



## **On the State Legal Statistics and Special Accounts**

### *Unofficial translation*

The Law of the Republic of Kazakhstan dated 22 December, 2003 No.510.

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This Law shall determine the legal bases and principles of carrying out state legal statistics and maintaining special accounts, powers, and functions of the authorized body, subjects of legal statistics, and special accounts.

**Footnote. The preamble as amended by the Law of the Republic of Kazakhstan dated 05.11.2022 No. 157-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).**

### **Article 1. Basic concepts used in this Law**

The following basic concepts shall be used in this Law:

- 1) the state legal statistics – a branch of the state statistics, based on the centralized system of departmental accounts in the penal, civil, administrative and legal scopes;
- 2) a state legal information statistical system - combined statistical electronic information resources of the authorized body and subjects of legal statistics and special accounts;
- 3) legal statistical information - documented information provided by the subjects of legal statistics and special accounts to the authorized body;
- 4) documented information - information about persons, objects, facts, events, circumstances, and other legal phenomena and processes occurring in the criminal law, civil law, and administrative law spheres;
- 5) an information accounting document - a material (paper, magnetic, optical, electronic) carrier of legal statistical information of the established form, on the basis of which the data of state legal statistics and special accounts are formed;
- 6) legal statistical observation – statistical observation on events and processes, influence on the general state of the legality, legal order, observance of rights and legal interests of person and citizen, legal entities and the state;
- 7) civil law statistics - a branch of state legal statistics on the state of civil legal relations, civil and administrative proceedings, as well as enforcement proceedings in the civil law sphere;
- 7-1) geographical information maps of the state legal information statistical system - a component of the state legal information statistical system that provides visualization of legal statistical information on the geographical coordinates of settlements in real-time;

8) criminal law statistics - a branch of state legal statistics on the state of criminal misconduct and crime, investigation of pre-trial proceedings, criminal proceedings, as well as enforcement proceedings in the criminal law sphere, the application of punishment and other measures of criminal law influence for the commission of criminal offenses;

9) administrative and legal statistics – a branch of the state legal statistics on the state of administrative infractions and legal proceedings on administrative infractions;

10) departmental account – collection, registration, systematization, classification and storage of details on persons, subjects and events, not related with operative and special accounts, for ensuring of intradepartmental activity of the state body;

11) special account – collection, registration, processing, accumulation, systematization, classification, storage of documented information in the scope of the state legal statistics for information support of the state bodies, individuals and legal entities;

12) operative account – collection, registration, systematization, classification, storage of details on persons, intended for ensuring of operational and search activity of subjects of legal statistics and special accounts;

13) subjects of legal statistics and special accounts - law enforcement, special, judicial, and other state bodies, organizations, as well as persons who, in accordance with the legislation of the Republic of Kazakhstan, provide legal statistical information to the authorized body;

14) an authorized body - a state body, carrying out activities in the field of state legal statistics and special accounts within its competence;

15) accounting and registration discipline – the provision by subjects of legal statistics and special accounts of legal statistical information in accordance with the criteria, limits, parameters, volumes, and terms established by the authorized body.

**Footnote. Article 1 as amended by the Laws of the Republic of Kazakhstan dated 15.01.2014 No. 164-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 03.07.2014 No. 227-V (shall be enforced from 01.01.2015); dated 24.11.2015 № 419-V (shall be enforced from 01.01.2016); dated 05.11.2022 No. 157-VII ( shall be enforced upon expiry of ten calendar days after the day of its first official publication ).**

## **Article 2. The legislation of the Republic of Kazakhstan on the state legal statistics and special accounts**

1. The legislation of the Republic of Kazakhstan on state legal statistics and special accounts shall be based on the Constitutional Law of the Republic of Kazakhstan "On the Prosecutor's Office", consists of this Law and other regulatory legal acts of the Republic of Kazakhstan.

2. If by the international treaty, ratified by the Republic of Kazakhstan, made other rules than those that contained in this Law, the rules of the international treaty shall be applied.

