



**On approval of the Rules for posting and public discussion of project subordinate regulatory legal acts on the Internet portal of open regulatory legal acts**

*Unofficial translation*

Order No. 849 of the Acting Minister of Justice of September 30, 2021. Registered with the Ministry of Justice of the Republic of Kazakhstan on October 5, 2021 under No. 24634.

**Unofficial translation**

Footnote. Title - in the wording of the order of the Minister of Justice of the Republic of Kazakhstan dated 12.06.2023 № 372 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

In accordance with subparagraph 47) of paragraph 14 of the Regulation on the Ministry of Justice of the Republic of Kazakhstan, approved by the resolution of the Government of the Republic of Kazakhstan dated October 28, 2004 № 1120, **I hereby ORDER:**

**Footnote. Preamble - in the wording of the order of the Minister of Justice of the Republic of Kazakhstan dated 12.06.2023 № 372 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

1. To approve the attached Rules for posting and public discussion of project subordinate regulatory legal acts on the Internet portal of open regulatory legal acts.

**Footnote. Paragraph 1 – in the wording of the order of the Minister of Justice of the Republic of Kazakhstan dated 12.06.2023 № 372 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

2. That, in the manner prescribed by law, the Department for Registration of Regulatory Legal Acts of the Ministry of Justice of the Republic of Kazakhstan shall ensure the state registration hereof.

3. That the Vice-Minister in charge of Justice of the Republic of Kazakhstan shall be entrusted with the supervision of the execution hereof.

4. That this order shall become effective on the date of its first official publication.

*Acting Minister*

*N. Pan*

“APPROVED BY”

Minister of Digital Development,  
Innovations and Aerospace Industry  
of the Republic of Kazakhstan

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“APPROVED BY”

Minister of Information and  
Social Development

Approved  
by Order of the Acting  
Minister of Justice of the  
Republic of Kazakhstan  
№ 849 of September 30, 2021

## **Rules for posting and public discussion of project subordinate regulatory legal acts on the Internet portal of open regulatory legal acts**

**Footnote. The title of the rules - in the wording of the order of the Minister of Justice of the Republic of Kazakhstan dated 12.06.2023 № 372 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

### **Chapter 1. General provisions**

1. These Rules for posting and public discussion of project subordinate regulatory legal acts on the Internet Portal of open regulatory legal acts (hereinafter referred to as the Rules) have been developed in accordance with subparagraph 47) of paragraph 14 of the Regulation on the Ministry of Justice of the Republic of Kazakhstan, approved by the Decree of the Government of the Republic of Kazakhstan dated October 28, 2004 № 1120, and shall determine the procedure for posting and public discussion of project subordinate regulatory legal acts on the Internet portal of open regulatory legal acts. "

**Footnote. Paragraph 1 - in the wording of the order of the Minister of Justice of the Republic of Kazakhstan dated 12.06.2023 № 372 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

2. The following terms shall be used herein:

1) Internet-Portal of Publicly Available Regulatory Legal Acts (hereinafter - the Portal) - a component of the e-government web portal, providing placement of draft regulatory legal acts and other information under the Law of the Republic of Kazakhstan "On Access to Information" for the public discussion procedure;

2) an automated portal workstation (hereinafter referred to as an APW) - an application designed to manage the settings and content that is hosted on the Portal and provided by the operator of the e-government information and communication infrastructure";

3) information user - a natural or legal person requesting and (or) using the information;

4) information with restricted access - information classified as state secrets, personal, family, medical, banking, commercial and other secrets protected by law, as well as official information marked "For Official Use";

5) e-Government information and communication infrastructure operator (hereinafter referred to as operator) is a legal entity determined by the Government of the Republic of

Kazakhstan, responsible for ensuring the functioning of the e-Government information and communication infrastructure assigned thereto;

6) e-government web portal - an information system providing a “one-stop solution” access to all consolidated government information, including the regulatory framework, and to public and other services provided in electronic form.

## **Chapter 2. Procedure for posting and public discussion of project subordinate regulatory legal acts on the Portal**

**Footnote. Chapter 2 title - in the wording of the order of the Minister of Justice of the Republic of Kazakhstan dated 12.06.2023 № 372 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

3. Developed project subordinate regulatory legal acts that shall not contain restricted information, together with explanatory notes and comparative tables to them (in cases of introduction of amendments and/or additions to regulatory legal acts), with the exception of draft regulatory legal acts of the President of the Republic of Kazakhstan, developed by the Office of the First President of the Republic of Kazakhstan - Elbasy, the Administration of the President of the Republic of Kazakhstan, shall be sent for approval to interested state bodies and posted for public discussion on the Portal.

The explanatory note to the project subordinate regulatory legal acts shall contain a justification for the need to adopt a project with a detailed description of the goals, objectives and basic provisions of the project, shall be set out in a form that shall allow you to get general information about the project, and contribute to raising the level of public awareness.

**Footnote. Paragraph 3 as amended by the order of the Minister of Justice of the Republic of Kazakhstan dated 12.06.2023 № 372 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

4. Draft regulatory legal acts shall be posted on the Portal in the Kazakh and Russian languages. Draft regulatory legal acts shall be posted through the APW by the staff of the drafting public authorities, to be determined by the public authorities themselves. The operator shall provide access to the APW to the staff of the drafting public authorities based on requests from the drafting public authorities.

The operator shall train the authorised staff of the public authorities drafting the regulatory acts on how to work with the APW.

5. The term for posting project subordinate regulatory legal acts on the Portal for public discussion cannot be less than ten working days.

