



On approval of the List of senior positions being replaced on a competitive basis, and the Rules for conduct of a competition for higher senior positions in the system of prosecution authorities of the Republic of Kazakhstan

Unofficial translation

Order of the General Prosecutor of the Republic of Kazakhstan dated September 25, 2018 No. 118. Registered in the Ministry of Justice of the Republic of Kazakhstan on September 28, 2018 No. 17447.

Unofficial translation

In accordance with paragraph 1-1 of Article 33 of the Law of the Republic of Kazakhstan dated January 6, 2011 "On law enforcement service", **I ORDER:**

1. To approve:

1) The list of senior positions, being replaced on a competitive basis, of the system of prosecution authorities of the Republic of Kazakhstan, in accordance with Annex 1 to this order;

2) Competition rules for the higher senior positions of the system of prosecution authorities of the Republic of Kazakhstan in accordance with Annex 2 to this order.

2. Personnel development Department of the General Prosecutor's Office of the Republic of Kazakhstan to ensure:

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

2) within ten calendar days from the date of the state registration of this order, to send a copy in the Kazakh and Russian languages to the Republican state enterprise on the basis of the right of economic management "Republican Center for Legal Information" of the Ministry of Justice of the Republic of Kazakhstan for official publication and inclusion into the Reference Control Bank of regulatory legal acts of the Republic of Kazakhstan;

3) the placement of this order on the official Internet resource of the General Prosecutor's Office of the Republic of Kazakhstan.

3. Personnel development Department of the General Prosecutor's Office of the Republic of Kazakhstan shall be authorized to oversee the implementation of this order.

4. This order shall come into force on the day of its first official publication.

*Prosecutor General of the
Republic of Kazakhstan*

K. Kozhamzharov

Annex 1
to the order of the Prosecutor
General of the
Republic of Kazakhstan
dated September 25, 2018, № 118

The List of senior positions being replaced on a competitive basis, of the system of prosecution authorities of the Republic of Kazakhstan

1. District and equal to it, the municipal, inter-district, as well as a specialized prosecutor (military, environmental, transport, prosecutor of special objects).

2. A head of the prosecutor's office of the region and the prosecutor's office equated to it (the prosecutor's offices of cities of republican significance and the capital of the Republic of Kazakhstan, the main military and transport prosecutor's offices).

Annex 2
to the order of the Prosecutor
General of the
Republic of Kazakhstan
dated September 25, 2018, № 118

The Rules for the conduct of a competition for higher senior positions of the system of prosecution authorities of the Republic of Kazakhstan

Chapter 1. General provisions

1. These Rules for the conduct of a competition for the higher senior positions of the system of prosecution authorities of the Republic of Kazakhstan (hereinafter referred to as the Rules) shall determine the procedure for the conduct of the competition for the higher senior positions of the system of the prosecution authorities of the Republic of Kazakhstan (hereinafter referred to as the Competition).

2. The competition shall be held for vacant positions in accordance with the List of senior positions, being replaced on a competitive basis, of the system of prosecution authorities of the Republic of Kazakhstan (hereinafter referred to as the prosecution authorities).

The competition shall be announced within one month from the date of formation of the vacancy.

3. The competition for the position of a district and equivalent to it municipal, inter-district, as well as a specialized prosecutor (military, environmental, transport, prosecutor of special objects) shall be conducted by the General Prosecutor's Office of the Republic of Kazakhstan (hereinafter referred to as the Prosecutor General's Office), for the position of a head of the regional prosecutor's office and the prosecutor's office equivalent to it (prosecutor's offices of cities of republican significance and the capital of the Republic of Kazakhstan, the main military and transport prosecutor's offices) – the prosecutor's office of the region and the prosecutor's office equivalent to it (the prosecutor's offices of cities of republican significance and the capital of the Republic of Kazakhstan, the main military and transport prosecutor's offices) (hereinafter - the prosecutor's office of the region).