Footnote. Article 2 as amended by the Law of the Republic of Kazakhstan dated 05.11.2022 No. 157-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

### **Article 3. The subject of the state legal statistics and special accounts**

The subject of the state legal statistics shall be the quantitative part of the mass legal or other legally significant events and processes in the particular conditions of place and time for the purposes of revelation of their qualitative peculiarity, trends and regularity of development.

The subject of special accounts shall be documented information, characterizing a set of mass legal or other legally significant events by statistical observation.

### **Article 4. Basic tasks and principles of formation of the state legal statistic and special accounts**

1. The tasks of the state legal statistics and maintaining of special accounts shall be:

1) effective and sufficient information support of the state bodies, individuals and legal entities on the state of legality and legal order in country on the basis of unified statistical principles and standards;

2) improvement and development of the state legal statistical information system.

2. The state legal statistics and special accounts shall be carried out on the principles of:

1) unity of management of the state legal statistical information system;

2) integrity, objectivity, sufficiency, stability and legal compatibility of legal statistical information;

3) accessibility and openness of legal statistical information within the limits established by the legislation of the Republic of Kazakhstan;

4) strict observance of rights and legal interests of person and citizen, legal entities and the state.

### **Article 5. Formation of legal statistics**

Procedure, criteria, parameters, volumes and terms of formation of legal statistics shall be established by the authorized body.

### **Article 6. The competence of the authorized body**

For the purposes of the state policy in the field of formation of the state legal statistics and maintaining of special accounts, the authorized body shall:

1) form the state legal statistics;

2) maintain special accounts, except for operative, departmental accounts and accounting of persons cooperating with bodies carrying out operational search and counterintelligence activities on a confidential basis;

3) carry out supervision of integrity, objectivity, reliability, sufficient details of the state legal statistics and special accounts, provided by the subjects of legal statistics and special accounts, as well as determine the method of gathering, registration, processing, accumulation, collection and storage of information in this scope;

4) make legal statistical observances;

5) carry out information and analytical activity in the scope of legal statistics and maintaining of special accounts;

6) carries out registration and (or) keeps records of forms of state control, as well as supervision provided for by the laws of the Republic of Kazakhstan;

7) Is excluded by the Law of the Republic of Kazakhstan dated 03.07.2013 No. 124-V ( shall be enforced upon expiry of ten calendar days after its first official publication);

8) interact with the subjects of legal statistics and special accounts in the framework of the implementation of the tasks of the authorized body;

9) carry out international cooperation in the field of legal statistics and special accounts;

10) Is excluded by the Law of the Republic of Kazakhstan dated 03.07.2013 No. 124-V ( shall be enforced upon expiry of ten calendar days after its first official publication);

11) develop statistical principles and standards, method in the scope of the state legal statistics and special accounts;

12) develop the regulatory legal acts on issues of legal statistics and special accounts, compulsory for all subjects of legal statistics and special accounts;

12-1) coordinate the registration and accounting of forms of state control, as well as supervision, provided for by the laws of the Republic of Kazakhstan;

12-2) publish information on persons brought to criminal responsibility for committing offenses against sexual inviolability of minors;

12-3) perform the functions of an operator of information systems for the formation of state legal statistics and maintaining special accounts, and information exchange systems for law enforcement, special state, and other bodies for:

ensuring compliance with unified requirements in the field of information and communication technologies and ensuring information security;

implementation of the operation, maintenance, development, and monitoring;

ensuring uninterrupted and proper functioning, as well as protection;

ensuring the security of the storage of electronic information resources;

ensuring prompt response to identified shortcomings and taking measures to eliminate them;

12-4) determine the officials responsible for the functioning, administration, and use of information systems for the formation of state legal statistics and maintaining special records, the information exchange system of law enforcement, special state, and other bodies;

12-5) ensure the functioning of geographical information maps of the state legal information statistical system;

12-6) carry out acceptance, issue, familiarization, storage, and destruction of terminated criminal cases;

12-7) develop and approve the forms of acts of state control and orders to eliminate the identified violations, provided for by the Entrepreneurial Code of the Republic of Kazakhstan ;

12-8) makes proposals on improving the procedure for conducting state control and supervision to the regulatory state bodies;

12-9) introduce information and communication technologies in the processes of investigation of criminal cases, proceedings on cases of administrative offenses, registration and (or) accounting of forms of state control, as well as supervision, provided for by the laws of the Republic of Kazakhstan;

12-10) conduct an operational assessment for the consideration of applications;

12-11) provide public services to individuals and legal entities;

13) carry out other functions, provided by this Law, other Laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan.

