

## **On religious activities and religious associations**

### ***Unofficial translation***

The Law of the Republic of Kazakhstan dated 11 October, 2011 No. 483-IV.

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This Law is based on the fact that the Republic of Kazakhstan represents itself as a democratic, secular state, affirms the right of everyone for freedom of conscience, guarantees equal rights of everyone regardless of his religious beliefs, recognizes the historical role of Hanafi Islam and Orthodox Christianity in the development of culture and spiritual life of the people, respects other religions, combined with the spiritual heritage of the people of Kazakhstan, recognizes the importance of interreligious harmony, religious tolerance and respect for religious beliefs of citizens.

## **Chapter 1. GENERAL PROVISIONS**

### **Article 1. Basic definitions, used in this Law**

The following basic definitions are used in this Law:

1) religious building (construction) - a place, intended for public worship, prayer and religious gatherings, religious veneration (pilgrimage);

1-1) religious association - voluntary association of citizens of the Republic of Kazakhstan, foreigners and stateless persons, in accordance with the procedure established by legislative acts of the Republic of Kazakhstan united on the basis of the community of their interests to meet spiritual needs;

2) religious activities – activity, aimed at meeting the religious needs of believers;

3) priest - a person, authorized by the relevant religious association to spiritual, preaching service;

4) information material of religious content - printed, electronic and other information of a religious nature on any material medium;

4-1) distribution of dogma - an activity aimed at bringing, as well as the transfer of information about the basic tenets, ideas, views and practices of a particular religion;

5) missionary activity - activity of citizens of the Republic of Kazakhstan, foreigners, stateless persons, aimed at advancing doctrine in the territory of the Republic of Kazakhstan with intent of conversion to religion;

6) the authorized body - a state body, carrying out the state regulation of religious activities.

Footnote. Article 1 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 29.12.2021 № 94-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

## **Article 2. Legislation of the Republic of Kazakhstan on religious activities and religious associations**

1. Legislation of the Republic of Kazakhstan on religious activities and religious associations is based on the Constitution of the Republic of Kazakhstan and consists of this Law and other regulatory legal acts of the Republic of Kazakhstan.

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

## **Article 3. State and Religion**

1. State is separated from religion and religious associations.

2. Religious associations and citizens of the Republic of Kazakhstan, foreigners and stateless persons regardless of relationship to religion are equal before the law.

3. No religion may be established as a state religion or an obligatory one.

4. System of education and upbringing in the Republic of Kazakhstan, except for the spiritual (religious) organizations of education, is separated from religion and religious associations and shall be secular.

5. Impeding the legitimate religious activities, violating the civil rights of individuals based on attitude to religion or insulting their religious feelings, desecration of objects, buildings and places, venerated by followers of a religion, are not allowed.

6. Everyone shall have the right to freedom of conscience.

Everyone shall have the right to adhere to religious or other beliefs, disseminate them, participate in the activities of religious associations and engage in missionary activities in accordance with the legislation of the Republic of Kazakhstan.

The exercise of the right to freedom of conscience should not create or limit universal and civil rights and obligations to the State.

7. Nobody has the right to refuse, based on their religious beliefs, to perform the duties, prescribed by the Constitution and the laws of the Republic of Kazakhstan.

Citizens of the Republic of Kazakhstan, who are priests, missionaries, leaders or participants (members) of religious associations, may participate in political life on an equal basis with all other citizens of the Republic of Kazakhstan only on their own behalf.

8. According to the principle of separation of religion and religious associations from the state, the state shall:

1) not interfere with the determination of a citizen of the Republic of Kazakhstan, a foreigner and a stateless person of their attitude to religion and religious affiliation, in child-rearing by parents or other legal representatives according to their beliefs, except when such education threatens the life and health of a child, infringes on his (her) rights and limits the liability, as well as directed against the constitutional order, sovereignty and territorial integrity of the Republic of Kazakhstan;

2) not impose on religious associations the performance of functions of the state bodies;

3) not interfere in the activities of religious associations, if the activities of religious associations are not contrary to the laws of the Republic of Kazakhstan;

4) facilitate mutual tolerance and respect between the citizens of the Republic of Kazakhstan, foreigners and stateless persons who exercise religion and do not exercise it, as well as between different religious associations.

