens
of the Republic of Kazakhstan,
permanently residing outside
the Republic of Kazakhstan,
foreigners wishing to adopt orphans,
children, left without parental
care who are citizens
of the Republic of Kazakhstan

Form

IN _____

(name of a foreign institution
of the Republic of Kazakhstan)

From a citizen (surname,
name, patronymic (if any),
citizenship)

address and phone number:

Application-consent to assume obligations in case of adoption of an orphan child, a child left without parental care, who is a citizen of the Republic of Kazakhstan, to provide through adoption agencies or foreign institutions of the Republic of Kazakhstan to the Committee for the Protection of Children's Rights of the Ministry of Education of the Republic of Kazakhstan reports on the conditions of his/her life, education, upbringing, and health status before reaching the age of eighteen years old

I hereby, _____

in the case of adoption of an orphan child, a child left without parental care, who is a citizen of the Republic of Kazakhstan, shall undertake to provide reports on the conditions of his/her life, education, upbringing, and state of health until they reach the age of eighteen through adoption agencies or foreign institutions of the Republic of Kazakhstan to the Committee for the Protection of Children's Rights of the Ministry of Education of the Republic of Kazakhstan.

I hereby know that in accordance with the legislation of the Republic of Kazakhstan, an adopted orphan child,

a child left without parental care, who is a citizen of the Republic of Kazakhstan, until reaching the age of majority

(18 years old) shall retain the citizenship of the Republic of Kazakhstan and an authorized employee

of a foreign institution of the Republic of Kazakhstan at any time shall have the right to visit the adoptive

parent in order to check the conformity of the conditions of his/her life, education, upbringing and health status.

" ___ " _____ 20__

_____ (applicant's signature)

Appendix 4
to the Rules for registration of persons, who are citizens of the Republic of Kazakhstan, permanently residing outside the Republic of Kazakhstan, foreigners wishing to adopt orphans, children, left without parental care who are citizens of the Republic of Kazakhstan

Form

The list of basic requirements for the provision of a public service

"Registration of persons who are citizens of the Republic of Kazakhstan, permanently residing outside the Republic of Kazakhstan, foreigners wishing to adopt orphans, children left without parental care, who are citizens of the Republic of Kazakhstan"

1	Name of the service provider	Foreign institutions of the Republic of Kazakhstan
		Acceptance of applications and issuance of the results of the

2	Methods of provision of a public service	provision of public services shall be carried out by foreign institutions of the Republic of Kazakhstan.
3	The term for the provision of a public service	3 (three) working days
4	Form of provision of a public service	Paper
5	The result of the provision of a public service	A certificate of registration as a person/person wishing/wishing to adopt an orphan child, a child left without parental care, who is a citizen of the Republic of Kazakhstan or a reasoned response to the refusal to provide public services.
6	The amount of payment charged from a service recipient in the provision of public services, and methods of its collection in cases provided for by the legislation of the Republic of Kazakhstan	<p>The public service shall be provided to individuals on a paid basis at the rates of the consular fee, in accordance with the Code of the Republic of Kazakhstan "On taxes and other obligatory payments to the budget (Tax Code)" and the order of the Minister of Foreign Affairs of the Republic of Kazakhstan dated May 20, 2019 No. 11-1- 4/227 "On approval of consular fee rates for consular activities in the territory of a foreign state" (registered in the register of state registration of regulatory legal acts under No. 18702).</p> <p>Payment of the consular fee shall be carried out in cash or non-cash form through second-tier banks or organizations that carry out certain types of banking operations.</p> <p>The conditions for exemption from paying the consular fee shall be regulated in accordance with the Code of the Republic of Kazakhstan "On taxes and other obligatory payments to the budget (Tax Code)".</p>
		<p>From Monday to Friday inclusive, from 9:00 to 18:30 with a lunch break from 13:00 to 14:30, except weekends and holidays, in accordance with the Labor Code of the Republic of Kazakhstan.</p> <p>Documents shall be accepted by the service provider from 09:30 to 12:30 , and the results of the provision of</p>

Schedule of work of the service provider, State Corporation and information objects

public services shall be issued from 16:00 to 17:00. Wednesday is a non-visiting day.