The department with territorial bodies and bodies equivalent to them shall carry out its activities within the competence of the authorized body.

**Footnote.** Article 6 as amended by the Laws of the Republic of Kazakhstan dated 05.07.2011 No. 452-IV (shall be enforced from 13.10.2011); dated 03.07.2013 No. 124-V ( shall be enforced upon expiry of ten calendar days after its first official publication); dated 29.12.2014 No. 269-V (shall be enforced from 01.01.2015); dated 24.11.2015 № 419-V (shall be enforced from 01.01.2016); dated 28.12.2016 № 36-VI (shall be enforced upon expiry of two months after the day its first official publication); dated 03.07.2017 № 84-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 24.05.2018 No. 156-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 05.11.2022 No. 157-VII (see Article 3 for the procedure of entry into force).

## **Article 7. Rights and obligations of the authorized body**

**Footnote.** The title of Article 7 as amended by the Law of the Republic of Kazakhstan dated 05.11. 2022 No. 157-VII (see Article 3 for the procedure of entry into force).

1. The authorized body, within its powers, shall have the right to:

1) receive legal statistical information without compensation from the subjects of legal statistics and special accounts on issues of the state legal statistics and maintaining of special accounts, departmental reporting, documents and forms of primary accounting, as well as other information for production of statistical information and maintaining of special accounts ;

2) carry out supervision over the integrity, objectivity, reliability, and sufficiency of legal statistical information provided by the subjects of legal statistics and special accounts, without

interfering in their activities not related to the formation of state legal statistics and maintaining special accounts;

3) conduct verification of compliance with the law, analysis of the state of law, and assessment of acts that have entered into force in the field of state legal statistics and special accounts;

4) is excluded by the Law of the Republic of Kazakhstan dated 05.11.2022 No. 157-VII ( shall be enforced upon expiry of ten calendar days after the day of its first official publication ).

5) refuses to register acts on the appointment of inspections, preventive control with a visit to the subject (object) of control and supervision and other forms of state control, as well as supervision provided for by the laws of the Republic of Kazakhstan, subject to registration with the authorized body, in cases of violations of the legislation of the Republic of Kazakhstan during their appointment;

5-1) provide access to legal statistical information in ways not prohibited by the legislation of the Republic of Kazakhstan;

6) carry out other rights in accordance with the Laws of the Republic of Kazakhstan.

2. The authorized body, within its powers, shall be obliged to carry out:

1) gathering, processing, accumulation, collection and updating of information in the scope of the state legal statistics and maintaining of special accounts;

2) coordination and approval of program of legal statistical observations, conducted with central executive bodies, carrying out management of the state statistics;

3) provision of legal statistical information of the state bodies;

4) provision of legal statistical information, details of special accounts of subjects of legal statistics and special accounts on a gratuitous base within the limits, volumes and terms, which are established by the regulatory legal acts of the Republic of Kazakhstan;

5) information services of individuals and legal entities within the limits, volumes and terms, which are established by the regulatory legal acts of the Republic of Kazakhstan, at the expense of funds, received in the republican budget in accordance with the legislation of the Republic of Kazakhstan;

6) the safety of the information received, constituting state secrets, personal data, and other secrets protected by the law;

7) protection of information system from unauthorized access, corruption or destruction of data on objects of legal statistics and special accounts;

8) observance of rights and legal interests of person and citizen, legal entities and the state upon formation of the state legal statistics and maintaining of special accounts;

9) presentation of details from their own information systems at the request of the authorized body on financial monitoring in accordance with the legislation of the Republic of Kazakhstan on counteraction to legitimization (laundering) of incomes, received by illegal means, and financing of terrorism;



10) perform other duties provided for by the laws of the Republic of Kazakhstan.

