On the state social commissioning, state commissioning of strategic partnerships, grants and awards for non-governmental organisations in the Republic of Kazakhstan

Unofficial translation

The Law of the Republic of Kazakhstan dated 12 April, 2005 № 36. ootnote. The title - as reworded by Law of the Republic of Kazakhstan № 34-VII of 04.07.2022 (shall take effect upon expiration of sixty calendar days after the date of its first official publication).

Unofficial translation

Footnote. The title - as reworded by Law of the Republic of Kazakhstan No. 134-VII of 04.07.2022 (shall take effect upon expiration of sixty calendar days after the date of its first official publication).

Footnote. Throughout the text the word “of projects” is substituted by the words “of social projects” by the Law of the Republic of Kazakhstan dated 22.12.2011No. 515-IV (shall be enforced from 01.01.2012).

This Law governs the social relations arising in the process state social commissioning, state commissioning of strategic partnerships, provision of grants and awards for non-governmental organisations in the Republic of Kazakhstan.

Footnote. The preamble as reworded by Law of the Republic of Kazakhstan No. 134-VII of 04.07.2022 (shall come into force sixty calendar days after the day of its first official publication).

Article 1. Basic definitions used in this Law

The following basic definitions shall be used in this Law:

1) social program – a complex of interrelated social projects;

1-1) social project – a set of organizational, economic and technical measures, directed to achievement of objectives in the socially important scopes, implementing during one year and up to three years;

2) state social order - a form of implementation of social programs, social projects, functions of central and (or) local executive bodies, transferred for implementation in a competitive environment, aimed at solving problems in the social sphere, performed by non-governmental organizations at the expense of budget funds;

3) competition for reception of the state social order (hereinafter – competition) – a method of determination of potential supplier, directed to acquisition of work, services of non-governmental organizations by customer and ensuring open and fair competition between potential suppliers of the state social order;

3-1) public authority responsible for the state commissioning of social services and grants for non-governmental organisations (hereinafter the public authority) - a public authority

including the central state and local executive bodies, responsible for the formation, monitoring of implementation and evaluation of the results of the state social services and the formation and evaluation of the efficiency of state grants for non-governmental organisations;

3-2) is excluded by the Law of the Republic of Kazakhstan dated 02.12.2015 No. 429-V (shall be enforced upon expiry of ten calendar days after its first official publication);

3-3) standards of the state social order - regulatory legal acts establishing requirements for quality, conditions, content of services provided by non-governmental organizations, as well as criteria for assessing its quality;

4) an agreement for exercising the state social order – an agreement, concluded between customer and supplier according to the procedure, established by the legislation of the Republic of Kazakhstan;

4-1) is excluded by the Law of the Republic of Kazakhstan dated 02.12.2015 No. 429-V (shall be enforced upon expiry of ten calendar days after its first official publication);

4-2) formation of the state social order - the process of planning topics of the state social order in accordance with the competence of the state authority;

4-3) assessment of the results of the state social order - analysis of effectiveness of implementation of the state social order;

5) supplier of the state social order (hereinafter – supplier) – non-governmental organization, implementing social programs, social projects on agreement on carrying out of the state social order;

5-1) monitoring of implementation of the state social order – gathering, processing and analysis of information on implementation of the state social order;

5-2) formation of state grants - the activities of public authorities in determining the direction of state grants, implementing an annual and/or medium-term planning procedure and determining the budgetary resources for state grants;

5-3) evaluation of the efficiency of state grants - the process of analysing the results obtained in the implementation of projects, their consistency with the objectives set and the expected results;

5-4) strategic partner - a non-governmental organisation that has been competitively selected under the rules for the implementation of the state commissioning of strategic partnerships that has entered into an agreement for the implementation of the state order for the implementation of strategic partnerships;

5-5) state commissioning of strategic partnerships - funds made available to non-governmental organisations by the central executive authorities to leverage the capacity of non-governmental organisations for the implementation of national priorities;

6) customer – administrators of republican and local budget programs;

6-1) The Coordinating Council for Cooperation with Non-Governmental Organizations under the Authorized Agency (hereinafter referred to as - the Coordinating Council) - an

advisory authority created by the authorized agency to develop proposals for improving cooperation with non-governmental organizations;

