

On approval of the Rules for the payment of compensation lump sum in the event of the death of a diplomatic service or diplomatic officer in the performance of official duties abroad or death within a year as a result of injury sustained in the performance of official duties abroad, establishment of disability resulting from illness, injury (wounds, injuries, concussions) sustained while on duty abroad and injured (wounds, injuries, concussions), which did not entail (did not entail) disability, while performing official duties abroad

Unofficial translation

Order of the Acting Minister of Foreign Affairs of the Republic of Kazakhstan dated July 26, 2021 No. 11-1-4/302. Registered with the Ministry of Justice of the Republic of Kazakhstan on July 27, 2021 No. 23728

Unofficial translation

In accordance with Article 6, subparagraph 27-14) of the Law of the Republic of Kazakhstan "On diplomatic service of the Republic of Kazakhstan" **I hereby ORDER:**

1. To approve the attached Rules for the payment of compensation lump sum in the event of the death of a diplomatic service or diplomatic officer in the performance of official duties abroad or death within a year as a result of injury sustained in the performance of official duties abroad, establishment of disability resulting from illness, injury (wounds, injuries, concussions) sustained while on duty abroad and injured (wounds, injuries, concussions), which did not entail (did not entail) disability, while performing official duties abroad.

2. The monetary and financial department of the Ministry of Foreign Affairs of the Republic of Kazakhstan, in accordance with the procedure established by the legislation of the Republic of Kazakhstan, shall:

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

2) place this order on the Internet resource of the Ministry of Foreign Affairs of the Republic of Kazakhstan after its official publication;

3) within ten working days after the state registration of this order with the Ministry of Justice of the Republic of Kazakhstan, submit to the Department of Legal Service of the Ministry of Foreign Affairs of the Republic of Kazakhstan of information on the implementation of the measures provided for in subparagraphs 1) and 2) of this paragraph.

3. Control over the execution of this order shall be entrusted to the Chief of Staff of the Ministry of Foreign Affairs of the Republic of Kazakhstan.

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

Acting Minister

Sh. Nuryshev

"AGREED"

Minister of Finance
of the Republic of Kazakhstan

" __ ", 2021

Approved
by order of Acting Minister
of Foreign Affairs of the
Republic of Kazakhstan
dated July 26, 2021 № 11-1-4/302

Rules for the payment of compensation lump sum in the event of the death of a diplomatic service or diplomatic officer in the performance of official duties abroad or death within a year as a result of injury sustained in the performance of official duties abroad, establishment of disability resulting from illness, injury (wounds, injuries, concussions) sustained while on duty abroad and injured (wounds, injuries, concussions), which did not entail (did not entail) disability, while performing official duties abroad

Chapter 1. General provisions

1. These Rules for the payment of compensation lump sum in the event of the death of a diplomatic service or diplomatic officer in the performance of official duties abroad or death within a year as a result of injury sustained in the performance of official duties abroad, establishment of disability resulting from illness, injury (wounds, injuries, concussions) sustained while on duty abroad and injured (wounds, injuries, concussions), which did not entail (did not entail) disability, while performing official duties abroad (hereinafter referred to as the Rules) have been developed in accordance with subparagraph 27-14) of Article 6 of the Law of the Republic of Kazakhstan "On diplomatic service of the Republic of Kazakhstan" (hereinafter referred to as the Law) and shall determine the procedure for payment of compensation lump sum in the event of the death of a foreign service officer of the Republic of Kazakhstan or a foreign service officer of the Republic of Kazakhstan (hereinafter referred to as foreign service personnel) in the performance of official duties abroad or death during the year due to an injury received in the performance of official duties abroad, the establishment of a disability due to illness, injury (wounds, injuries, concussions) sustained while on duty abroad and injured (wounds, injuries, concussions), which did not entail (did not entail) disability, in the performance of official duties abroad (hereinafter referred to as compensation lump sum).

2. Compensation lump sum shall not be paid if it is proved in accordance with the established procedure that the death, disease, injury (wounds, injury, concussions) of diplomatic service personnel occurred due to circumstances not related to the performance of civil duties.

Chapter 2. Procedure for submitting documents necessary to obtain compensation lump sum in the event of the death of diplomatic service personnel in the performance of official duties abroad

3. The foreign institution of the Republic of Kazakhstan (hereinafter referred to as the foreign institution) in case of death of diplomatic service personnel while performing official duties abroad shall immediately send to the Personnel management service of the Ministry of Foreign Affairs of the Republic of Kazakhstan (hereinafter referred to as the "Ministry") information on this fact with indication of the circumstances that occurred and resulted in death of foreign service personnel.

