



**On certain issues on replacing senior management positions of the anti-corruption service on a competitive basis**

*Invalidated Unofficial translation*

Order of the Chairman of the Agency of the Republic of Kazakhstan on Civil Service Affairs and Anti-Corruption of September 27, 2018 No. 238. Registered with the Ministry of Justice of the Republic of Kazakhstan on October 11, 2018 No. 17531.

*Unofficial translation*

**Footnote. It became invalid by the order of the Chairman of the anti-corruption Agency of the Republic of Kazakhstan (anti-Corruption service) dated 06.08.2019 No. 184 (effective from the date of its first official publication).**

In accordance with paragraph 1-1 of Article 33 of the Law of the Republic of Kazakhstan of January 6, 2011 "On Law Enforcement Service" I HEREBY ORDER:

1. To approve:

1) The list of senior positions of the anti-corruption service, replaced on a competitive basis, according to Appendix 1 to this Order;

2) The Rules for Conducting of the Competition for the Senior Management Positions of the Anti-Corruption Service in accordance with Appendix 2 to this Order.

2. The National Anti-Corruption Bureau (Anti-Corruption Service) of the Agency of the Republic of Kazakhstan for Civil Service Affairs and Anti-Corruption ( hereinafter referred to as the National Bureau) shall ensure:

1) 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, sending it both in Kazakh and Russian languages to the Republican State Enterprise on the Right of Economic Management "Republican Center for Legal Information" for official publication and inclusion in the Reference Control Bank of Regulatory Legal Acts of the Republic of Kazakhstan;

3) within two working days after the entry into force of this Order, posting it on the Internet resource of the Agency of the Republic of Kazakhstan for Civil Service Affairs and Anti-Corruption;

4) within two working days after the execution of the measures provided for by this paragraph, the submission of the information of their performance to the Legal Department of the Agency.

3. The control over the implementation of this Order shall be entrusted to the Head of the National Bureau.

4. This Order shall enter into force upon the expiry of ten calendar days after the day of its first official publication.

*Chairman of the Agency  
of the Republic of Kazakhstan  
on Public Affairs and  
Anti-corruption Service*

*A. Shpekbayev*

Appendix 1  
to the Order of the Chairman of the  
Agency of the  
Republic of Kazakhstan  
on Public Affairs  
and Anti-corruption Service  
from September 27, 2018

## **List of senior management positions of the anti-corruption service, replaced on a competitive basis**

- 1) The Head of the Department of the National Anti-Corruption Bureau (Anti-Corruption Service) of the Agency of the Republic of Kazakhstan for Civil Service Affairs and Anti-Corruption (hereinafter referred to as the National Bureau);
- 2) Deputy Head of the National Bureau;
- 3) Head of the Independent Management of the National Bureau;
- 4) Deputy Head of the Independent Office of the National Bureau;
- 5) Head of the Department of the National Bureau;
- 6) Deputy Head of the Department of the National Bureau;
- 7) Deputy Head of the Territorial Office of the National Bureau;
- 8) Head of the Territorial Office of the National Bureau;
- 9) Deputy Head of the Territorial Office of the National Bureau;
- 10) Head of the Independent Division of the Territorial Authority of the National Bureau;
- 11) Head of the Department of the Territorial Office of the National Bureau.

Appendix 2  
to the Order of the Chairman  
of the Agency of the Republic of  
Kazakhstan for Civil Service  
Affairs and Anti-Corruption  
from September 27, 2018

## **Competition rules for senior management positions of the anti-corruption service**

### **Chapter 1. General Provisions**

1. These Rules for Holding a Competition for Senior Management Positions of the Anti-Corruption Service (hereinafter referred to as the Rules) are developed in accordance with paragraph 1-1 of Article 33 of the Law of the Republic of Kazakhstan "On Law Enforcement Service" (hereinafter referred to as the Law) and determine the procedure and conditions for holding a competition for anti-corruption leadership positions services (hereinafter referred to as the competition).

2. The competition shall be held for vacant and temporary vacant management positions (hereinafter referred to as the vacant positions) specified in the List of Senior Management Positions of the Anti-Corruption Service, Replaced on a Competitive Basis.