7) non-governmental organization – non-commercial organization (except for the political parties, labour unions and religious associations), created by the citizens and (or) non-state legal entities on a voluntary basis for achievement by them the general objectives in accordance with the legislation of the Republic of Kazakhstan;

7-1) grant for non-governmental organisations (hereinafter referred to as grant) - funds allocated to non-governmental organisations by the operator responsible for grant funding of non-governmental organisations to support civic initiatives and to involve the potential of non-governmental organisations in addressing current issues of social development;

7-2) implementation monitoring of the grants for non-governmental organizations – the collection, processing and analysis of information on implementation of the grants for non-governmental organizations;

7-3) award for non-governmental organizations (hereinafter referred to as the award) - monetary remuneration awarded to non-governmental organizations at the expense of budget funds for their contribution to accomplishment of social tasks of the republican, sectoral and regional levels;

7-4) an operator for grant financing of non-governmental organizations (hereinafter referred to as - the operator) - a non-profit organization in the form of a joint stock company, determined by the Government of the Republic of Kazakhstan and shall having the right to provide grants in accordance with this Law;

7-5) non-governmental organisation database - information database created to provide transparency of activities of non-governmental organisations and to keep the public informed about them, as well as to be used as part of state social contracting, state ordering of strategic partnership implementation, providing grants and granting awards;

8) councils on interaction and cooperation with the non-governmental organizations – consultative - advisory bodies, created for development of suggestions on improvement of interaction and cooperation between the state body and non-governmental organizations, in the composition of which the representatives of interested state bodies and non-governmental organizations are entered;

8-1) the authorized agency for cooperation with non-governmental organizations (hereinafter referred to as - the authorized agency) - the state authority carrying out leadership and intersectoral coordination for cooperation with non-governmental organizations;

9) potential supplier – non-governmental organization, participating in the competition;

10) Is excluded by the Law of the Republic of Kazakhstan dated 18.02.2014 No. 175-V (shall be enforced upon expiry of ten calendar days after its first official publication);

11) Is excluded by the Law of the Republic of Kazakhstan dated 18.02.2014 No. 175-V (shall be enforced upon expiry of ten calendar days after its first official publication);

12) Is excluded by the Law of the Republic of Kazakhstan dated 18.02.2014 No. 175-V (

shall be enforced upon expiry of ten calendar days after its first official publication);

13) Is excluded by the Law of the Republic of Kazakhstan dated 18.02.2014 No. 175-V (shall be enforced upon expiry of ten calendar days after its first official publication);

Footnote. Article 1 as amended by the Laws of the Republic of Kazakhstan dated 22.12.2011 No. 515-IV (shall be enforced from 01.01.2012); dated 18.02.2014 No. 175-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 02.12.2015 No. 429-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.06.2018 No. 160-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 19.04.2019 No. 250-VI (shall be enforced upon expiry of ten calendar days after its first official publication); No. 134-VII of 04.07.2022 (see Article 2 for the procedure for entry into force).

Article 2. Legislation of the Republic of Kazakhstan on the state social commissioning, state commissioning of strategic partnerships, grants and awards for non-governmental organisations in the Republic of Kazakhstan

Footnote. The title of Article 2 - as reworded by Law of the Republic of Kazakhstan No. 134-VII of 04.07.2022 (shall be enacted upon expiry of sixty calendar days after its first official publication).

1. Legislation of the Republic of Kazakhstan on state social commissioning, state commissioning of strategic partnerships, grants and awards for non-governmental organisations in the Republic of Kazakhstan shall be based on the Constitution of the Republic of Kazakhstan and shall consist of this Law as well as the Republic of Kazakhstan Law “On Public Procurement” and other normative legal acts of the Republic of Kazakhstan.

2. If the international treaty, ratified by the Republic of Kazakhstan establishes the other rules, than those provided by this Law, the rules of international treaty shall be applied.

3. The force of this Law shall not apply to standards establishing the rules, general principles and characteristics in relation to objects of technical regulation.

4. This Law shall not apply to relations resulting from the provision of grants without the operator, nor to relations arising in the process of providing grants, as governed by the Code of the Republic of Kazakhstan “On Taxes and Other Obligatory Payments to the Budget” (Tax Code) and other laws of the Republic of Kazakhstan.

