

On approval of Rules and cases of registration and deregistration as the unemployed of the family members of the military personnel, staff of special state and law enforcement bodies, and also of persons in their dependence not engaged in labor activity

Invalidated Unofficial translation

Order No. 320 of the acting Minister of labour and social protection of the Republic of Kazakhstan dated 29 September 2017. Registered in the Ministry of justice of the Republic of Kazakhstan on October 10, 2017 № 15865. Abolished by the Order of the Minister of Labor and Social Protection of the Population of the Republic of Kazakhstan dated June 2, 2023 No. 197.

Unofficial translation

On approval of Rules and cases of registration and deregistration as the unemployed of the family members of the military personnel, staff of special state and law enforcement bodies, and also of persons in their dependence not engaged in labor activity

Footnote. Abolished by the Order of the Minister of Labor and Social Protection of the Population of the Republic of Kazakhstan dated June 2, 2023 No. 197 (effective from 01.07.2023).

In accordance with subparagraph 4) of paragraph 2, Article 8 of the Law of the Republic of Kazakhstan “On Public Employment” dated April 6, 2016, **I hereby ORDER:**

1. Approve the Rules and cases of registration and deregistration as the unemployed of the family members of the military personnel, staff of special state and law enforcement bodies, and also of persons in their dependence not engaged in labor activity, in accordance with the appendix to this order.

2. In accordance with the procedure established by law, the Department of employment and labor market development shall:

1) provide the state registration of this order with the Ministry of Justice of the Republic of Kazakhstan;

2) within ten calendar days from the date of state registration of this order, direct its copy in paper and electronic forms in the Kazakh and Russian languages to the Republican State Enterprise with the Right of Economic Management “Republican Center of Legal Information” for official publication and inclusion in the Reference Control Bank of Regulatory Legal Acts of the Republic of Kazakhstan;

3) place this order on the Internet resource of the Ministry of Labor and Social Protection of the Population of the Republic of Kazakhstan;

4) within ten working days after the state registration of this order with the Ministry of Justice of the Republic of Kazakhstan, submit the data to the Legal Service Department on execution of the actions provided for in subparagraphs 1), 2) and 3) of this paragraph.

4. I shall personally supervise the execution of this order.

5. This order shall be enforced upon expiry of ten calendar days after the date of its first official publication.

Acting

*Minister of Labor and Social
Protection of the Population
of the Republic of Kazakhstan*

B. Nurymbetov

AGREED

Prosecutor General
of the Republic of Kazakhstan

_____ Zh. Asanov

September 12, 2017

AGREED

Minister of Healthcare
of the Republic of Kazakhstan

_____ E. Birtanov

September 13, 2017

AGREED

Minister of Finance
of the Republic of Kazakhstan

_____ B. Sultanov

September 14, 2017

AGREED

Minister of Defense
of the Republic of Kazakhstan

_____ S. Zhasuzakov

September 15, 2017

AGREED

Head of State Guard Service
of the Republic of Kazakhstan

_____ A. Kurenbekov

September 15, 2017

AGREED

Chairman of the Agency
of the Republic of Kazakhstan
for Civil Service Affairs
and Anti-Corruption

_____ K. Kozhamzharov
September 14, 2017

AGREED

Director of Foreign Intelligence Service
of the Republic of Kazakhstan "Syrbar"

_____ G. Bayzhanov
September 14, 2017

AGREED

Chairman
of the National Security Committee
of the Republic of Kazakhstan

_____ K. Massimov
September 15, 2017

AGREED

Minister of Internal Affairs
of the Republic of Kazakhstan

_____ K. Kassymov
September 18, 2017

Appendix to
Order No. 320
of the acting Minister
of Labor and Social Protection
of the Population
of the Republic of Kazakhstan
dated September 29, 2017

Rules and cases of registration and deregistration as the unemployed of the family members of the military personnel, staff of special state and law enforcement bodies, and also of persons in their dependence not engaged in labor activity Chapter 1. General Provisions

1. These Rules and cases of registration and deregistration as the unemployed of the family members of the military personnel, staff of special state and law enforcement bodies, and also of persons in their dependence not engaged in labor activity (hereinafter referred to as Rules), are developed in accordance with sub-paragraph 4) of paragraph 2, Article 8 of the Law of the Republic of Kazakhstan “On Public Employment” dated April 6, 2016.

2. The rules determine the procedure and cases of registration and deregistration as the unemployed of the family members of the military personnel, staff of special state and law enforcement bodies, and also of persons in their dependence not engaged in labor activity (hereinafter - family members).