3. The competition shall consist of the following types:

1) internal competition among employees of the anti-corruption service (hereinafter referred to as the internal competition);

2) an interdepartmental competition among employees of all law enforcement agencies, their departments, institutions, educational organizations, territorial or equivalent units (hereinafter referred to as an interdepartmental competition).

4. An inter-agency competition shall be held, in the absence of candidates who have received a positive opinion of the commission in an internal competition.

5. The competition shall include a series of successive stages:

1) the publication of the announcement of the competition;

2) receiving documents from employees who have expressed their willingness to participate in the competition;

3) consideration of documents of participants of the competition for compliance with the qualification requirements for the categories of posts of the National Anti-Corruption Bureau (Anti-Corruption Service) of the Agency of the Republic of Kazakhstan for Civil Service Affairs and Anti-Corruption and its territorial bodies, approved by Order of the Chairman of the Agency of the Republic of Kazakhstan for Civil Service Affairs and Anti-Corruption No. 4 of October 7, 2016 "On Certain Issues of Organizing the Selection of Candidates for the National Bureau of Anti-Corruption Service (Anti-Corruption Service) of the Agency of the Republic of Kazakhstan for Civil Service Affairs and Anti-Corruption and Its Territorial Bodies "(registered in the Register of State Registration of Regulatory Legal Acts under No. 14318) (hereinafter referred to as the qualification requirements).

4) an interview with the Personnel Commission of the National Bureau (hereinafter referred to as the the Commission);

5) the final meeting of the Commission.

6. Candidates for a vacant position (hereinafter referred to as candidates) shall be the participants in the competition who shall be admitted to the interview based on the decision of the competition committee.

7. The Commission shall consider the documents submitted by the contest participants, shall conduct an interview with the candidates and shall select among them those to fill vacancies.

8. The decision of the Commission shall be the basis for appointment to a vacant management position or refusal to appoint to this position.

## **Chapter 2. Procedure and conditions of the internal competition**

### **Paragraph 1. Announcement of an internal competition.**

9. The announcement of the internal competition shall be published on the Internet resource of the Agency for Civil Service Affairs and Anti-Corruption (hereinafter referred to as the Agency), shall be placed in the buildings of the National Bureau and its territorial bodies and shall include the following information:

1) the name of the state body conducting the competition, indicating its location, postal address, telephone numbers, e-mail address for receiving documents;

2) the name of vacant positions with an indication of the main functional duties;

3) the basic requirements for the bidder in accordance with the qualification requirements;

4) the deadline for receiving documents, which is calculated from the next business day after the publication of the announcement of the competition;

5) a list of necessary documents specified in paragraph 12 of this Regulation.

10. If a competition is held for a temporarily vacant management position, this condition shall be indicated in the announcement of an internal competition.

11. An internal competition shall be held among employees of the anti-corruption service who meet the qualification requirements for an advertised position.

### **Paragraph 2. Reception of documents of persons participating in an internal competition**

12. Employees of the anti-corruption service who express willingness to participate in the competition, shall submit the following documents to the Personnel Department that announced the competition, on an ad-hoc or electronic basis to the e-mail address indicated in the announcement:

1) an application for participation in the internal competition, in the form in accordance with Appendix 1 to these Rules;

2) a description of the performance results, reflecting the main indicators in the work and proved achievements, signed by one of the Heads of the structural unit.

13. The deadline for receiving documents shall be no later than five working days, which are calculated from the next working day after the publication of the announcement of the competition.

14. Submission of an incomplete set of documents, as well as violation of the established period, shall be the basis for refusing admission of the candidate to the interview.

### **Paragraph 3. Consideration of documents of participants in the internal competition**

15. To obtain complete and objective information, the lists of candidates shall be sent by the Personnel Department to the internal security service of the anti-corruption service no later than one business day after the deadline for accepting documents.

16. The internal security service of the anti-corruption service, within a period not exceeding three working days from the date of receipt of the lists of participants in the competition, shall send the relevant information to the Personnel Department.