Footnote. Article 7 as amended by the Laws of the Republic of Kazakhstan dated 28.08.2009 No. 192-IV (shall be enforced from 08.03.2010); dated 19.03.2010 No. 258-IV; dated 28.12.2011 No. 522-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 10.06.2014 No. 206-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 25.06.2020 No. 347-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 05.11.2022 No. 157-VII (see Article 3 for the procedure of entry into force).

## **Article 8. Rights and obligations of subjects of legal statistics and special accounts**

1. Subjects of legal statistics and special accounts within their powers shall have a right to :

1) make suggestions on measures on improvement of the state legal statistics and special accounts;

2) to carry out departmental legal statistical observations and to conduct operational, departmental accounts to ensure operational search, counterintelligence and official activities, in accordance with the legislation of the Republic of Kazakhstan.

2. Subjects of legal statistics and special accounts shall be obliged to:

1) provide the authorized body with information accounting documents, other necessary materials and information in the manner, limits, volumes and within the time limits established by the authorized body;

2) provide integrity, objectivity, reliability and sufficiency of legal statistical information and carry out control of completeness and reliability of representation of legal statistical information within their powers;

3) ensure the safety of the information received, constituting state secrets, personal data, and other secrets protected by law, as well as electronic information resources obtained from information systems for the formation of state legal statistics and maintaining special accounts, the information exchange system of law enforcement, special state, and other bodies;

4) register acts on the appointment of inspections, preventive control with a visit to the subject (object) of control and supervision and other forms of state control, as well as supervision, provided for by the laws of the Republic of Kazakhstan, subject to registration with the authorized body.

Footnote. Article 8 as amended by the Laws of the Republic of Kazakhstan dated 24.11.2015 № 419-V (shall be enforced from 01.01.2016); dated 28.12.2016 № 36-VI (shall be enforced upon expiry of two months after the day its first official publication); dated 25.06.2020 No. 347-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 05.11.2022 No. 157-VII (see Article 3 for the procedure of entry into force,).

## **Article 9. Guarantees of rights of individuals and legal entities**

1. In the course of registration, accumulation, processing, storage, and provision of legal statistical information, the authorized body shall take measures provided for by the legislation of the Republic of Kazakhstan on the protection of information constituting state secrets, personal data, and other secrets protected by the law.

2. Legal statistical information on particular events, processes and persons, constituting the data of investigation and interrogation shall not subject to disclosure. It may be made public with permission of investigator, interrogating officer, prosecutor and court to the amount in which they will be recognized by them as possible, if it is not contrary to the interests of the investigation and not related with violation of rights, freedoms and legally protected interests of other persons.

3. The safety of all primary legal statistical information, provided to the authorized body shall be provided for the purposes of observation of rights and legal interests of person and citizen, legal entities and the state.

4. The authorized body shall be obliged to provide each citizen with the opportunity to get acquainted with details, affecting its rights, freedoms and interests, containing in relation with it in the special accounts.

5. The fact of illegal entering of details on it in the special accounts may be appealed in the manner established by the legislation of the Republic of Kazakhstan.

**Footnote. Article 9 as amended by the Law of the Republic of Kazakhstan dated 05.11.2022 No. 157-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).**

## **Article 10. Financing of statistical works**

Statistical works performed by the authorized body shall be financed from the republican budget.

**Footnote. Article 10 as amended by the Law of the Republic of Kazakhstan dated 05.11.2022 No. 157-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).**

## **Article 11. Legal record registration**

Legal accounting registration shall be carried out by the authorized body by receiving, accounting, and systematizing civil law, criminal law and administrative law documented information.

**Footnote. Article 11 as amended by the Law of the Republic of Kazakhstan dated 05.11.2022 No. 157-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).**



## **Article 12. Assignment and maintaining of special accounts**

1. Special accounts shall be intended for information support of:

1) activity of the state bodies on improvement of the legislation of the Republic of Kazakhstan;

2) enforcement activity of the state bodies;

3) individuals and legal entities in the manner, established by the legislation of the Republic of Kazakhstan.

