



On approval of the Rules for maintenance of registers of the Unified notarial information system

Unofficial translation

Order of the Minister of Justice of the Republic of Kazakhstan dated April 30, 2021 No. 356. Registered with the Ministry of Justice of the Republic of Kazakhstan on May 6, 2021 No. 22701

Unofficial translation

In accordance with clause 2 of Article 4-2 of the Law of the Republic of Kazakhstan dated July 19, 1997 “On Notaries”, **I HEREBY ORDER:**

1. To approve the Rules for maintenance of registers of the Unified notarial information system according to the Appendix to the order.

2. The Department of registration service and organization of legal services of the Ministry of Justice of the Republic of Kazakhstan, in accordance with the procedure, established by the law, shall ensure state registration of this order.

3. Control over execution of this order shall be entrusted to the supervising Vice Minister of Justice of the Republic of Kazakhstan.

4. This order shall come into force upon expiry of ten calendar days after the date of its first official publication.

*Minister of Justice
of the Republic of Kazakhstan*

M. Beketayev

Approved
Ministry of Digital
Development, Innovations and
Aerospace Industry of the
Republic of Kazakhstan

Appendix to the Order
of the Minister of Justice
of the Republic of Kazakhstan
dated April 30, 2021 No. 356

Rules for maintenance of registers of the Unified notarial information system

Chapter 1. General provisions

1. These Rules for maintenance of registers of the Unified notarial information system (hereinafter referred to as the Rules) have been developed in accordance with clause 2 of

Article 4-2 of the Law of the Republic of Kazakhstan dated July 19, 1997 “On Notaries” (hereinafter referred to as the Law).

2. The Rules shall establish the uniform requirements to maintenance of registers of the Uniform notarial information system (hereinafter referred to as the UNIS) and shall apply to the electronic register of notarial actions, Register of succession cases, Register of registration of wills (hereinafter referred to as the UNIS electronic registers).

3. Maintenance of UNIS electronic registers includes entering information into them, ensuring notarial secrecy regarding information included in electronic registers, providing information from these registers.

4. The possibility of registration of the notarial acts in UNIS electronic registers shall be blocked by entering data on the order (date, number of the order, term and grounds):

for private notaries upon termination, suspension of a license or suspension, withdrawal or exclusion from membership in the notary chamber - by the Republican Notary Chamber;

for a state notary upon dismissal or being on vacation.

UNIS electronic registers of a private notary shall be unblocked by the Republican Notary Chamber when the license is restored or membership in the notary chamber is restored, or an application is submitted to return to work from vacation.

UNIS electronic registers of a public notary shall be unblocked by the Ministry of Justice of the Republic of Kazakhstan when applying for a return to work from vacation.

6. In case of stoppage of UNIS operation, the notary shall draw up an act on the impossibility of UNIS operation in the form in accordance with Appendix 1 to these Rules.

The notary, after eliminating the reasons for stopping UNIS operation, shall enter information about the performed notarial actions in UNIS electronic registers no later than the next working day from the moment the operation of UNIS is restored.

7. Information, included into UNIS electronic registers, shall be subject to keeping within time limits, provided for by the Proforma File Register in accordance with the Rules on notarial clerical correspondence, approved by the order of the Minister of Justice of the Republic of Kazakhstan dated January 31, 2012 No. 32 (registered in the Register of State Registration of Regulatory Legal Acts as No. 7445).

8. The use by a notary of information from state electronic information resources through UNIS for personal purposes shall not be allowed.

Chapter 2. Procedure for maintenance of an electronic register of notarial actions

9. In accordance with Article 49 of the Law all notarial actions are registered in the electronic register of notarial actions. Each notarial action shall be assigned a serial number.

10. The notary shall have one electronic register of notarial actions.

11. The notary shall enter information about performed notarial actions into the electronic register of notarial actions immediately after performance of the notarial action.

12. Registration of a notarial action in the electronic register of notarial actions shall be carried out by entering information into the register in the form according to Appendix 2 to these Rules.

13. Spelling, grammatical or technical corrections and errors in the electronic register of notarial acts shall be specified in the "Note" column.

An erroneously entered notarial action in the electronic register of notarial actions shall be canceled no later than twenty-four hours from the moment of registration of the notarial action, with the exception of holidays and weekends.