17. Personnel department, within one working day from receipt of information about the results of checking candidates for the presence of compromising information, shall send to the Commission the materials of candidates (track record, description of the results of performance activities, the results of the certification, the results of checking candidates for the presence of compromising information).

18. Based on the results of consideration of the submitted documents, the Commission, within three working days after receiving the Personnel Department, shall decide on admission of candidates to the subsequent stages of the competition or a reasoned refusal to admit.

The decision shall be drawn up in the form of a minutes and signed by the Chairman, members and secretary of the Commission.

19. Candidates admitted to the interview shall be notified of the date and time of the interview before the expiration of the next working day from the date of the decision by the Commission and no later than one working day before the day of the interview.

The notification shall be provided by telephone, by sending information to the email addresses and mobile phones of the participants indicated in the application.

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

### **Paragraph 1. Announcement of an interdepartmental competition.**

20. When conducting an inter-agency competition, the announcements shall be placed on the Agency's Internet resource, placed in the buildings of the National

Bureau and its territorial bodies, and shall include the information specified in paragraph 9 of these Rules.

At the same time, for participation in an interdepartmental competition, candidates shall submit documents in accordance with paragraph 23 of these Rules.

## **Paragraph 2. Receipt of documents of persons participating in an interdepartmental competition**

21. The staff of other law enforcement agencies, their departments, institutions, educational organizations, territorial or equivalent units shall take part in the inter-agency competition.

22. An application for participation in an interdepartmental competition shall be submitted to the Personnel Department of the anti-corruption service, which announced the competition, no later than seven working days from the date of publication of the announcement, in the form in accordance with Appendix 2 to these Rules.

23. Employees who express willingness to participate in an interdepartmental competition shall submit to the Personnel Department of the anti-corruption service, that announced the competition, the following documents on an ad-hoc or electronic basis to the email address indicated in the announcement:

1) an application for participation in the internal competition in the form according to Appendix 2 to these Rules;

2) a description of the performance results, reflecting the main indicators in the work and proven achievements, signed by one of the Heads of the structural unit;

3) the results of the certification, certified by the Personnel Department, law enforcement agency, in which the candidates carry out their activities.

24. In the case of the provision of an incomplete package of documents specified in paragraph 23 of these Rules, as well as with violation of the deadline provided for by paragraph 22 of these Rules, the Personnel Department shall reject the application of the candidate to participate in the competition.

## **Paragraph 3. Consideration of documents of participants in an inter-agency competition**

25. To receive complete and objective information about candidates, the Personnel Department shall send, within three working days from the date of the end of the admission of documents, the lists of candidates for inspection to the internal security service of the anti-corruption service. If necessary, the information shall be requested from the law enforcement agency at the place of work of the candidate.

26. The internal security service of the anti-corruption service shall, within five working days from the day of receipt of the lists of participants in the competition, send the relevant information to the Personnel Department.

27. The Personnel Department, within one working day of receipt of the results of testing candidates for the presence of compromising information, shall send to the Commission the candidate's materials (track records, evaluation of the performance results, the results of the appraisal, the results of testing candidates for the presence of compromising information).

28. Based on the results of consideration of the submitted documents, the Commission shall take a decision, within three working days on the admission of candidates to the subsequent stages of the competition or a reasoned refusal to admit.

The decision shall be drawn up in the form of a minutes and signed by the Chairman, members and secretary of the Commission.

29. Candidates admitted to the interview shall be notified of the date and time of the interview before the expiration of the next business day from the date of the decision by the Commission and no later than one business day before the day of the interview.

The notification shall be provided by telephone, by sending information to the email addresses and mobile phones of the participants indicated in the application.

#### **Chapter 4. Interview procedure**

30. Interviews with candidates shall be conducted by the Commission.

31. Candidates participating in the competition and admitted to the interview, shall pass it in the anti-corruption service within three working days from the date of the notification of the candidates about their admission to the interview.

32. A candidate for a competition may not be a member of a competition committee.

33. The secretary of the commission shall be a representative of the Personnel Department of the anti-corruption service who provides organizational support for her/his work and does not participate in the voting.