Footnote. Article 2 as amended by the Law of the Republic of Kazakhstan dated 02.12.2015 № 429-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.06.2018 № 160-VI (shall be enforced upon expiry of ten calendar days after its first official publication); No. 134-VII of 04.07.2022 (shall be brought into effect sixty calendar days after the date of its first official publication).

Article 3. Principles of state social commissioning, state commissioning of strategic partnerships, providing grants and giving awards

State social commissioning, state commissioning of strategic partnerships, provision of grants and awards shall be based on the principles of:

1) legality;

2) increasing the efficiency of social programmes and social projects in the Republic of Kazakhstan;

3) participation of nationals of the Republic of Kazakhstan in solving social problems;

4) ensuring equal opportunities for non-governmental organisations;

5) transparency and openness of the public social contracting process, public ordering of strategic partnerships, grants and awards.

Footnote. Article 3 - as reworded by Law No. 134-VII of RK of 04.07.2022 (shall come into force on 01.01.2023).

Article 4. Competence of the Government of the Republic of Kazakhstan

Footnote. Article 4 is excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication).

Article 4-1. Competence of the authorised body

The authorised body shall:

1) coordinate the activities of public authorities in the formation, monitoring of implementation and evaluation of the results of the state social commissioning;

2) offer informational, advisory and methodological support to the public authorities responsible for shaping, monitoring implementation of and evaluating the results of the state social commissioning;

3) elaborate and approve the regulations for the formation, monitoring of implementation and evaluation of the results of the state social commissioning;

4) draw up and approve the standards of the state social commissioning;

5) publish on its website the topics of the state social commissioning formed by the public authorities;

6) annually, by 31 March, inform the Government of the Republic of Kazakhstan on the outcomes of the implementation of the state social commission in the Republic of Kazakhstan ;

7) approve the regulations for the formation, provision, monitoring and evaluation of the efficiency of state grants;

8) establish the Coordination Council, approves its regulations and composition;

9) forward for consideration by the Coordination Council the list of state grant areas falling within the competence of the central state authorities;

10) forward to the central public authorities the recommendations of the Coordination Council on the areas of state grants pursuant to their competence;

11) examine the Operator's report on the results of its activities and approve its form;

12) approve regulations for granting awards and implement their granting;

13) approve the rules of the state order for the implementation of strategic partnership;

14) determine the directions of the state order for the implementation of strategic partnership;

15) excluded by the Law of the Republic of Kazakhstan dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication);

16) verify the data provided under paragraph 5 of Article 41 of the Law of the Republic of Kazakhstan “On Non-Commercial Organisations” for inclusion in the database of non-governmental organisations;

17) establish the procedure for compiling the database of non-governmental organisations;

18) maintain a database of non-governmental organisations;

19) exercise other powers specified herein, other laws of the Republic of Kazakhstan, acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan.

Footnote. The Law is supplemented by Article 4-1 in accordance with the Law of the Republic of Kazakhstan dated 22.12.2011 № 515-IV (shall be enforced from 01.01.2012); as reworded by Law of the Republic of Kazakhstan No. 134-VII of 04.07.2022 (see Article 2 for the enactment procedure); as amended by the Law of the Republic of Kazakhstan dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication).

Article 4-2. Competence of central state and local executive bodies

1. Central public authorities shall:

1) form, monitor implementation and evaluate the outcomes of the state social commissioning as defined by the authorised body;

2) establish councils for interaction and cooperation with non-governmental organisations;

3) submit data on the implementation of the state social commissioning to the authorised body;

4) publish on their Internet resources planned topics and data on the implementation of the state social commissioning, as well as evaluation of the results of the state social commissioning;

5) offer informational, advisory and methodological support to non-governmental organisations implementing state social commissioning;

6) offer state grants within their competence through the operator and review the operator's report on the outcomes of state grants;

7) assess the efficiency of state grants, with the engagement of civil society representatives, as set out in the regulations governing the formation, awarding, monitoring and evaluation of the efficiency of state grants;

8) based on the Coordination Council's recommendations, form state grants in terms of areas and amounts of funding;

9) organise competitive selection of strategic partners and conclude contracts with them under the regulations for the state social commissioning for the implementation of strategic partnerships;

10) evaluate the performance of the strategic partners with regard to their obligations under the contracts concluded and the regulations for the state social commissioning for the implementation of strategic partnerships;

11) submit data on the results of the state social commissioning for the implementation of strategic partnerships to the authorised body by December 1 each year according to the regulations for the state social commissioning for the implementation of strategic partnerships ;

12) exercise other powers stipulated by the laws of the Republic of Kazakhstan, acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan.