9. According to the principle of separation of religion and religious associations from the state, the religious associations shall:

1) not perform the functions of the state bodies and shall not interfere with their activities;

2) not participate in the activities of political parties, and shall not provide financial support to them, shall not engage in political activities;

3) comply with the requirements of the legislation of the Republic of Kazakhstan.

10. Activities of religion-based parties, the establishment and activities of religious associations, whose goals and activities are aimed at the approval of the domination of one religion in the state, inciting religious hatred or discord, including those related to violence or incitement to violence and other illegal activities are prohibited.

11. Activity of religious associations that are not registered in accordance with the laws of the Republic of Kazakhstan, as well as any coercion of citizens of the Republic of Kazakhstan, foreigners and stateless persons in determining the attitude to religion, to participate or not participate in the activities of religious associations, in religious ceremonies and (or) in religious instruction, are not allowed.

12. Activities of religious associations, associated with violence against citizens of the Republic of Kazakhstan, foreigners and stateless persons or otherwise causing harm to their health or with the divorce between spouses (family disruption) or termination of relationship, damage to morality, violation of rights and freedoms of human and citizen, motivating citizens to refuse to perform the duties, prescribed by the Constitution and the Laws of the Republic of Kazakhstan, and other violations of the legislation of the Republic of Kazakhstan, are not allowed.

13. Activities of religious associations, forcibly involving into their activities the citizens of the Republic of Kazakhstan, foreigners and stateless persons, including through charity, and (or) preventing the secession from a religious association, including through the use of

intimidation, violence or threats of its use, using material or other dependence of citizens of the Republic of Kazakhstan, foreigners and stateless persons or by deception shall not be allowed.

14. Coercion of participants (members) of a religious association and religious followers to alienate their property for the benefit of the religious association, its leaders and other participants (members) are not allowed.

15. Making decisions and performing actions using religion and religious beliefs, obviously able to disorganize the work of the state bodies, disrupt their uninterrupted functioning, reduce the degree of control in the country, are not allowed.

16. The head of a religious association is obliged to take measures to prevent involvement and (or) participation of minors in the activity of a religious association under the objection of one of the minor's parents or other legal representatives.

**Footnote. Article 3 as amended by the Law of the Republic of Kazakhstan dated 16.11.2015 № 403-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 29.12.2021 № 94-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

## **Chapter 2. STATE REGULATION OF RELIGIOUS ACTIVITIES**

### **Article 4. Competence of the authorized body**

The authorized body shall:

1) participate in the formation and implementation of the main directions of the state policy in the field of interaction with religious associations;

1-1) study and analyze the religious situation in the republic;

2) conduct a study and analysis of activities of religious associations, missionaries, spiritual (religious) education organizations, created in the territory of the Republic of Kazakhstan;

3) ensure the explanatory work on issues within its competence;

4) provide methodological guidance of local executive bodies in the sphere of religious activity;

5) carry out outreach activities on issues within its competence;

6) ensure the theological expert examination;

7) organize and cooperate with the authorized bodies of foreign states in the sphere of religious activities;

8) coordinate the activities of foreign religious associations in the territory of the republic, the appointment of the heads of religious associations in the Republic of Kazakhstan by foreign religious centres;

9) coordinate the activities of local executive bodies of the regions, cities of the republican significance and the capital on the issues of religious activity and interaction with religious associations;

10) develop and approve regulatory legal acts in the sphere of religious activity and religious associations within its competence;

10-1) approve the rules of theological expert examination;

10-2) develops and approves professional standards in the field of religious activity;

11) approve the instructions of determination of the location of special stationary premises for the distribution of religious literature and other informational materials of religious content, religious items, as well as premises for religious activities outside religious buildings (structures);