4. The competition shall consist of the following types:

1) an internal competition among employees of the prosecution authorities (hereinafter - the internal competition);

2) an interdepartmental competition among employees of other law enforcement agencies (hereinafter referred to as an interdepartmental competition).

In the absence of candidates who have received a positive opinion from the competition commission at the internal competition, an interdepartmental competition shall be held.

5. The main criteria for the selection of candidates for vacant higher senior positions shall be the impeccable reputation, professional, business and personal qualities. At that, in the internal competition, the priority shall be given to the candidates who are in the personnel reserve for a higher senior position.

6. Competitive selection for a higher senior position shall be carried out by examining the candidates for compliance with the Qualification requirements for the categories of positions of employees of the prosecution authorities (hereinafter referred to as the Qualification requirements), testing for knowledge of the current legislation of the Republic of Kazakhstan (hereinafter – the computer testing) and interviewing.

The qualification requirements shall be approved by the order of the Prosecutor General of the Republic of Kazakhstan dated August 28, 2013, No. 90 (registered in the Register of the state registration of regulatory legal acts under No. 8780).

Chapter 2. Procedure and conditions of an internal competition

7. The announcement of an internal competition shall be published on the Internet - resource of the prosecutor's office that announced the competition.

8. An internal competition shall be held among the employees of the prosecution authorities who meet the qualification requirements for the announced position.

9. An application for participation in the internal competition shall be submitted to the personnel service of the prosecutor's office that announced the competition, not later than five working days from the date of publication of the announcement, according to the form in Annex 1 to these Rules.

10. The application shall be attached with a certificate of performance results, reflecting the basic performance indicators and real achievements, signed by the immediate supervisor, a letter of recommendation from the official, supervising the candidate (hereinafter referred to as a letter of recommendation), in accordance with the form in the Annex 2 to this Rules.

Letters of recommendation for employees of the General Prosecutor's Office shall be signed by the heads of the structural units of the General Prosecutor's Office or their deputies, for employees of the regional prosecutor's offices, the Academy of law enforcement agencies

of the General Prosecutor's Office, the Committee on legal statistics and special records of the General Prosecutor's Office and its territorial bodies – by the heads of prosecution authorities or their deputies.

11. In the case of submission of an incomplete package of documents, specified in paragraph 10 of these Rules, as well as with violation of the period, stipulated by paragraph 9 of these Rules, the personnel service shall reject the application of the candidate to participate in the competition.

12. The personnel service of the relevant prosecutor's office shall examine the candidates for compliance with the qualification requirements for an announced position, as well as their professional, business and personal qualities.

13. If the candidate meets the qualification requirements for an announced position, the candidate shall be sent for computer testing.

14. To obtain complete and objective information about candidates, check lists shall be sent to the internal security service of the prosecution authority.

15. The internal security service of the prosecution authority, based on the results of the examination of candidates, shall send the relevant information to the personnel service not later than five working days before the interview.

16. Materials for candidates (track record, certificate of performance results, letter of recommendation, computer test results, as well as other materials characterizing their personality) shall be sent to the commission not later than three working days before the interview.

17. The candidate shall be notified of the date and time of the interview not later than three working days before it.

Chapter 3. Procedure and conditions for an interdepartmental competition among employees of other law enforcement agencies

18. Employees of other law enforcement agencies shall take part in an inter-departmental competition, subject to compliance with the qualification requirements for the position announced.

19. An application for participation in an interdepartmental competition shall be submitted to the personnel service of the prosecutor's office that announced the competition, not later than ten working days from the date of publication of the announcement, according to the form in Annex 3 to these Rules.

20. The application shall be attached with a record of service, certified by the personnel service of the law enforcement agency, a certificate of performance results, reflecting the basic performance indicators and real achievements, and a letter of recommendation, in accordance with the form, specified in Annex 4 to these Rules, signed by the immediate supervisor.