Activities envisaged by sub-paragraphs 9) - 11) of part one of this paragraph shall not apply to public authorities that are directly subordinate and accountable to the President of the Republic of Kazakhstan.

2. Local executive bodies shall:

1) form, monitor implementation and assess the outcomes of the state social commissioning according to the procedure determined by the authorised body;

2) establish councils for interaction and cooperation with non-governmental organisations;

3) submit data on the state social commissioning to the authorised body;

4) publish on their Internet resources projected topics and information on the state social commissioning, as well as evaluation of the outcomes of the state social commissioning;

5) render informational, advisory, methodological support to non-governmental organisations involved in the state social commissioning;

6) award state grants within their competence through the operator and review the operator's report on the outcomes of the implementation of state grants;

7) assess the efficiency of state grants with the engagement of civil society representatives under the regulations governing the formation, awarding, monitoring and evaluation of the efficiency of state grants;

8) submit a list of state grant areas for consideration by the non-governmental organisation liaison and cooperation councils;

9) based on recommendations of the councils for liaison and cooperation with non-governmental organisations, prepare state grants for areas and amounts of funding;

10) in the interests of local state administration exercise other powers vested in local executive bodies by the laws of the Republic of Kazakhstan.

Footnote. The Law is supplemented by Article 4-2 in accordance with the Law of the republic of Kazakhstan dated 22.12.2011 No. 515-IV (shall be enforced from 01.01.2012); as

reworded by Law of the Republic of Kazakhstan No. 134-VII of 04.07.2022 (see Article 2 for the procedure for entry into force).

Article 4-3. Verification of information

1. Verification of information submitted to the Database of non-governmental organizations shall be carried out by the authorized agency.

2. The grounds for information verification shall be the findings of the monitoring of the state social commissioning and the monitoring of the implementation of grants for non-governmental organisations, as well as the outcomes of the state social commissioning of strategic partnerships, complaints from natural and legal persons, information from public authorities, and publications in the media.

If necessary, representatives of other state authorities may be involved in the verification.

Footnote. The Law is supplemented by Article 4-3 in accordance with the Law of the Republic of Kazakhstan dated 02.12.2015 № 429-V (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by Law of the Republic of Kazakhstan No. 134-VII of 04.07.2022 (shall be enacted on 01.01.2023).

Article 5. Spheres to be covered by the state social commissioning, state strategic partnership commissioning, provision of state grants and awards

Footnote. The title of Article 5 - as reworded by Law of the Republic of Kazakhstan No. 134-VII of 04.07.2022 (shall come into force sixty calendar days after the day of its first official publication).

1. State social commissioning, state grants and awards shall be realised in the following areas:

1) achievement of objectives in the field of education, science, information, physical fitness and sports;

2) health protection of citizens, healthy lifestyle promotion;

3) environmental protection;

4) support of youth policy and children's initiatives;

5) assistance in solving family-demographic and gender issues;

6) is excluded by the Law of the Republic of Kazakhstan dated 13.06.2018 № 160-VI (shall be enforced upon expiry of ten calendar days after its first official publication);

7) support of vulnerable social groups;

8) assistance to orphaned children, children from single-parent and large families;

9) assistance in ensuring employment of the population;

10) protection of rights, legal interests of citizens and organizations;

11) development of culture and art;

12) protection of historical-cultural heritage;

13) strengthening social cohesion and national unity;

13-1) assistance to probation services in provision of social and legal aid to the persons registered in them;

13-2) conducting of social quality monitoring of rendering the state services;

13-3) is excluded by the Law of the Republic of Kazakhstan dated 02.12.2015 No. 429-V (shall be enforced upon expiry of ten calendar days after its first official publication);

14) is excluded by the Law of the Republic of Kazakhstan dated 02.12.2015 No. 429-V (shall be enforced upon expiry of ten calendar days after its first official publication);

15) promoting the development of civil society, including improving the effectiveness of the activity of non-governmental organizations;

16) development and support of volunteer initiatives.