4. No later than thirty (30) working days, if other terms are not provided for by the legislation of the host state, after the death of diplomatic service personnel, the foreign institution shall send the following documents to the Personnel Management Service of the Ministry:

- 1) a copy of the death certificate of diplomatic service personnel;
- 2) act on the death (death) of diplomatic service personnel in the performance of official duties abroad in accordance with Annex 1 to these Rules;
- 3) copies of a medical certificate of death issued by a medical institution or a court decision establishing the fact of death in accordance with the legislation of the state of residence.

5. The document specified in subparagraph 3) of paragraph 4 of these Rules, drawn up in a foreign language, shall be translated into Kazakh or Russian, certified by the signature of a consular official and sealed with the image of the State Emblem of the Republic of Kazakhstan (hereinafter referred to as the stamp).

6. If the documents provided for in paragraph 4 of these Rules are not received in full, the Personnel Management Service of the Ministry shall notify the foreign agency of the need to submit the missing documents and shall set a deadline for their submission not exceeding 10 (ten) working days.

7. The spouse or one of the close relatives of the deceased diplomatic service personnel, determined in accordance with the Code of the Republic of Kazakhstan "On marriage (marriage) and family," not later than three (3) months from the date of the death of foreign service personnel, shall submit to the Personnel management service of the Ministry an application for payment of compensation lump sum in accordance with Appendix 2 to these Rules.

Chapter 3. Procedure for submitting documents necessary to obtain compensation lump sum in the event of the death of diplomatic service personnel within a year as a result of an injury sustained while on duty abroad

8. Foreign institution in the event of injury by diplomatic service personnel in the performance of official duties abroad shall immediately send to the Ministry's personnel

management service information on this fact, indicating the circumstances that occurred and caused injury to foreign service personnel, as well as the act of injury to foreign service personnel in the performance of official duties abroad in accordance with Annex 3 to these Rules.

A copy of the act provided for in the first part of this paragraph of the Rules shall be submitted by a foreign agency to diplomatic service personnel injured in the performance of official duties abroad.

9. In the event of the death of diplomatic service personnel during the year due to an injury sustained while performing official duties abroad, while working in a foreign institution, a foreign institution, the Personnel Management Service of the Ministry and the spouse or one of the close relatives of the deceased diplomatic service personnel, determined in accordance with the Code of the Republic of Kazakhstan "On marriage (marriage) and family," shall carry out the actions provided for by Chapter 2 of these Rules.

10. In the event of the death of diplomatic service personnel within a year as a result of an injury sustained in the performance of official duties abroad, after the termination of his work in a foreign institution, the spouse (spouse) or one of the close relatives of the deceased foreign service personnel, determined in accordance with the Code of the Republic of Kazakhstan "On marriage (marriage) and family, "no later than 3 (three) months from the date of death of foreign service personnel, applies to the Personnel Management Service of the Ministry with the submission of the following documents:

- 1) application for payment of compensation lump sum in form according to Annex 2 to the Rules;
- 2) a copy of the death certificate of diplomatic service personnel;
- 3) a medical report on the fact that diplomatic service personnel received an injury while performing official duties abroad, issued in accordance with the legislation of the host state;
- 4) medical conclusion on the death of diplomatic service personnel within a year due to an injury sustained while performing official duties abroad;
- 5) a copy of the act submitted by the foreign institution to diplomatic service personnel injured in the performance of official duties abroad in accordance with paragraph 8 of these Rules.

11. Documents specified in paragraphs 3) and 4) of paragraph 10 of these Rules, drawn up in a foreign language, shall be translated into Kazakh or Russian, signed by a consular official and sealed with a stamp.

Chapter 4. The procedure for submitting documents required for the receipt of compensation lump sum by the diplomatic service personnel in the event of the establishment of a disability resulting from a disease, injury (wounds, injury, concussions) received while performing official duties abroad, and injury (wounds, injury, concussions) that did not entail (did not entail) disability, while performing official duties abroad

12. In the event of injury (wounds, injury, concussions) by foreign service personnel in the performance of official duties abroad, immediately shall send information about this fact to the Personnel Management Service of the Ministry, indicating the circumstances that occurred and caused the injury (wounds, injury, concussion) of foreign service personnel, as well as the act of injury (wounds, injuries, concussions) by foreign service personnel in the performance of official duties abroad in accordance with Annex 4 to these Rules.

A copy of the act provided for in part one of this paragraph of the Rules shall be submitted by a foreign agency to diplomatic service personnel who have been injured (wounded, injured, shell-shocked) while performing official duties abroad.