14. The notary shall make a note in the electronic register of notarial actions about the cancellation of the issued power of attorney, or the refusal of it.

15. The notary shall attach an electronic image (electronic version) in the UNIS format of a notarial document on paper when registering in the electronic register of notarial acts by certifying a power of attorney.

16. When a transaction is declared invalid in accordance with a court decision that has entered into legal force, the notary in whose files the transaction is stored shall make a note about this in the electronic register of notarial actions.

Chapter 3. Procedure for maintenance of a register of succession cases

17. The basis for including information in the Register of succession cases shall be the receipt by a notary of an application certifying the opening of an inheritance (on the issuance of a certificate of the right to inheritance, on the acceptance of an inheritance, on the renunciation of an inheritance).

18. Prior to accepting an application testifying to the opening of the inheritance, the notary shall verify the existence of matches in the information on the inheritance case in the register of succession cases on the following grounds: last name, first name, patronymic (if any) of the testator, date of death. If there are matches, the person who applied for the opening of the inheritance shall be explained about the need to submit such an application to the notary who has opened the inheritance case.

19. Information about the opening of the inheritance shall be entered by a private notary in the Register of succession cases no later than the next working day after the receipt of the relevant applications in the form in accordance with Appendix 3 to these Rules.

In the event of a stoppage of UNIS, information about the opening of the inheritance shall be entered in the Register of succession cases in accordance with clause 6 of this Rule.

20. The number of the succession case shall be designated in Arabic numerals and consists of the serial number assigned to the succession case in accordance with registration in the Register of succession cases, and the year of establishment of the inheritance case: "20/2021, where 20 is the serial number of the inheritance case in accordance with registration in

the Register of succession cases of the first document that came to the inheritance case and served as the basis for the formation of the inheritance case, 2021 is the year of the establishment of the inheritance case”.

21. In addition to the document that served as the basis for the commencement of proceedings on the inheritance case, all applications received for the inheritance case shall be recorded in the register of succession cases.

Upon receipt of other applications to the inheritance case, which has already been assigned a serial number, they shall be registered in the register of succession cases. At the same time, in column 2 of the register of succession cases, the number of the inheritance case is entered, to which the application (document) has been received in the form according to Appendix 3 to these Rules.

Chapter 4. Procedure for maintenance of a register of registration of wills

22. The basis for including information in the Register of registration of wills shall be the attestation of a will by a private notary.

23. Information about attestation of a will shall be entered by a private notary in the Register of registration of wills immediately after the will is certified in the form according to Appendix 4 to these Rules.

24. Secret wills accepted by a notary shall be registered in the register of registration of wills and the electronic register of notarial acts marked "secret". After the opening of a secret will, a note shall be made in the register of registration of wills on the date of the opening of the will.

25. In case of cancellation or amendment of the will, the notary shall make a note in the register of registration of wills and the electronic register of notarial actions about the cancellation or amendment of the will.

Chapter 5. Provision of information about notarial action

26. The notary shall provide information from the electronic register of notarial acts on the notarial acts performed by him in the cases set forth in clause 6 of Article 3 of the Law, in the form of an extract from the electronic register of notarial acts in the form in accordance with Appendix 5 to these Rules.

27. The notary receives the information contained in the electronic register of notarial acts necessary to perform a notarial act or verify the validity of a notarial document upon a request submitted through UNIS.

The information required by the notary shall be provided automatically using UNIS tools upon request submitted by the notary through UNIS, with the obligatory indication of information about the notarial act performed, including:

registration number of a notarial action in the electronic register of notarial actions;

Surname, name, patronymic (if any), of the testator	Date of birth of the testator	Date of attestation of the will	Registration number	Note on the cancellation of the will	Notary
1	2	3	4	5	6

Appendix 5
to the Rules for maintenance
of registers of the Unified
notarial information system
form

EXTRACT

from electronic register of notarial actions of the Unified notarial information system containing information about the notarial action (notarial actions) performed by the notary _____

(indicate name of the notarial district, surname, name, patronymic (if any) of a private notary, date and number of the license)

Registration number	Date of registration	Actual date of performance	Surname, name, patronymic (if any), name of the legal entity for which the notarial act was performed their IIN, BIN	Identity documents of participants	Collected (Total amount)	Status	Content of the notarial action	Note	Type of action
1	2	3	4	5	6	7	8	9	10