2. State social commissioning shall also be realised in the areas of:

1) support to a person (family) in a difficult life situation;

2) forming responsible treatment with animals, including support for animal shelters;

2-1) conservation and reproduction of Kazakh dog breeds;

3) in other socially significant spheres, not contradicting the laws of the Republic of Kazakhstan.

3. The topics shall be generated within the areas of the state social commissioning.

4. The state social commissioning of strategic partnerships shall be performed in line with the national priorities determined by the President of the Republic of Kazakhstan.

Footnote. Article 5 as amended by the Laws of the Republic of Kazakhstan dated 22.12.2011 No. 515-IV (shall be enforced from 01.01.2012); dated 15.02.2012 No. 556-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 15.04.2013 No. 89-V (shall be enforced upon expiry of thirty calendar days after its first official publication); dated 18.02.2014 No. 175-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 02.12.2015 No. 429-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 18.04.2017 No. 58-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.06.2018 No. 160-VI (shall be enforced upon expiry of ten calendar days after its first official publication); No. 134-VII of 04.07.2022 (see Article 2 for the enforcement procedure); dated 03.01.2023 No. 185-VII (effective from 01.07.2023).

Article 5-1. Database of Non-Governmental Organizations

The Database of non-governmental organizations is formed on the basis of information provided in accordance with paragraph 5 of Article 41 of the Law of the Republic of Kazakhstan "On Non-profit Organizations".

Footnote. The Law is supplemented by Article 5-1 in accordance with the Law of the Republic of Kazakhstan dated 02.12.2015 № 429-V (shall be enforced upon expiry of ten calendar days after its first official publication); No. 134-VII of 04.07.2022 (shall enter into force sixty calendar days after the date of its first official publication).

Article 6. Exercising the state social order

1. The state social order shall be exercised by the state bodies and non-governmental organizations.

2. The state social commissioning shall be implemented under this Law and the laws of the Republic of Kazakhstan on public procurement.

3. Prospective suppliers engaged in activities consistent with the statutory objectives in the areas set out in paragraphs 1 and 2 of Article 5 hereof shall be permitted to participate in the competition.

4. Is excluded by the Law of the Republic of Kazakhstan dated 22.12.2011 No. 515-IV (shall be enforced from 01.01.2012).

5. Implementation of functions of central and local executive bodies, transferred to the competitive environment through the state social order shall be carried out in accordance with the legislation of the Republic of Kazakhstan.

Footnote. Article 6 as amended by the Law of the Republic of Kazakhstan dated 22.12.2011 No. 515-IV (shall be enforced from 01.01.2012); dated 13.06.2018 № 160-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 19.04.2019 No. 250-VI (shall be enforced upon expiry of ten calendar days after its first official publication); No. 134-VII of 04.07.2022 (shall enter into force sixty calendar days after the date of its first official publication).

Article 6-1. Grants

1. Grants shall be subdivided into:

1) state grants financed from budgetary funds;

2) non-state grants provided from extra-budgetary funding sources.

2. State grants shall be divided into the following types:

1) short-term grants - grants with an implementation period of three months to one year with a funding amount of at least five hundredfold, and no more than three thousand-fold of the monthly calculation index specified in the law on the national budget for the relevant financial year;

2) medium-term grants - grants with an implementation period of one to two years with a funding amount of at least three-thousandths, and no more than ten-thousandths of the monthly calculation index specified in the law on the national budget for the relevant financial year;

3) long-term grants - grants with an implementation period of two to three years, the amount of funding - at least ten thousandths of the monthly calculation index prescribed by the law on the national budget for the relevant financial year allocated to non-governmental organisations with the required material basis for implementing long-term projects under the regulations for forming, providing, monitoring and evaluating the efficiency of state grants.

3. State grants shall be awarded by the operator under a state grant agreement for the implementation of social programmes, social projects developed by non-governmental organisations.