12) review the appeals of individuals and legal entities, regarding violations of the legislation of the Republic of Kazakhstan on religious activity and religious associations;

13) make proposals to the law enforcement agencies, to prohibit the activities of individuals and legal entities that violate the legislation of the Republic of Kazakhstan on religious activity and religious associations;

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

**Footnote.** Article 4 is in the wording of the Law of the Republic of Kazakhstan dated 13.06.2013 № 102-V (shall be enforced upon expiry of ten calendar days after its first official publication); with the amendments introduced by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2023 No. 15-VIII (shall be enforced sixty calendar days from the date of its first official publication).

## **Article 5. Competence of the local executive bodies of the regions, cities of the republican significance and the capital on the issues of religious activities and interaction with religious associations**

The local executive bodies of the regions, cities of the republican significance and the capital on the issues of religious activities and interaction with religious associations shall:

1) conduct a study and analysis of the religious situation in the region;

1-1) study and analyse analysis of activities of religious associations, missionaries, spiritual (religious) education organizations of the region;

2) make proposals to the authorized body for improving the legislation of the Republic of Kazakhstan on religious activity and religious associations;

3) implement the state policy in the field of religious activities;

4) make proposals to the law enforcement agencies to prohibit the activities of individuals and legal entities that violate the legislation of the Republic of Kazakhstan on religious activity and religious associations;

5) review the appeals of individuals and legal entities regarding violations of the legislation of the Republic of Kazakhstan on religious activity and religious associations;

6) conduct explanatory work at the local level on the issues within their competence;

7) approve the location of special stationary premises for the distribution of religious literature and other information materials of religious content, religious items, and also consider notices of religious events outside religious structures (structures) submitted by religious associations;

8) make decisions on the construction of religious buildings (structures), determining their location, as well as reorientation (change functionality) of buildings (structures) to the religious buildings (structures);

9) ensure the check of lists of citizens - initiators of religious associations;

10) register the persons, carrying out missionary activity;

11) in the interests of local public administration carry out other powers, assigned to the local executive bodies by the legislation of the Republic of Kazakhstan.

**Footnote. Article 5 is in the wording of the Law of the Republic of Kazakhstan dated 13.06.2013 № 102-V (shall be enforced upon expiry of ten calendar days after its first official publication); with the amendments introduced by the Law of the Republic of Kazakhstan dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 29.12.2021 № 94-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

## **Article 6. Theological expert examination**

1. The authorized body provides the carrying out of theological expert examination on the following grounds:

1) appeals of individuals and (or) legal entities to the authorized body;

2) delivery of religious literature and other informational materials of religious content to the library collections of organizations the Republic of Kazakhstan, as well as to the authorized body;

3) appeals of individuals for registration as missionaries and for registration of religious associations;

4) importation of religious literature, informational materials of religious content, except for literature, and materials intended for personal use in one copy of each item;

5) order of the head of the authorized body;

6) production, issue and distribution of religious literature and other information materials of religious content.

2. Objects of religious expertise include the foundation documents, as well as other documents of religious content, spiritual (religious) educational programs, and informational materials of religious content and religious objects.

3. Religious expertise shall be carried out by experts (specialists) with special knowledge and (or) experience in the field of religious activity, with the involvement, if necessary, of representatives of state bodies and other specialists in the manner determined by the authorized body.

4. Deleted by the Law of the Republic of Kazakhstan dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Footnote: Article 6 is in the wording of the Law of the Republic of Kazakhstan dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 22.12.2016 № 28-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 29.12.2021 № 94-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

## **Chapter 3. RELIGIOUS ACTIVITIES IN THE REPUBLIC OF KAZAKHSTAN**

### **Article 7. Religious rites and ceremonies**

1. Religious associations have the right to maintain places of worship.

2. Public worship, religious rites, ceremonies, and (or) meeting are held (committed) without interruption in religious buildings (structures) and their assigned territory, in places of worship, offices and premises of religious associations, on cemeteries and crematoria, homes, and if necessary in public catering facilities, subject to upholding the rights and interests of persons living nearby. In other cases, religious activities are carried out in accordance with the legislation of the Republic of Kazakhstan.