In foreign countries with a hot and humid climates, the work schedule of the service provider shall be set in relation to local conditions.

The public service shall be provided on a first-come, first-served basis, without prior appointment and expedited service, it is possible to book a queue through the Internet resource of the service provider.

Addresses of places of provision of public services and the work schedule of service providers are posted on the Internet resource of the Ministry of Foreign Affairs of the Republic of Kazakhstan www.gov.kz.

1) a petition from an adoption agency accredited by the Committee for the Protection of Children's Rights of the Ministry of Education of the Republic of Kazakhstan in accordance with the Code of the Republic of Kazakhstan "On Marriage (Matrimony) and Family" in the form according to Appendix 1 to the Rules for registering persons who are citizens of the Republic of Kazakhstan permanently residing outside the Republic of Kazakhstan, foreigners wishing to adopt orphans, children left without parental care, who are citizens of the Republic of Kazakhstan approved by the order of the Acting Minister of Foreign Affairs of the Republic of Kazakhstan dated June 14, 2016 No. 11-1-2 / 262 (registered in the Register of state registration of regulatory legal acts under No. 13958) (hereinafter - the Rules).

For persons who are citizens of the Republic of Kazakhstan, permanently residing in a country that has ratified the Convention on Legal Assistance and Legal Relations in Civil, Family and Criminal Matters, signed in Minsk on January 22, 1993 (hereinafter- the Convention), and foreigners who are citizens of the country, ratified the

	List of documents and information required from the service recipient for the provision of public services	<p>Convention, it is necessary to submit a petition of the authorities of this country, performing the functions of guardianship or trusteeship;</p> <p>2) a completed registration card of persons who are citizens of the Republic of Kazakhstan permanently residing outside the Republic of Kazakhstan, foreigners wishing to adopt orphans, children left without parental care, who are citizens of the Republic of Kazakhstan, with a photograph in the form in accordance with Appendix 2 to the Rules;</p> <p>3) a notarized, as well as a legalized or apostilled letter of consent to assume obligations in the event of adoption of an orphan child, a child left without parental care, who is a citizen of the Republic of Kazakhstan, for submission through adoption agencies or a service provider to the Committee for the Protection of Children's Rights of the Ministry of Education of the Republic of Kazakhstan of reports on the conditions of his/her life, education, upbringing, and health status until the age of eighteen in the form in accordance with Appendix 3 to the Rules.</p>
9	Grounds for refusal to provide public services, established by the legislation of the Republic of Kazakhstan	<p>1) establishing the unreliability of the documents submitted by the service recipient for the receipt of the public service, and (or) the data (information) contained in them;</p> <p>2) non-compliance of the service recipient and (or) the submitted data and information necessary for the provision of the public service with the requirements of these Rules;</p> <p>3) absence of the consent of the service recipient, provided in accordance with Article 8 of the Law of the Republic of Kazakhstan "On personal data and their protection", to access personal data of limited access, which are required for the provision of public services.</p>
		The maximum allowable waiting time for the delivery of a package of

10	Other requirements, taking into account the specifics of the provision of public services, including those provided in electronic form and through the State Corporation	documents by the service recipient is 30 (thirty) minutes. The maximum allowable service time for a service recipient is 20 (twenty) minutes. Contact numbers of inquiry services on the provision of public services are indicated on the Internet resource www.gov.kz section "Public Services", the Unified Contact Center for the provision of public services: 1414, 8 800 080 7777.
----	--	---

Appendix 5
to the Rules for registration
of persons, who are citizens
of the Republic of Kazakhstan,
permanently residing outside
the Republic of Kazakhstan,
foreigners wishing to adopt orphans,
children, left without parental
care who are citizens
of the Republic of Kazakhstan

Form

" ___ " _____ 20___ № _____

Certificate

We hereby confirm that citizens/citizen _____

_____ (name of the country)

Surname, name, patronymic (if any) (in full) _____

_____ Date of birth _____

Surname, name, patronymic (if any) (in full) _____

_____ Date of Birth _____

are registered as persons/person wishing to adopt an orphan child, a child left without parental care, who is a citizen of the Republic of Kazakhstan.

Surname, name, patronymic (if any) of the employee of a foreign institution of the Republic of Kazakhstan

signature (seal place)