4. State grants shall be awarded on a competitive basis to non-governmental organisations included in the Non-Governmental Organisations Database excluding non-governmental organisations:

those undergoing the process of liquidation;

those considered bankrupt;

those in arrears in enforcement proceedings;

those on the register of unscrupulous participants in public procurement;

the property of which has been seized;

the economic activities thereof have been suspended;

heads and founders of which are spouses, close relatives or in-laws of authorised persons of the state body and (or) the operator;

the heads and founders thereof are on the list of persons involved in terrorist activities, as well as the list of organisations and persons involved in the financing of proliferation of weapons of mass destruction, and/or the list of organisations and persons involved in the financing of terrorism and extremism.

5. Non-governmental organisations awarded a state grant may use part of the proceeds for logistical and institutional development:

1) not exceeding ten per cent for short- and medium-term grants;

2) not exceeding five per cent for long-term grants.

6. Requirements for the award of non-governmental grants and reporting shall be governed by the terms and conditions of the agreement concluded between the operator and natural or legal persons under the civil legislation of the Republic of Kazakhstan.

7. Formation of state grants by direction and volume of funding for the next financial year , the operator's competitive selection for state grants to non-governmental organisations shall be based on the results of the evaluation of the efficiency of state grants undertaken by public authorities under the regulations for the formation, provision, monitoring and evaluation of the efficiency of state grants.

Footnote. The Law is supplemented by Article 6-1 in accordance with the Law of the Republic of Kazakhstan dated 02.12.2015 № 429-V (shall be enforced upon expiry of ten calendar days after its first official publication); as reworded by Law of the Republic of Kazakhstan No. 134-VII of 04.07.2022 (shall be enacted sixty calendar days after the date of its first official publication).

Article 6-2. Operator

1. The operator shall has the right:

1) to award state and non-state grants to non-governmental organisations to support civic initiatives and to involve the potential of non-governmental organisations in addressing topical issues of social development, excluding cases envisaged by the tax legislation of the Republic of Kazakhstan;

2) to attract experts for implementation monitoring of grants in order to develop public control.

2. The operator shall be obliged:

1) to monitor the implementation of state grants under the regulations for the formation, awarding, monitoring and evaluation of the efficiency of state grants;

2) to make proposals on improving the mechanisms for grants to the authorized agency;

3) post information on implementation of grants on its Internet resource;

4) submit an annual report on the results of its activities to the authorized agency, and also post it on its Internet resource.

Footnote. The Law is supplemented by Article 6-2 in accordance with the Law of the Republic of Kazakhstan dated 02.12.2015 № 429-V (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by Law of the Republic of Kazakhstan No. 134-VII of 04.07.2022 (shall be put into effect sixty calendar days after the date of its first official publication).

Article 6-3. Awards

1. Awards shall be awarded by the authorized agency in the manner determined by the Legislation of the Republic of Kazakhstan.

Awards shall be awarded to non-governmental organizations that submitted information to the Database of non-governmental organizations in the manner determined by the Legislation of the Republic of Kazakhstan.

2. Applications for award competition shall be submitted by non-governmental organizations to the authorized agency annually before September 1.

The same non-governmental organisation can only be nominated for an award in one area.

3. Repeated nomination of non-governmental organizations for award within three years after its receipt shall not be allowed.

4. The minimum size of the award shall be twenty-fold size of monthly calculation indicator established for the corresponding financial year by the Law on the republican budget.

5. An award in one field may be given to one or more applicants at the same time.

Footnote. The Law is supplemented by Article 6-3 in accordance with the Law of the Republic of Kazakhstan dated 02.12.2015 № 429-V (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by the Law of the Republic of Kazakhstan dated 13.06.2018 № 160-VI (shall be enforced upon expiry of ten calendar days after its first official publication); No. 134-VII of 04.07.2022 (shall become effective upon the expiry of sixty calendar days from the date of its first official publication).

Article 6-4. Rights and obligations of non-governmental organizations

1. A non-governmental organization shall have the right to:

1) apply with a request to the central and (or) local executive bodies for information necessary for implementation of the state social order;

2) make proposals to the authorized body, the authorized body in the field of development of the state administration system, central and (or) local executive bodies on the issues of formation and implementation of the state social order.