3. Conduct (commission) public worship, religious rites, ceremonies, and (or) meetings, as well as the implementation of missionary activity are not allowed in the territory and buildings of:

- 1) state bodies, organizations, except as provided in paragraphs 2 and 4 of this Article;
- 2) the Armed Forces, other troops and military formations, judicial and law enforcement agencies, and other services related to public safety, protection of life and health of individuals;
- 3) the organizations of education, except for the spiritual (religious) educational institutions.

4. Persons held in special institutions providing temporary isolation from society, who are in institutions executing punishments, who are patients of healthcare organizations providing inpatient care, undergoing social services in special social services centers, at their request or their relatives, in case of ritual necessity, may meet the clergy of religious associations registered in accordance with the procedure established by the legislation of the Republic of



Kazakhstan. At the same time, the performance of religious rites, ceremonies and (or) meetings should not interfere with the activities of the specified institutions (organizations), violate the rights and legitimate interests of others.

**Footnote. Article 7 as amended by the Law of the Republic of Kazakhstan dated 27.06.2022 № 129-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 20.04.2023 No. 226-VII (shall be enforced from 01.07.2023).**

**Article 7-1. Notice on holding religious events outside religious structures (facilities)**

1. Notice of religious events outside places of worship (facilities) (hereinafter referred to as the notice), except for religious events specified in paragraph 2 of Article 7 of this Law, shall be submitted by the religious association to the local executive body of the region, the city of republican significance and the capital on paper or in the form of an electronic document certified by electronic digital signature, no later than ten working days before the date of their holding.

2. The day of submission of the notice shall be the day of registration of the notice in the local executive body of the region, the city of republican significance and the capital.

3. The notice shall specify:

1) purpose;

2) the name of the religious association - the organizer of religious events outside religious structures (facilities), business identification number, location of the religious association, contact details of the head or representatives of the religious association;

3) premises for conducting religious events outside religious structures (facilities) that meet the requirements provided for by the instructions for determining the location of special stationary premises for distributing religious literature and other information materials of religious content, religious items, as well as premises for conducting religious events outside religious structures (facilities), or traffic routes;

4) planned date, start and end times, estimated number of participants;

5) intention to use sound-amplifying technical means, automobile vehicles, their total number and route;

6) the date of submission of the notice.

4. The notice shall be signed by the head of the religious association.

5. In case of violation by the religious association of the deadlines for sending a notice established by paragraph 1 of this Article, the local executive body of the region, the city of republican significance and the capital within two working days from the date of registration of the notice sends to the applicant a response on leaving a notice without consideration by one of the following methods:

1) on purpose;

2) in the form of a registered mail item with a notice of receipt;

3) by means of an electronic document certified by an electronic digital signature;



- 4) at the e-mail address indicated by the religious association in the notice;
- 5) by the subscriber's cellular number indicated by the religious association in the notice.

6. In case of non-compliance of the notice with the requirements established by paragraphs 3 and 4 of this Article, the local executive body of the region, the city of republican significance and the capital shall indicate to the applicant what requirements the notice does not meet, no later than five working days from the date of receipt of the notice, send the applicant a decision on non-compliance with one of the methods specified in paragraph 5 of this Article.

7. Within two working days from the date of the receipt of the decision on non-conformity, the religious association shall have the right to submit to the local executive body of the region, the city of republican significance and the capital a finalized notice.

8. The local executive body of the region, the city of republican significance and the capital shall send a response no later than two calendar days before holding religious events outside the religious structures (facilities) to return the notice in case of non-elimination within the period established by paragraph 7 of this Article, non-compliance of the notice with the requirements provided for by paragraphs 3 and 4 of this Article.

The decision to return the notice must be justified and motivated and can be appealed in accordance with the Laws of the Republic of Kazakhstan.