3. In these Rules the following basic concepts shall be used:

1) special state bodies - state bodies directly subordinate and accountable to the President of the Republic of Kazakhstan that are an integral part of the national security forces of the Republic of Kazakhstan, performing intelligence and counterintelligence activities, and also a set of legal, organizational, operational-search and technical measures aimed at ensuring the safety of protected persons and objects in order to prevent threats to the national security of the Republic of Kazakhstan;

2) The Social Health Insurance Fund (hereinafter referred to as the Fund) – a non-profit organization that accumulates contributions and fees, and also carries out procurements and payments for services of healthcare subjects, providing medical care in the amounts and on the conditions stipulated by the contract on medical services procurement and other functions, determined by the laws of the Republic of Kazakhstan;

3) The Center for labor resources development (hereinafter - the Center) - a legal entity established by the resolution of the Government of the Republic of Kazakhstan, providing information and analytical support for government policies on labor market regulation and active assistance measures to employment, methodological support to local authorities on employment issues and to the population employment centers;

4) the unemployed - persons not belonging to the employed population, looking for work and ready to work;

5) law enforcement body - a state body that ensures observance and protection of the rights and liberties of an individual and a citizen, legitimate interests of individuals and legal entities, the state, implements the state policy on countering crime and other wrongdoings within its competence, is endowed with special powers of maintaining the rule of law and public order, detection, prevention, suppression, investigation of offenses, execution of criminal judgments.

Chapter 2. Procedure for registration as the unemployed of the family members of the military personnel, staff of special state and law enforcement bodies, and also of persons in their dependence not engaged in labor activity

4. Military personnel, employees of special state and law enforcement bodies (hereinafter referred to as the staff) shall make a written application (in arbitrary form) for registration of the family members as the unemployed with attached lists of family

members to structural subdivisions of the Ministry of Defense of the Republic of Kazakhstan, special state and law enforcement bodies, carrying out the functions of human resourcing and personnel policy (hereinafter - personnel units).

5. On the basis of applications of the staff, the personnel units shall form lists of the family members.

6. Within two working days from the date of the applications receipt from the employees, the personnel units shall enter personal data (individual identification number) of the family members in the information system of the Fund, indicating their current status as “not working”.

7. On the basis of the entered data, the Fund shall check for availability of contributions to the family members’ benefit within mandatory social health insurance.

8. The Fund’s information system automatically generates lists of the family members with the current status of “not working” and transfers them to the Labor Market information system.

9. Lists of the family members with the current status of “not working” shall be reflected in the Labor Market information system solely for the Center.

10. The Center shall automatically check the family members for payment of contributions or fees in accordance with the laws of the Republic of Kazakhstan.

11. Upon the checking results, in cases of non-payment of contributions or deductions to the family members’ benefit, within one working day the Center shall adopt a decision on registering the family members as the unemployed.

12. Registration of the family members as the unemployed shall be made by the Center in the Labor Market information system within one working day in automatic mode.

13. The Center shall ensure confidentiality of personal data of the family members registered as the unemployed in accordance with the legislation of the Republic of Kazakhstan on personal data and their protection.

Chapter 3. Procedure for deregistration as the unemployed of the family members of the military personnel, staff of special state and law enforcement bodies, and also of persons in their dependence not engaged in labor activity

14. Deregistration of the family members as the unemployed shall be carried out on the basis of information from personnel units, and also on the basis of the checking conducted by the Center monthly.

15. Personnel units shall enter data in the information system of the Fund on the family members subject to deregistration as the unemployed upon occurrence of one of the following events:

- 1) change of the "non-working" status of the family member (members);
- 2) termination of service by the employees;

3) death or departure for permanent residence of a member (members) of the families outside the Republic of Kazakhstan.

16. Removal from the register of the family members as the unemployed on the basis of the data from personnel units shall be carried out in the following order:

1) personnel units shall enter the data in the information system of the Fund on the family members who are subject to deregistration as the unemployed in accordance with paragraph 15 of the Rules;

2) the data on family members subject to deregistration as the unemployed is automatically transferred to the Labor Market information system within one working day;

3) within one working day from the date of receipt of information on the family members, their deregistration as the unemployed is automatically carried out.

17. Upon results of the checking carried out by the Center on a monthly basis, in the availability of contributions or deductions to the benefit of the family members registered as the unemployed, their deregistration as the unemployed is automatically carried out.

18. Within one working day from the date of deregistration of family members as the unemployed, data on them shall be forwarded to the information system of the Fund automatically.

19. Within one working day from the date of entering information in the Fund's information system on deregistration of the family members as the unemployed, the Fund shall forward the relevant data to the personnel units.