2. Collection, registration, processing, accumulation, systematization, classification, storage and use of special accounts shall be provided by the authorized body.

3. The authorized body shall maintain the following types of special accounts:

1) persons who have committed criminal offenses, have been brought and are being brought to criminal responsibility;

2) fingerprint records of detained, accused in custody and sentenced persons;

3) wanted persons hiding from the inquiry, investigation, and court, as well as persons evading serving a sentence or exercising probationary control;

4) wanted persons missing;

5) corpses whose identity has not been established;

6) persons, brought to the administrative responsibility;

6-1) is excluded by the Law of the Republic of Kazakhstan dated 05.11.2022 No. 157-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication);

6-2) citizens of the Republic of Kazakhstan brought to criminal responsibility, convicted, and serving sentences abroad;

7) persons, recognized by court as incapable and impaired;

8) persons deprived of the right to hold certain positions or engage in certain activities;

9) persons, committed corruption infractions;

10) inspections, preventive control with a visit to the subject (object) of control and supervision and other forms of state control, as well as supervision, provided for by the laws of the Republic of Kazakhstan, registered with the authorized body in the manner established by the legislation of the Republic of Kazakhstan;

10-1) persons, brought to the responsibility for carrying out of terrorist activity, as well as organizations and information materials, recognized by court as terroristic;

11) persons, bringing to responsibility for commission of extremism, as well as organizations and information materials, recognized by court as extremistic;

11-1) persons committed disciplinary offenses discrediting civil service;

**Note!**

Subparagraph 12) is as amended by the Law of the Republic of Kazakhstan dated 03.01.2023 No. 188-VII (shall be enforced from 01.01.2027).

- 12) persons, dismissed from the state service on negative motives;
- 13) road traffic accidents, which caused death or injury of people;
- 14) person, not fulfilled obligations on enforcement documents, as well as persons, not executed regulation on imposition of administrative fine on a voluntary base;
- 15) wanted persons, being the debtors on enforcement proceedings, defendants in the cases, presented in the interest of the state, as well as on recovery of alimony, compensation of damage, caused by injure or other injury to health, death of the wage earner;
- 16) persons, brought to the responsibility for commission of legitimization (laundering) of money and (or) other property, received by illegal means, and financing of terrorism;
  - 16-1) persons brought to criminal responsibility for committing criminal offenses against sexual inviolability of minors;
  - 16-2) wanted persons who have lost contact with relatives;
  - 16-3) persons who are not able to tell identity information about themselves ;
- 17) amounts of confiscated property related to the legalization (laundering) of money and (or) other property obtained by criminal means and financing of terrorism, as well as amounts obtained by criminal means, subject to return and returned to the Republic of Kazakhstan;
- 18) mutual legal assistance and other international requests, related with legitimization (laundering) of money and (or) other property, received by illegal means, and financing of terrorism;
- 19) is excluded by the Law of the Republic of Kazakhstan dated 24.05.2018 No. 156-VI ( shall be enforced upon expiry of ten calendar days after the day of its first official publication );
- 20) is excluded by the Law of the Republic of Kazakhstan dated 24.05.2018 No. 156-VI ( shall be enforced upon expiry of ten calendar days after the day of its first official publication ).

4. The rules for maintaining, using, and storing special records, except for operational and departmental accounts shall be established by the authorized body.

Footnote. Article 12 as amended by the Laws of the Republic of Kazakhstan dated 23.02.2005 No. 33; dated 28.08.2009 No. 192-IV (shall be enforced from 08.03.2010); dated 06.01.2011 No. 379-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 28.12.2011 No. 522-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 15.01.2014 No. 164-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 10.06.2014 No. 206-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 03.07.2014 No. 227-V (shall be enforced from 01.01.2015); dated 04.07.2014 No. 233-V (shall be enforced from 01.01.2015); dated 03.11.2014 No. 244-V (the order of enforcement see Article 2); dated 29.12.2014 No. 269-V (shall be enforced from 01.01.2015); dated 29.10.2015 № 376-V (shall be enforced from 01.01.2016); dated 24.11.2015 № 419-V (shall be enforced from 01.01.2016); dated 06.04.2016 № 484-V (shall

be enforced upon expiry of ten calendar days after the day its first official publication); dated 18.04.2017 № 58-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 03.07.2017 № 84-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 24.05.2018 No. 156-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 13.05.2020 No. 325-VI (shall be enforced upon expiry of six months after the day of its first official publication); dated 05.11.2022 No. 157-VII (see Article 3 for the procedure of entry into force,).