21. In the case of submission of an incomplete package of documents, specified in paragraph 20 of these Rules, as well as with violation of the period, provided for by paragraph 19 of these Rules, the personnel service shall reject the application of the candidate to participate in the competition.

22. The personnel service of the relevant prosecutor's office shall examine the candidates for compliance with the qualification requirements for an announced position, as well as their business and personal qualities.

23. If the candidate meets the qualification requirements for an announced position, the candidate shall be sent for computer testing.

24. To obtain complete and objective information about the individual, the lists of candidates for verification shall be sent to the internal security service of the prosecutor's office, if necessary, information shall be requested from the law enforcement agency at the candidate's place of work.

25. The internal security service of the prosecution authority, based on the results of the examination of candidates, shall send the relevant information to the personnel service not later than five working days before the interview.

26. Materials for candidates (track record, certificate of performance, computer test results, as well as other materials, characterizing their personality) shall be sent to the commission not later than three working days before the interview.

27. The candidate shall be notified of the date and time of the interview not later than three working days before it.

Chapter 4. Organization of computer testing

28. Testing of candidates shall be carried out by the Prosecutor General's Office in the testing room of the Prosecutor General's Office or in the prosecutor's office of the region in the online mode on the information system "Testing system for employees of the prosecution authorities of the Republic of Kazakhstan" in the Kazakh or Russian languages.

The testing process shall be carried out through the use of video conferencing with audio - video logging over the secured communication channels of the Unified transport environment of the prosecution authorities.

29. The candidate shall be tested by the computer testing Program for knowledge of the legislation of the Republic of Kazakhstan, in accordance with Annex 5 to these Rules.

30. Candidates who have an identity document of a citizen of the Republic of Kazakhstan with an individual identification number shall be allowed to pass the test.

31. Prior to testing, the representative of the personnel service shall conduct a briefing on the procedure for testing, if any questions arise, he makes relevant explanations.

32. A candidate who has an unsatisfactory state of health at the time of testing shall inform the representative of the personnel service before the start of testing. In this case, the

testing of such a candidate shall be carried out at another time during this day or on another day.

33. During the testing, the candidates shall not be allowed to leave the test room, talk with other candidates, exchange materials, use receiving, transmitting electronic devices (including cell phones, PDAs and other electronic equipment), paper media.

34. In case of violation of the requirements of paragraph 33 of these Rules, the representative of the personnel service shall stop the testing, remove the candidates who committed the violation from the testing room and draw up the corresponding act in any form. The test results of the candidate shall be canceled.

35. Time to complete the test shall be 90 minutes (120 questions).

When the time, allotted for the tests, ends, the program automatically closes.

36. The test thresholds shall be at least 70% of the correct answers from the total number of questions.

37. Counting the correct answers of testing shall be carried out automatically using a computer program.

38. After completion of testing, the candidates shall receive the test results with an indication of their last name, first name and patronymic (if any), date, time spent, number of correct answers.

39. Test results shall be valid for one year from the date of testing.

Chapter 5. The interview procedure

40. Interviews with candidates shall be conducted by a commission of the prosecutor's office, the composition of which is approved by its head.

41. The commission shall include the heads of divisions of the prosecution authority, representatives of the internal security service, personnel service and other employees.

The secretary of the commission shall be a representative of the personnel service of the prosecutor's office, who provides organizational support for its work and does not participate in the voting.

Psychologists, experts who are not employees and workers of the prosecutor's office, who have experience in certain specialties, including in the scientific field, as well as specialists for the selection and promotion of personnel, may be invited to participate in the commission's work; their opinion is advisory.

42. The commission should include at least five members.

43. A meeting of a commission shall be deemed valid if it is attended by at least two thirds of the total number of members of the commission.

44. Candidates who meet the qualification requirements for an announced position and have positive computer test results shall be allowed to be interviewed.

The positive results of computer testing shall be the results that are not lower than those established by paragraph 36 of these Rules.