According to the project subordinate regulatory legal acts of regulatory legal acts developed within the framework of the instructions of the President of the Republic of Kazakhstan, the Government of the Republic of Kazakhstan or the Prime Minister of the Republic of Kazakhstan with a deadline of no more than thirty working days, as well as providing for the approval of budgets of all levels, a unified budget classification, a table for

the distribution of revenues, the placement period for public discussion shall be reduced to five working days.

For project subordinate regulatory legal acts providing for the adoption of decisions on the establishment of (cancellation) of the quarantine zone with the introduction of a quarantine regime in the corresponding territory, the establishment of (removal) of quarantine and (or) restrictive measures in cases provided for by the legislation of the Republic of Kazakhstan in the field of veterinary medicine, declaration of a natural and man-made emergency, as well as developed in connection with temporary restrictive measures due to an unfavorable epidemiological situation, including with quarantine, or in the implementation of decisions of the State Commission for ensuring the state of emergency under the President of the Republic of Kazakhstan, created in accordance with the Law of the Republic of Kazakhstan "On the state of emergency," the term of placement for public discussion shall be one working day.

**Footnote. Paragraph 5 – in the wording of the order of the Minister of Justice of the Republic of Kazakhstan dated 12.06.2023 № 372 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

6. Comments and/or proposals with a brief justification for the draft regulatory legal act shall be posted on the Portal by the operator provided that the following conditions are met:

- 1) the user is registered on the e-government web portal;
- 2) comments and/or proposals do not contain obscene language, abusive language, advertising or other information not related to the draft regulatory legal act;
- 3) a specific structural element of the draft regulatory legal act, (section, article, paragraph , subparagraph) in relation to which the proposal is made and/or a comment is made, is specified.

Comments and/or proposals from users of information received after the deadline set by the public authority responsible for the public discussion of drafts shall not be considered.

7. Submitted recommendations of the Public Council, expert opinions of the National Chamber of Entrepreneurs of the Republic of Kazakhstan and members of the Expert Council on the draft regulatory legal act shall be placed on the Portal in the Kazakh and Russian languages.

If the Public Council, the National Chamber of Entrepreneurs of the Republic of Kazakhstan and the members of the Expert Council fails to provide recommendations and expert conclusions within the deadline set by the public authority-developer, the draft regulatory legal act shall be considered to be agreed without comments.

8. Within one working day, the operator shall verify that the comments and/or proposals of users of the information comply with the requirements hereof and shall decide whether or not to publish them.

If the comments and/or proposals do not meet the requirements laid down herein, the operator shall refuse to publish them, stating the reasons.

9. State bodies developing project subordinate regulatory legal acts shall consider comments and (or) proposals no later than three working days from the date of receipt and post on the Portal a decision on their adoption or rejection with an indication of justifications.

In case of disagreement with expert opinions and (or) recommendations of the Public council, the bodies developing project subordinate regulatory legal acts also post on the Portal a formed position justifying the reasons for disagreement.

When adopting conceptual comments and proposals to project regulatory legal acts, government agencies-developers place a new version of the project.

**Footnote. Paragraph 9 - in the wording of the order of the Minister of Justice of the Republic of Kazakhstan dated 12.06.2023 № 372 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

10. If comments and (or) proposals to the project are not submitted in the process of public discussion of information by users, the report on completion of public discussion of the project is automatically generated in the form in accordance with the Annex to these Rules ( hereinafter referred to as the report).

Upon receipt of comments and (or) proposals of users of information to the project in the process of public discussion after the expiration of the period stipulated by paragraph 5 of these Rules, a preliminary version of the report shall be automatically generated on the Portal for additional discussion.

An additional discussion shall be held within one working day after the publication on the Portal of the preliminary version of the report by the government bodies developing projects at the time determined by them. Comments and/or suggestions received during the additional discussion shall be accepted or rejected by the developing bodies with an indication of justifications.

Upon completion of the additional discussion, a report shall be automatically generated on the Portal.

**Footnote. Paragraph 10 – in the wording of the order of the Minister of Justice of the Republic of Kazakhstan dated 12.06.2023 № 372 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

Annex to the Rules  
of placement and public  
project discussions  
project regulatory legal acts  
on the Internet-  
portal of open regulatory  
legal acts

**Footnote. The upper right corner of the Annex – in the wording of the order of the Minister of Justice of the Republic of Kazakhstan dated 12.06.2023 № 372 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

## Report on the completion of the public debate on the draft regulatory legal act

“ \_\_\_\_\_ ”

(name of the draft regulatory legal act)

Date of publication of the draft: \_\_\_\_\_

Date of report generation: \_\_\_\_\_

Total votes of information users “for” the project: \_\_\_\_\_

Total votes of information users “against” the project: \_\_\_\_\_

Total number of comments and/or proposals: \_\_\_\_\_

Total responses: \_\_\_\_\_

Total votes by users of the information “for” (proposal): \_\_\_\_\_

Total votes of information users “against” (proposal): \_\_\_\_\_

Type of the regulatory legal act: \_\_\_\_\_

Category: \_\_\_\_\_

Public authority: \_\_\_\_\_

№ s/o	Date of creation	Author	The commented structural part of the regulatory legal act	Text of the information user's comment and/or proposal	Text of the government response	Number of votes by users of the information “for” the proposal	Number of votes by users of the information “against” the proposal
1. 1. Those received during the public consultation process, excluding those actors referred to elsewhere in this report							
2. Received from members of the Public Council							
3. Received from the members of the Expert Council							
4. Received from the National Chamber of Entrepreneurs of the Republic of Kazakhstan							