13. Foreign Service personnel in the event of a disability resulting from illness or injury (injuries, injuries, concussions) sustained while on duty abroad or injured (injuries, injuries, concussions), which did not cause (did not entail) disability, in the performance of official duties abroad no later than 3 (three) months from the date of his disability, he shall apply to the Personnel Management Service of the Ministry with the submission of the following documents:

1) application for payment of compensation lump sum in form according to Annex 2 of the Rules;

2) a medical conclusion confirming the establishment of a disability to the personnel of the diplomatic service, or a medical conclusion or examination on the fact that the personnel of the diplomatic service received an injury while performing official duties abroad, issued in accordance with the legislation of the host state;

3) a copy of the act submitted by the foreign institution to diplomatic service personnel injured in the performance of official duties abroad, in accordance with paragraph 12 of these Rules.

14. The document specified in paragraph 13, subparagraph 2) of these Rules, drawn up in a foreign language, shall be translated into Kazakh or Russian, signed by a consular official and sealed with a stamp.

Chapter 5. Procedure for payment of compensation lump sum

15. The Personnel Management Service of the Ministry shall verify the completeness of the submitted documents no later than ten (10) working days from the date of receipt of the documents provided for in paragraphs 7, 10 and 13 of these Rules.

16. If the documents are not received in full, the Personnel Management Service of the Ministry notifies the person who submitted the documents to the Personnel Management Service of the Ministry in accordance with paragraphs 7, 10 and 13 of these Rules (hereinafter referred to as the applicant) of the need to submit the missing documents and shall set a deadline for their submission not exceeding 10 (ten) working days.

17. The Ministry's Personnel Management Service shall, within ten (10) working days after receipt of the full package of documents, develop a draft order on the payment of

compensation lump sum (hereinafter referred to as the project order) or a letter with a reasoned refusal to pay compensation lump sum, after which it shall submit to the interested structural subdivisions of the Ministry for consideration by the Minister of Foreign Affairs of the Republic of Kazakhstan (hereinafter referred to as the Minister) or the person acting as the Minister.

18. Within five (5) working days after the Ministry's Personnel Management Service shall submit a project order or letter with a reasoned refusal to pay compensation lump sum, the Minister or the person acting as the Minister shall decide to pay or refuse to pay compensation lump sum.

19. A motivated refusal to pay compensation lump sum shall be submitted in the case provided for in paragraph 2 of these Rules.

20. The Personnel Management Service of the Ministry shall within 5 (five) working days notify the applicant of the decision taken by the Minister or the person acting as the Minister,

21. Compensation lump sum shall be paid no later than one (1) month from the date of adoption of the order of the Minister or the person acting on the payment of compensation lump sum by transfer to the bank account specified in the statements provided for in paragraph 7, subparagraph 1) of paragraph 10 and subparagraph 1) of paragraph 13 of these Rules.

22. The payment of compensation lump sum shall be carried out from the funds of the republican budget in the amounts established by paragraphs 9, 12 and 13 of Article 25 of the Law.

Annex 1

to Rules for the payment of compensation lump sum in the event of the death of a diplomatic service of the Republic of Kazakhstan or diplomatic officer of the Republic of Kazakhstan in the performance of official duties abroad or death within a year as a result of injury sustained in the performance of official duties abroad, establishment of disability resulting from illness, injury (wounds, injuries, concussions) sustained while on duty abroad and injured (wound, injury, concussions) which did not entail (did not entail) disability, while performing official duties abroad

Form

"Approved"

Head of the foreign institution of the Republic of Kazakhstan

Surname, name, patronymic (if any)

Signature of the Head of the
foreign institution of the Republic
of Kazakhstan
_____ " ____ ", 20____

Certificate on the death (fatality) of diplomatic service personnel performing official duties abroad

1. Name and address of the foreign institution of the Republic of Kazakhstan:

2. Surname, first name, patronymic (if any), position of deceased (deceased)
of diplomatic service personnel: _____

3. Age of deceased (deceased) of diplomatic service personnel:

4. Time and date of the incident: _____

5. Place of incident: _____

6. Cause of the incident: _____

7. Circumstances leading to the incident: _____

8. Witnesses to the incident (if any):

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

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

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

This Act on the death (death) of diplomatic service personnel in performance
official duties abroad shall confirm that the death (death) of personnel
the foreign service came in the performance of his official duties abroad while working in
a foreign institution

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

Annex 2
to Rules for the payment of
compensation lump sum in the
event of the death of a diplomatic
service of the Republic of
Kazakhstan or diplomatic officer
of the Republic of Kazakhstan in
the performance of official duties
abroad or death within a year as a
result of injury sustained in the
performance of official duties

abroad, establishment of disability
resulting from illness, injury
(wounds, injuries, concussions)
sustained while on duty abroad and
injured (wound, injury,
concussions) not entailed (not
entailed) disability, in performance
official duties abroad