2. A non-governmental organization shall be obliged to:

1) provide central and/or local executive bodies with the data and/or documents required to monitor the state social commissioning process;

2) create conditions for quality implementation of the state social order;

3) in case of appeal of individuals and legal entities, provide them with complete and reliable information on implementation of the state social order;

4) consider complaints of individuals and legal entities in the framework of implementation of the state social order.

Footnote. The Law is supplemented with Article 6-4 in accordance with the Law of the Republic of Kazakhstan dated 19.04.2019 No. 250-VI (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by Law of the Republic of Kazakhstan No. 134-VII of 04.07.2022 (shall be brought into force sixty calendar days after the date of its first official publication).

Article 6-5. State social commissioning for the implementation of strategic partnerships

1. The central executive bodies shall propose to the authorised body the areas of the state social commissioning for the implementation of strategic partnerships under the regulations for the state social commissioning for the implementation of strategic partnerships.

2. The authorized body, on proposals from central government bodies, shall determine the directions of the state order for the implementation of strategic partnership arising from the documents of the State Planning System in the Republic of Kazakhstan.

3. For each area of the state social commissioning for strategic partnership implementation, only one strategic partner shall be selected through a competitive process under the regulations of the state social commissioning for strategic partnership implementation.

4. The state social commissioning of strategic partnerships shall be based on an agreement concluded between the central executive body and the strategic partner, under the regulations for the state social commissioning of strategic partnerships.

5. If, through the fault of the strategic partner, the target indicators laid down in the agreement are not achieved and (or) the strategic partner systematically fails to fulfil its obligations, the agreement shall be unilaterally terminated on the initiative of the relevant central executive body as determined by the regulations on public procurement for the implementation of the strategic partnership.

6. The statement of services rendered under the state social commissioning for the implementation of the strategic partnership shall be approved by a commission consisting of

representatives of the central executive body and civil society, formed under the regulations for the implementation of the state social commissioning for the implementation of the strategic partnership.

Footnote. The Law as supplemented by Article 6-5 under Law of the Republic of Kazakhstan No. 134-VII of 04.07.2022 (shall come into effect on 01.01.2023); as amended by the Law of the Republic of Kazakhstan dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication).

Article 7. Funding and use of budgetary funds from the state social commissioning, state social commissioning for the implementation of strategic partnerships, state grants and awards

The state social commissioning, state social commissioning for the implementation of strategic partnerships, state grants and awards shall be financed from budgetary resources.

Budgetary funds allocated for the state social commissioning, state commissioning for the implementation of strategic partnership, state grants and awards shall be used for the purposes and pursuant to the procedure specified herein, other normative legal acts of the Republic of Kazakhstan, the state social commissioning agreement, the state strategic partnership commissioning agreement, and the state grants agreement.

Footnote. Article 7 - as reworded by Law of the Republic of Kazakhstan No. 134-VII of 04.07.2022 (shall come into force on 01.01.2023).

Article 8. Monitoring the state social commissioning, the state commissioning of strategic partnerships, the use of grants and allocation of awards

Control over the implementation of the state social commissioning, the state commissioning of strategic partnerships, the use of grants and allocation of awards shall be exercised by the authorised body as well as other public authorities within their competence as set out in the legislation of the Republic of Kazakhstan.

Footnote. Article 8 - as reworded by Law of the Republic of Kazakhstan No. 134-VII of 04.07.2022 (shall enter into force on 01.01.2023).

Article 9. Liability for breach of the legislation of the Republic of Kazakhstan on the state social commissioning, state commissioning of strategic partnerships, grants and awards for non-governmental organisations in the Republic of Kazakhstan

Infringement of the laws of the Republic of Kazakhstan on the state social commissioning , state commissioning of strategic partnerships, grants and awards for non-governmental organisations in the Republic of Kazakhstan shall entail liability prescribed by the laws of the Republic of Kazakhstan.

Footnote. Article 9 - as reworded by Law of the Republic of Kazakhstan No. 134-VII of 04.07.2022 (shall be enacted on 01.01.2023).

Article 10. Procedure of enforcement of this Law

This Law enters into force from the date of its official publication.

© 2012. «Institute of legislation and legal information of the Republic of Kazakhstan» of the Ministry of Justice of the Republic of Kazakhstan