To ensure the transparency and objectivity of the work of the Commission, observers shall be invited to attend. Observers may be present during the interviews with candidates applying for positions of Personnel services and staffs, as well as participate in the final meeting of the Commission. Deputies of the Parliament of the Republic of Kazakhstan and maslikhats (city level parliaments) of all levels accredited representatives of the media, other state bodies, public associations (non-governmental organizations), commercial organizations and political parties may be present as observers at the meeting of the competition commission.

During the interview process, the observers shall not put questions to the candidates. Observers shall be prohibited to perform actions that impede the work of the Commission, they shall not disclose information regarding the personal data of candidates, competitive procedures in which candidates participate, their use of technical means of recording.

When participating as observers, they shall reflect their opinion in the minutes of the final meeting.

The meeting of the commission shall be considered valid if it is attended by at least two thirds of the total number of members of the Commission.

34. Interviewing by video conferencing shall be allowed.

35. The course of the interview shall be recorded using technical means of recording.

36. The materials recorded during the interview with the help of technical means of recording shall be stored in the Personnel Department for at least 6 months from the date of completion of the competition.

37. The purpose of the interview shall be to assess the professional and personal qualities of the candidates.

During the interview process, the candidate shall be asked specialized, motivational questions, competencies based questions, as well as situational tasks.

38. The Commission's decision shall be taken in the absence of a candidate by open vote.

39. The candidate shall receive a positive opinion if the majority of those present from the Commission votes for her/him.

40. In case of equality of votes, priority shall be given to candidates who are in the Personnel reserve for a managerial position. In case of repeated equality of votes, the vote of the Chairman of the Commission shall be decisive.

41. The Commission following the results of the interview shall take one of the following decisions:

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

2) refuse to appoint to the announced vacant position.

42. The decision of the Commission shall be drawn up in the form of a minutes and signed by the Chairman, members and secretary of the Commission.

The application of the technical means of recording by the Commission shall be noted in the minutes of the meeting of the commission.

43. The Personnel Department of the anti-corruption service shall notify candidates on the decision taken by the Commission within three working days from the date of signing the minutes of the final meeting.



44. The list of candidates recommended for appointment to announced vacancies shall be posted on the Agency's Internet resource no later than three working days from the date of the Commission's decision.

## Chapter 5. Final Provisions

45. A candidate who receives a positive opinion of the Commission in a competition shall be appointed to a vacant post no later than 10 working days from the date of the decision of the Commission.

46. The decision of the commission may be appealed to a higher authority or court.

Appendix 1  
to the Rules for Holding the  
Competition  
for Senior Management Positions  
of the Bodies of the  
Anti-Corruption Service of the  
Republic of Kazakhstan  
Document form

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(name of state authority)

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(Last name, first name,  
patronymic (if any), (position))

## Application for participation in the internal competition

I hereby ask you to allow me participating in an internal competition for a vacant position

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\_\_\_ (job title)

I am aware of the conditions and the procedure for holding an internal competition for a vacant position in the bodies of the anti-corruption service and I hereby agree undertake to fulfill them.

The following documents are attached to the application: I hereby confirm the authenticity of the submitted documents.

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

Signature " \_\_\_ " \_\_\_\_\_ 20 \_\_\_\_ .

Contact phone / email \_\_\_\_\_

Appendix 2  
to the Rules for Holding the  
Competition for Senior  
Management Positions of the  
Bodies of the Anti-Corruption

\_\_\_\_\_  
(name of state authority)

\_\_\_\_\_  
(Last name, first name,  
patronymic (if any), (position))

## **Application for participation in an inter-agency competition**

I hereby ask you to allow me participating in an interdepartmental competition for a vacant position \_\_\_\_\_

\_\_\_\_\_ (job title) I am aware of the conditions and procedures for conducting an interdepartmental competition for a vacant position in the anti-corruption service I hereby agree and undertake to fulfill them.

The following documents are attached to the application: I hereby confirm the authenticity of the submitted documents.

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

Signature

" \_\_\_\_ " \_\_\_\_\_ 20 \_\_\_\_ .

Contact phone / email \_\_\_\_\_