**Footnote. Chapter 3 as added by Article 7-1, in accordance with the Law of the Republic of Kazakhstan dated 29.12.2021 № 94-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

## **Article 8. Missionary activity**

1. Citizens of the Republic of Kazakhstan, foreigners and stateless persons shall carry out missionary activity after registration.

2. Registration of persons, carrying out missionary activity, shall be made by the local executive bodies of the regions, cities of the republican significance and the capital in a period not exceeding thirty days from the date of submitting the documents. Registration deadline is suspended during theological expert examination to receive conclusion on the materials, presented by a missionary.

3. Missionaries in the territory of the Republic of Kazakhstan must reregister annually in the local executive bodies of the regions, cities of the republican significance and the capital.

4. Missionaries shall represent the following documents and materials to the local executive bodies to register:

- 1) a copy of the passport or identity card;
- 2) a statement indicating the area and period of missionary activity;
- 3) a document, issued by a religious association to carry out missionary work on behalf of the religious association;

4) a certificate of the state registration (re-registration) of a legal entity and a copy of the charter of a religious association, that is represented by a missionary;

5) religious literature, and other informational materials of religious content, religious objects, intended for missionary activity.

Foreigners and stateless persons for registration as a missionary in the Republic of Kazakhstan shall additionally submit the following documents to the local executive bodies:

1) legalized or apostilled document, confirming that the religious association that is represented by the missionary, is officially registered under the legislation of a foreign country;

2) the invitation of religious association, registered in the Republic of Kazakhstan.

Documents, issued by foreign states shall be submitted with a notarized in the Republic of Kazakhstan correctness of the translation into the Kazakh and Russian languages and with notarized in the Republic of Kazakhstan authenticity of the translator' signature who made translation.

5. Citizens of the Republic of Kazakhstan, foreigners and stateless persons who submitted documents for registration as a missionary shall be refused to registration on the basis of a negative conclusion of the theological expert examination, as well as if their missionary activity poses a threat to the constitutional order, public order, human rights and freedoms, public health and morals.

6. Use of religious materials and religious objects by missionaries shall be allowed after obtaining a positive conclusion of the theological expert examination.

**Footnote. Article 8 is in the wording of the Law of the Republic of Kazakhstan dated 13.06.2013 № 102-V (shall be enforced upon expiry of ten calendar days after its first official publication).**

## **Article 9. Religious literature and religious objects**

1. Citizens of the Republic of Kazakhstan, foreigners and stateless persons, religious associations have the right to acquire and use religious literature, and other informational materials of religious content, religious objects at their own discretion.

Religious objects are objects, products and attributes, required for the public worship, religious rites and ceremonies, as well as containing elements of religious symbolism.

2. Distribution of religious literature, and other informational materials of religious content, religious objects, is permitted only in religious buildings (structures), spiritual (religious) educational organizations, as well as at specially determined premises, designated by the local executive bodies of the regions, cities of republican significance and the capital.

3. Importation into the territory of the Republic of Kazakhstan of religious literature and other informational materials of religious content, except those intended for personal use in one copy of each item, shall be carried out only by the registered religious associations after receiving a positive conclusion of theological expert examination.

3-1. The production, issuance and distribution of religious literature and other informational materials of religious content shall be allowed after receiving a positive conclusion of theological expert examination.

4. Religious literature and other informational materials of religious content, produced and (or) distributed by a religious association must contain the full name of the religious association.

Footnote. Article 9, as amended by the Law of the Republic of Kazakhstan dated 05.12.2013 № 152-V (shall be enforced from 01.01.2014); dated 22.12.2016 № 28-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication).

#### **Article 10. Charity**

Footnote. The title of Article 10 as amended by the Law of the Republic of Kazakhstan dated 16.11.2015 № 403-V (shall be enforced upon expiry of ten calendar days after the day its first official publication).