### **Article 13. Objects of special accounts**

1. The object of special account in the territory of the Republic of Kazakhstan may be individual independent from origin, social, official and property position, sex, race, nationality, language, citizenship, attitude to religion, beliefs, membership of the public associations, place of residence or any other circumstances, as well as a legal entity.

2. The consent of object of account shall not be required for inclusion of details on it to the system of special accounts of the authorized body, unless otherwise provided by the Law.

3. The consent of object of account shall not be required for the use of details on it by the state body upon solution of tasks, including in its competence, unless otherwise provided by the Law.

4. Surname, name, patronymic, the date of birth, birth place of person, as well as the fact of change of these data by person, as well as the previous data shall not be the personal or family secret. A person shall not have right to prohibit or permit the inclusion of these, as well as other details, received by illegal means to the special accounts.

### **Article 14. Formation of special accounts**

1. Special accounts, details of which may be used by various state bodies upon solution of tasks, including in their competence, shall subject to maintaining only in the authorized body.

2. Information accounting documents and other necessary materials and details shall be presented by the subjects of legal statistics and special accounts for formation of special accounts in the manner, within the limits, volumes and terms, which are established by the authorized body.

### **Article 15. Assignment and maintaining of departmental accounts**

1. Departmental accounts shall be carried out by the subjects of legal statistics and special accounts for the purposes of solution of tasks, including in their competence.

2. Procedure of formation of departmental accounts shall be determined by the departmental instructions.

3. Details, contained in the departmental accounts may be exclusively used within solution of tasks, including in the competence of the state body.

#### **Article 16. Procedure of use, storage of legal statistical information**

1. The authorized body shall have a right to publish statistical information in the mass media, issue statistical books and otherwise use of statistical information for practical, scientific and research purposes with observance of requirements of the legislation of the Republic of Kazakhstan.

2. Legal statistical information in the form of information accounting documents and report forms shall be stored in the conditions, ensuring its safety in accordance with the requirements, determined by the authorized body.

3. The terms of storage of legal statistical information shall be established by the authorized body in accordance with the legislation of the Republic of Kazakhstan.

**Footnote. Article 16 as amended by the Law of the Republic of Kazakhstan dated 19.03.2010 No. 258-IV.**

#### **Article 16-1. Information exchange system of law enforcement, special state and other bodies**

1. The information exchange system of law enforcement, special state, and other bodies is a confidential information system designed to provide employees and (or) employees of the authorized body for financial monitoring, law enforcement, special state and other bodies with electronic information resources from information systems of state, other bodies, and organizations, allowing to receive electronic information resources exclusively at their request in the framework of their activities in accordance with this Law.

The list of Internet resources and information systems integrated with the system of information exchange of law enforcement, special state and other bodies shall be determined by the Government of the Republic of Kazakhstan.

The procedure and grounds for obtaining information necessary to solve the tasks assigned to them by other bodies from the information exchange system of law enforcement, special state, and other bodies shall be determined by joint regulatory legal acts of the Prosecutor General of the Republic of Kazakhstan and the first heads of other bodies.

2. The functioning of information exchange system of law enforcement, special state and other bodies shall be carried out by the operator of information exchange system of law enforcement, special state and other bodies in accordance with the legislation of the Republic of Kazakhstan on state legal statistics and special accounts and on informatization.

3. The rules for use of information exchange system of law enforcement, special state and other bodies shall be determined by the General Prosecutor of the Republic of Kazakhstan in agreement with the authorized body in the field of information.

