Әд?лет

On Introduction of Amendments and Supplements to the Constitutional Law of the Republic of Kazakhstan "On the Judicial System and Status of Judges of the Republic of Kazakhstan"

Unofficial translation

Constitutional Law of the Republic of Kazakhstan dated December 29, 2010 N 370-IV Unofficial translation

Article 1. To introduce the following amendments and supplements to the Constitutional Law of the Republic of Kazakhstan dated December 25, 2000 "On the Judicial System and Status of Judges of the Republic of Kazakhstan" (Bulletin of the Parliament of the Republic of Kazakhstan, 2000, N 23, Art. 410; 2006, N 23, Art. 136, 2008, N 20, Art. 77): 1) i n Article 6 : in the first part of paragraph 1, the words "of the authorized body, agreed with the Chairman of the Supreme Court" shall be replaced by "the Chairman of the Supreme Court"; in paragraph 2, the words "of authorized body" shall be replaced by "the Chairman of the Supreme Court": paragraph 3 : should be supplemented by the words "on the organizational and logistical support of the activities of the Supreme Court, local and other courts (hereinafter - the authorized body) "by after the words the authorized body"; the words "agreed with the Chairman of the Supreme Court" shall be supplemented; 2) sub-paragraph 2) of paragraph 1 of Article 9 should be supplemented by the words " after district" the word "by office"; Article 3) i n 10:in paragraph 1, the words "authorized body, agreed with the Chairman of the Supreme Court of the Republic of Kazakhstan" shall be amended by "the Chairman of the Supreme " C 0 u r t

in paragraph 2: in the first part the words "of the authorized body" shall be amended by the words "the Chairman of the Supreme Court"; the second part shall be supplemented by the words "agreed with the Chairman of the Supreme Court"; 4) in sub-paragraph 4) of Article 12, the words " the Administrator of regional courts"

shall be replaced by the words "office of the regional court, courts of Astana and Almaty"; 5) in sub-paragraph 9) of paragraph 1 of Article 14, the word "of the court" shall be

replaced by the words "of the regional court, courts of the cities of Astana and Almaty";

6) in paragraph 1 of Article 16:

in sub-paragraphs 5), 8), the words "Administrators of regional courts" shall be replaced by the words "head of the office of the regional court, the courts of the cities of Astana and A l m a t y ";

sub-paragraph 6) shall follows: be read as "6) hear a report on the activities of the head of the office of the regional court, courts of Almaty"; the cities 0 f Astana and sub-paragraph 7), should be supplemented by the words "a judge of the regional court" after words "vacant"; th e in sub-paragraph 9-1), the words "two or more disciplinary sanctions for violation" shall words "accepted be replaced by the the systematic violations": i n 7) Article 20:i n 1 : paragraph

sub-paragraph 6-1) shall be supplemented and read as follows:
"6-1) organizes the work for anti-corruption and compliance with the rules of judicial
e t h i c s , " ;

sub-paragraph 9) shall be read as follows: "9) submit the Regulation on authorized body to the President of the Republic of K a z a k h s t a n ; ";

sub-paragraphs 9-1), 9-2) shall be supplemented and read as follows: "9-1) approves the structure and staffing schedule of the authorized body within the limit of the staff size, approved by the President of the Republic of Kazakhstan in the manner prescribed the b v legislation: 9-2) appoints and dismisses the head of the authorized body and his (her) deputies in the legislation;"; prescribed the manner by i n paragraph 2 : sub-paragraph 1) shall be excluded; sub-paragraph 6), should be supplemented by the words "and the employees of the body" authorized after the words "judges": 8) in paragraph 7-1) of paragraph 1 of Article 22, the words "two or more disciplinary sanctions for violation" shall be replaced by the words "accepted the systematic violations"; 9) 29: i n Article paragraph 2, should be supplemented by the words "and has received the positive conclusion of a plenary session of the respective regional court" after the words "five years"; paragraph 3, should be supplemented by the words "and has received a positive conclusion of the plenary session of the Supreme Court" after the words "ten years"; 10) in paragraph 2 of Article 29-1, the words "a state body, performing the organizational and logistical support of local and other courts" shall be replaced by the words "the body on organizational and logistical support of the Supreme Court, local and other courts"; 11)Article 3 5 : i n

the first part of paragraph 1, should be supplemented by the words "judicial work least fifteen years" after of experience at the word "reputation." paragraph 3 shall be read follows: as Resignation of a judge "3. shall cease cases of: in the commission of a crime or misdemeanor defamatory, which diminishes the authority of judicial t h e power; wi 1 1 t а the termination of the citizenship of the Republic of Kazakhstan; his (her) death, or the entry into force of the court's decision to declare him (her) dead. Resignation of a judge shall be suspended in cases of exercise of entrepreneurial activity, entering into management or supervisory board of a commercial organization, admission to a except for teaching. research and creative paid post. activity. Suspension of resignation of a judge shall be performed by the Chairman of the Supreme С t 0 u r Resignation of a judge resumes if the circumstances that led to the decision to suspend the resignation of ceased.": judge are а paragraph 4, shall be supplemented by the second part and read as follows: "In the case of suspension of resignation of a judge, the guarantee of privacy and guarantees, provided in Articles 51, 53 and 55 of this Code shall be suspended."; 12) in the first part of Article 38, the words "assignment the qualificationes for judges," shall b e excluded: 13) sub-paragraph 3) of paragraph 1 of Article 40 shall be excluded; 14)Article 48 shall be excluded; Article 56 read follows: 15)shall be as "Article 56. Organizational and logistical support of judges 1. Organizational and logistical support of the Supreme Court, local and other courts, and judicial statistics are performed by the authorized body, formed by the President of the Republic Kazakhstan. 0 f 2. The relevant state body and the offices of courts in the regions and the cities of Astana system of the and Almaty are formed the unified authorized body. 3. The competence of the authorized body is defined by the regulation, approved by the Republic of President the of Kazakhstan. 4. The structure and staff schedule of the authorized body are approved by the Chairman of the Supreme Court in the manner prescribed by the legislation within the limit of the staff President by the of the Republic of size, approved Kazakhstan.

5. Legal status and compensation of employees of the authorized body are regulated by the legislation of the Republic of Kazakhstan on the public service.".

Article 2. This Constitutional Law shall come into force after ten calendar days after its first official publication.

Nazarbayev

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