1. Religious associations shall have the right to carry out charity and establish charitable organizations.

2. When carrying out charitable activities use of the material dependence (needs) of the citizens of the Republic of Kazakhstan, foreigners and stateless persons in order to engage them in religious activities is not allowed.

3. Religious associations applying for voluntary donations shall comply with the requirements established by the legislation of the Republic of Kazakhstan on combating legalization (laundering) of proceeds received from crime, and financing of terrorism.

Footnote. Article 10 as amended by the Law of the Republic of Kazakhstan dated 16.11.2015 № 403-V (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 six months after the date of its first official publication).

#### **Article 11. International relations and contacts of believers and religious associations**

1. Citizens of the Republic of Kazakhstan, foreigners, stateless persons and religious associations have the right to establish and maintain international relations and personal contacts, including trips abroad for the pilgrimage, participation in meetings and other religious events.

2. Religious organizations may send citizens of the Republic of Kazakhstan abroad to study in spiritual (religious) educational organizations and receive foreigners, stateless persons to study in spiritual (religious) educational organizations in the Republic of Kazakhstan.

### **Chapter 4. ESTABLISHMENT, STATE REGISTRATION, REORGANIZATION, LIQUIDATION OF RELIGIOUS ORGANIZATIONS**

## **Article 12. Status of religious associations**

1. The religious associations with the following status can be created and operate in the Republic of Kazakhstan: local, regional and national.

2. Local religious association is a religious association, established at the initiative of not less than fifty citizens of the Republic of Kazakhstan, acting within one region, the city of republican significance and the capital.

3. The regional religious association shall recognize a religious association created on the initiative of at least two local religious associations, with a total number of at least five hundred citizens of the Republic of Kazakhstan.

Regional religious associations shall be established and operate within the territory of local religious associations that initiated the creation of regional religious associations.

4. Republican religious association is a religious association, established at the initiative of not less than five thousand citizens of the Republic of Kazakhstan, representing all regions, the cities of republican significance and the capital, consisting of no less than three hundred citizens of the Republic of Kazakhstan in each of them, as well as having its structural subdivisions (branches and representative offices) throughout the Republic of Kazakhstan.

**Footnote. Article 12 as amended by the Law of the Republic of Kazakhstan dated 29.12.2021 № 94-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

## **Article 13. Establishment of religious associations**

1. Religious association shall be established at the initiative of citizens of the Republic of Kazakhstan who have reached the age of eighteen, who convene the founding meeting (congress, conference), where the decisions on the establishment of a religious association, its name, charter shall be made and its governing bodies shall be formed. Citizens take personal part in the founding meeting (congress, conference) on their own free will.

2. Religious association shall have the following characteristics:

- 1) a single doctrine;
- 2) performance of religious rites, ceremonies and sermons;
- 3) religious education of its participants (members) and religious followers;
- 4) spiritual orientation of activities.

3. Republican religious associations and regional religious associations in accordance with their charters have the right to establish in the form institutions the spiritual (religious) educational organizations, implementing professional training programs to train priests.

4. Establishment and operation of legal entities, engaged in religious activities in a different organizational and legal form, except as a religious association is not allowed, except for spiritual (religious) educational organizations.

5. Establishment of organizational structures of religious associations in state bodies, organizations and institutions, educational institutions and health care organizations are not allowed.

#### **Article 14. Name a of religious association**

1. Name of religious association shall contain a religious affiliation and status.

2. Full and abbreviated name and its symbolism shall not fully or in a substantial part duplicate state symbols of the Republic of Kazakhstan and other countries, the name and symbols of the state bodies of the Republic of Kazakhstan, religious associations, registered in the Republic of Kazakhstan, as well as religious associations, prohibited (or) liquidated in connection with violation of the legislation of the Republic of Kazakhstan.

#### **Article 15. State registration of religious associations**

1. Religious association acquires legal capacity of a legal entity from the moment of its state registration.

2. State registration of republican religious associations and regional religious associations shall be made by the Ministry of Justice of the Republic of Kazakhstan.