45. Candidates admitted to the interview, shall pass it at the prosecutor's office, which announced the competition, in accordance with the schedule posted on its Internet resource.

The interview can be conducted online through video conferencing with audio - video logging over the secured communication channels of the Unified transport environment of the prosecution authorities.

46. Following the results of the interview, the commission shall take one of the following decisions:

1) to recommend for appointment to the announced vacant position;

2) to refuse to appoint to the announced vacant position.

47. Interviews with candidates shall be made in the form of a minutes and shall be recorded using technical means of recording (audio and (or) video).

48. The minutes of the interview with the candidate shall be signed by the chairman, members of the commission.

A note shall be made in the minutes of the commission meeting about the use of recording equipment by the commission.

49. The materials, recorded during the interview with the help of technical means of recording shall be stored in the personnel service of the prosecutor's office for at least one year after the end of the competition.

50. A candidate shall receive a positive opinion of the commission if a majority of those present from the commission vote for him.

In case of equality of votes in voting, the vote of the chairman of the commission shall be decisive.

51. The personnel service of the prosecutor's office shall notify the candidates of the decision taken by the commission within three working days from the date of its meeting.

52. The head or authorized head of the prosecution authority shall appoint a candidate, recommended by the commission to the announced vacant position not later than five working days from the date of the commission's meeting.

53. If one candidate participates in the competition and receives a positive opinion from the commission, his appointment can be made on the day of the commission's meeting.

Chapter 6. Final provisions

54. The decision of the commission may be appealed in a higher prosecution authority (superior official) or in a court.

Application for participation in an internal competition

Please allow me to participate in an internal competition for a vacant position.

—
(name of the position)

I am familiar (I agree) with the conditions and the procedure of an internal competition for a vacant position in the prosecution authorities of the Republic of Kazakhstan, agree and undertake to comply with them.

The application is attached with the following documents.

1. _____
2. _____
3. _____

I confirm the authenticity of the submitted documents.

Signature
(last name, first name, patronymic
(if available))
" ____ " _____ 20____

Contact phone / Email _____

Annex 2
to the Rules for the conduct of a
competition for higher senior
positions of the system of
prosecution authorities of the
Republic of Kazakhstan

A letter of recommendation to the candidate for participation in an internal competition

To participate in an internal competition for the announced vacancy

—
(name of the position)

I recommend _____

—
(last name, first name, patronymic (if any) of the candidate, name of the position)

—

—

The candidate has such qualities as

(professional, business and personal qualities of the candidate; examples, confirming that the candidate has the listed qualities)

Additional information:

Position signature Last name, first name, patronymic (if any) of the recommender

Annex 3
to the Rules for the conduct of a
competition for higher senior
positions of the system of
prosecution authorities of the
Republic of Kazakhstan
Form

Application for participation in an inter-departmental competition

Please allow me to participate in an interdepartmental competition for a vacant position.

(name of the position)

I am familiar (I agree) with the conditions and the procedure of an inter-departmental competition for a vacant position in the prosecution authorities of the Republic of Kazakhstan , agree and undertake to comply with them.

The application is attached with the following documents:

- 1. _____
- 2. _____
- 3. _____

I confirm the authenticity of the submitted documents.

Signature

(Last name, first name patronymic (if available))

" _____ "

Program of computer testing for knowledge of the legislation of the Republic of Kazakhstan

Program	Number of questions
The test for knowledge of the legislation of the Republic of Kazakhstan includes the questions on: The Criminal Code of the Republic of Kazakhstan (35 questions), Criminal Procedure Code of the Republic of Kazakhstan (35 questions), Laws of the Republic of Kazakhstan: “On the prosecutor’s office” (25 questions), “On counteracting corruption” (15 questions), the Ethical Code of Civil Servants of the Republic of Kazakhstan (Rules of Official Ethics of Civil Servants), approved by the Decree of the President of the Republic of Kazakhstan dated December 29, 2015 No. 153 (10 questions).	120