Form

To:

Human resources service
Ministries of Foreign Affairs of the
Republic of Kazakhstan

From whom:

Surname, first name, patronymic
(if any) applicant resident at:

Individual identification number
and details of the document,
identification applicant:

Application on compensation lump sum

I hereby ask you to pay me _____

—
(indicate last name, first name, patronymic (if any), degree of kinship with respect to
personnel of the diplomatic service of the Republic of Kazakhstan, except
when the applicant is the personnel of the diplomatic service of the Republic of
Kazakhstan)
compensation lump sum in connection with the incident _____

—
(indicate the nature of the incident for which compensation lump sum is paid)
and transfer to the following bank details: _____

—
(indicate the bank details of the personal account or cards - the recipient's account)
I hereby attach the following documents to the application:

1. _____

2. _____

3. _____

_____ " ____ ", ____ 20

—
Surname, first name, patronymic (if any) of the applicant

(applicant's signature)

Documents accepted:

_____ " ____ ", ____ 20

—
Surname, first name, patronymic (if any)

official of the Personnel Management Service of the Ministry of Foreign Affairs
of the Republic of Kazakhstan

(signature of an official

Human Resources Services

of the Ministry of Foreign Affairs

of the Republic of Kazakhstan

Annex 3

to Rules for the payment of
compensation lump sum in the
event of the death of a diplomatic
service of the Republic of
Kazakhstan or diplomatic officer
of the Republic of Kazakhstan in
the performance of official duties
abroad or death within a year as a
result of injury sustained in the
performance of official duties
abroad, establishment of disability
resulting from illness, injury
(wounds, injuries, concussions)
sustained while on duty abroad and
injured (wound, injury,
concussions) not entailed (not
entailed) disability, in performance
official duties abroad

Form

"Approved"

Head of the foreign institution
of the Republic of Kazakhstan

Surname, first name, patronymic (if any)

Signature of the head of the
foreign institution of the Republic
of Kazakhstan
_____ "___", 20__

Certificate on injury by diplomatic service personnel while performing official duties abroad

1. Name and address of the foreign institution of the Republic of Kazakhstan:

2. Surname, first name, patronymic (if any), position of
the injured diplomatic service personnel:

3. Age of the injured foreign service personnel: ____

4. Time and date of the incident: _____

5. Place of the incident: _____

6. Cause of the incident: _____

7. Circumstances leading to the incident: _____

8. Witnesses to the incident:

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

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

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

9. Physical condition of injured diplomatic service personnel
at the time of injury:

This Certificate on injury by diplomatic service personnel while performing official duties
abroad shall confirm that the injury of the diplomatic service personnel occurred in the
performance of their official duties abroad while working in a _____
_____ foreign institution.

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

Annex 4
to Rules for the payment of
compensation lump sum in the
event of the death of a diplomatic
service of the Republic of
Kazakhstan or diplomatic officer
of the Republic of Kazakhstan in
the performance of official duties
abroad or death within a year as a

result of injury sustained in the performance of official duties abroad, establishment of disability resulting from illness, injury (wounds, injuries, concussions) sustained while on duty abroad and injured (wound, injury, concussions) not entailed (not entailed) disability, in performance official duties abroad

Form

"Approved"

Head of the foreign institution of the Republic of Kazakhstan

Surname, first name, patronymic (if any)

Signature of the head of the foreign institution of the Republic of Kazakhstan

_____, "___", 20____

Certificate of injury (wound, injury, concussion) by personnel of diplomatic service while performing official duties abroad

1. Name and address of the foreign institution of the Republic of Kazakhstan:

2. Surname, first name, patronymic (if any), position of the diplomatic service personnel injured (wound, injury, concussion):

3. Age of diplomatic service personnel injured (wound, injury, concussion): _____

4. Time and date of the incident: _____

5. Place of the incident: _____

6. Cause of the incident: _____

7. Circumstances leading to the incident: _____

8. Witnesses to the incident:

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

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

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

9. Physical condition of diplomatic service personnel of the injured
(wound, injury, concussion) at the moment of injury (wound, injury, concussion):

10. Type of injury: _____.
(wound, trauma, injury, concussion)

This certificate on injury (wound, trauma, injury, concussion) by diplomatic service personnel while performing official duties abroad

shall confirm that personnel are injured (wound, injury, concussion)

the foreign service occurred in the performance of his official duties abroad while working in a foreign institution

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