State registration of local religious associations, record registration of branches and representative offices shall be made ??by territorial bodies of justice.

3. An application for registration shall be submitted to the registering authority within two months after the decision on the establishment of a religious association. The application shall be accompanied by:

- 1) the charter of the religious association, signed by the head of the religious association;
- 2) minutes of the founding meeting (congress, conference);
- 3) list of citizens-initiators of the established religious association in electronic copy and hardcopy in the form, prescribed by the registering authority;
- 4) a document, confirming the location of a religious association;
- 5) printed religious materials, revealing the origins and fundamentals of doctrine, and providing information about its associated religious activities;
- 6) a receipt or other document, confirming payment of the registration fee for the state registration of a legal entity;
- 7) the decision to elect the head of the religious association or in the case of the appointment of the head by a foreign religious centre - a document confirming approval by the authorized body.

4. When registering the regional religious association, a list of participants in each of the local religious associations, who initiate the establishment of regional religious associations in the form, prescribed by the registering authority, as well as notarized copies of charters of their local religious associations shall be submitted additionally.

5. Prior to the expiration of one year from the date of registration, the republican religious associations to confirm the status shall submit to the registering authority the copies of documents, confirming record registration of their structural divisions (branches and representative offices) in the local departments of justice.

6. In case of failure to meet the requirements of paragraph 5 of this Article, the republican religious associations shall be subject to reorganization or liquidation in the manner, prescribed by the laws of the Republic of Kazakhstan.

7. State registration of religious associations and record registration of branches and representative offices, re-registration, refusal of registration of religious associations shall be carried out in the manner and within the timeframe, stipulated by the Law of the Republic of Kazakhstan “On state registration of legal entities and registration of branches and representative offices”, with the specifications provided in this Law.

8. Term of state registration (re-registration) shall be suspended for theological expert examination and checking the list of citizens-initiators of the religious association for compliance with the terms of this Law.

9. Registering authority not later than three working days from the date of the decision to suspend the period of state registration (re-registration) send to the authorized body a copy of the documents, necessary for the organization of theological expert examination, and to the local executive bodies of the regions, cities of the republican significance and the capital the copies of the lists of citizens - initiators of a religious association for checking.

10. The decision on state registration or refusal of state registration of a religious association shall be made in accordance with the results of checking the documents submitted for compliance with the appropriate legislation, conducted theological expert examination, checking the list of the citizens-initiators of the religious association.

**Footnote. Article 15, as amended by the Laws of the Republic of Kazakhstan dated 24.12.2012 № 60-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.06.2013 № 102-V (shall be enforced upon expiry of ten calendar days after its first official publication).**

## **Article 16. Charter of a religious association**

1. Religious association shall operate under the charter that shall contain:

- 1) the name, object and objectives of the activity;
- 2) the location and territory within which it operates;
- 3) the structure, order of formation and the competence of the governing bodies;
- 4) the rights and obligations of participants (members);

5) the religious affiliation, the fundamentals of doctrine and the information on its relevancy of religious activities;

6) the conditions and procedure for membership in a religious association and withdrawal from membership;



- 7) the sources of property;
- 8) the procedure for making changes and amendments to the foundation documents;
- 9) the conditions of reorganization and termination of activity;
- 10) the procedure for the use of property in the case of liquidation;
- 11) the information on the branches and representative offices.

2. The charter of a religious association may contain other provisions, relating to its activities and not contradicting the legislation of the Republic of Kazakhstan.

3. Information on the fundamentals of doctrine and religious activities shall contain basic religious ideas, forms of activities of religious associations, particularities of the relationship to marriage and family, education, health of participants (members) of the religious association and other persons, attitude to the performance of the constitutional rights and duties of its participants (members) and ministers.

#### **Article 17. Refusal to register a religious association**

1. Refusal of state registration of a religious associations, record registration of its structural division (branch or representative office) shall be carried out in accordance with the laws of the Republic of Kazakhstan, as well as in cases when the information, contained in the foundation and other submitted documents is incorrect and (or) the establishing association is not recognized as a religious association on the basis of theological expert examination.