Footnote. The Law is supplemented by Article 16-1 in accordance with the Law of the Republic of Kazakhstan dated 24.11.2015 № 419-V (shall be enforced from 01.01.2016); as amended by the Law of the Republic of Kazakhstan dated 22.12.2016 № 28-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 05.11.2022 No. 157-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

**Article 16-2. The procedure and grounds for obtaining electronic information resources from information exchange system of law enforcement, special state and other bodies**

1. Obtaining electronic information resources from information exchange system of law enforcement, special state and other bodies shall be carried out by the users registered in the system through a single transport environment of state bodies and secure communication channels using electronic digital signature of the National Certifying Center of the Republic of Kazakhstan in the manner established by the legislation of the Republic of Kazakhstan.

2. The request in the form of an electronic document that meets the requirements of the legislation of the Republic of Kazakhstan on an electronic document and an electronic digital signature is equivalent to a document on paper.

3. In order to obtain information in the framework of criminal, civil, administrative, search cases and enforcement proceedings, the request shall indicate the circumstances that served as the basis for demanding information.

The reasonableness of the request shall be subject to verification by the operator of information exchange system of law enforcement, special state and other bodies by reconciling in the databases of the availability of materials in the production of the user that became the basis for initiating the request.

Obtaining of electronic information resources from the system of information exchange of law enforcement, special state and other bodies shall be possible only with a positive result of the audit.

The procedure and grounds for obtaining of information by law enforcement, special state bodies of the Republic of Kazakhstan and military intelligence bodies of the Ministry of Defense of the Republic of Kazakhstan from the information exchange system of law enforcement, special state and other bodies, necessary for conducting covert investigative actions and operational-search activities, as well as for solving other assigned tasks, are determined by joint regulatory legal acts of the Prosecutor General of the Republic of Kazakhstan, the Minister of Defense of the Republic of Kazakhstan and the first heads of law enforcement and special state bodies of the Republic of Kazakhstan.

4. The courts shall be provided with information in the framework of criminal, civil, administrative cases in accordance with the norms of the current legislation of the Republic of Kazakhstan and in compliance with the requirements of paragraph 3 of this article.

5. The procedure and grounds for obtaining information necessary to counteract the legalization (laundering) of proceeds from crime and the financing of terrorism by the authorized financial monitoring body from the information exchange system of law enforcement, special state, and other bodies shall be determined by a joint regulatory legal act of the Prosecutor General of the Republic of Kazakhstan and the authorized body for financial monitoring.

**Footnote.** The Law is supplemented by Article 16-2 in accordance with the Law of the Republic of Kazakhstan dated 24.11.2015 № 419-V (shall be enforced from 01.01.2016); as amended by the Law of the Republic of Kazakhstan dated 22.12.2016 № 28-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 25.06.2020 No. 347-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 05.11.2022 No. 157-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

**Article 16-3. Restrictions on the use of electronic information resources obtained from information exchange system of law enforcement, special state and other bodies**

1. The users of information exchange system of law enforcement, special state and other bodies shall ensure the validity of the request, the use of information received solely for the purposes stated in the request, as well as compliance with the legislation of the Republic of Kazakhstan on personal data and their protection.

2. The obtained information shall be stored in the materials on the basis it is requested. Copying, withdrawal, subsequent transfer, distribution of such information shall be prohibited

3. Terms, conditions for storing information shall be determined based on the content of the main material. The information shall be subject to destruction along with the relevant materials.

4. Officials responsible for ensuring the validity of requests, organization of work with electronic information resources obtained from information exchange system of law enforcement, special state and other bodies, and their use shall be determined by the heads of these bodies.

5. Officials shall be liable for violation of the requirements of the legislation of the Republic of Kazakhstan on personal data and their protection under the laws of the Republic of Kazakhstan.

**Footnote.** The Law is supplemented by Article 16-3 in accordance with the Law of the Republic of Kazakhstan dated 24.11.2015 № 419-V (shall be enforced from 01.01.2016).

**Article 17. Responsibility for violation of the legislation of the Republic of Kazakhstan on the state legal statistics and special accounts**



Persons, guilty in violation of the legislation of the Republic of Kazakhstan on the state legal statistics and special accounts shall bear responsibility in the manner established by the Laws of the Republic of Kazakhstan.

*The President  
of the Republic of Kazakhstan*

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