2. Denial of registration may be appealed according to the procedure established by the laws of the Republic of Kazakhstan.

**Footnote. Article 17 as amended by the Law of the Republic of Kazakhstan dated 29.06.2020 No. 351-VI (effective from 01.07.2021).**

#### **Article 18. Reorganization and liquidation of a religious association**

1. Reorganization of religious associations may be carried out in accordance with the laws of the Republic of Kazakhstan through a merger, joining, division, transformation, and separation by the decision of a body, authorized by the foundation documents of a religious association, or by a court decision. Religious association can be reorganized only into another religious association or a private institution. The organizations, formed as a result of reorganization of religious associations, can be registered as religious associations if they comply with the requirements of this Law.

2. Suspension of activity and liquidation of a religious association shall be made in the manner, prescribed by the laws of the Republic of Kazakhstan.

#### **Article 19. State and foreign religious associations**

1. Activities by the head of religious association, appointed by foreign religious centre without agreement of the authorized body, is not allowed.

2. In order to get approval of the candidate to the position of the head of a religious association, foreign religious centre shall submit the following documents to the authorized body:

1) an application, containing information about the candidate, his (her) previous activities in a foreign religious centre;

2) the decision to appoint the candidate as the head of a religious association, operating on the territory of the Republic of Kazakhstan;

3) a copy of the passport or identity card of the candidate for the position of the head of a religious association.

Documents shall be submitted with a notarized in the Republic of Kazakhstan correctness of translation into the Kazakh and Russian languages and notarized in the Republic of Kazakhstan signature of the translator who made the translation.

3. Documents, referred to in paragraph 2 of this Article shall be reviewed by the authorized body within thirty calendar days from the date of their submission.

4. The authorized body shall refuse to agree for the appointment by a foreign religious centre of the head of a religious association in the Republic of Kazakhstan, if his/her activities may pose a threat to the constitutional order, public order, human rights and freedoms, health and morals.

## **Chapter 5. PROPRIETARY RELATIONSHIP OF RELIGIOUS ASSOCIATIONS**

### **Article 20. Property of religious associations**

1. Religious associations shall have the right for property, purchased or created at their own funds, donated by citizens of the Republic of Kazakhstan, foreigners and stateless persons, organizations or acquired for other reasons that do not contradict the laws of the Republic of Kazakhstan.

2. The property of religious associations can be movable and immovable property by the property right of ownership.

3. Religious associations may also have property, located outside the Republic of Kazakhstan.

4. Religious associations have the right to seek voluntary financial and other contributions, and have the right to receive them.

5. Property right of religious associations is protected by the law.

### **Article 21. Use of the property that is the property of the state, organizations and individuals**

1. Religious associations shall have the right to use the building, territory and property, provided to them on contractual basis.

2. Monuments of history and culture of a religious purpose may be granted to the use of religious associations in accordance with the legislation of the Republic of Kazakhstan.

#### **Article 22. Disposal of the property of a liquidated religious association**

1. Upon liquidation or termination of the activity of a religious association, disposal of its property shall be carried out in accordance with its charter and the legislation of the Republic of Kazakhstan.

2. In the absence of successors, the property shall become the property of the state in accordance with the legislation of the Republic of Kazakhstan on state property.

### **Chapter 6. FINAL PROVISIONS**

#### **Article 23. Responsibility for violation of the legislation of the Republic of Kazakhstan on religious activity and religious associations**

Violation of the legislation of the Republic of Kazakhstan on religious activity and religious associations shall result into responsibility under the laws of the Republic of Kazakhstan.

#### **Article 24. Transitional provisions**

1. Religious associations shall, within one year from the date of enactment of this Law, make corresponding amendments to the founding documents in accordance with the requirements of this Law. Simultaneously, the documents confirming the status of a religious association shall be submitted the registering authority.

2. Legal entities, engaged in satisfying religious interests and needs, and established before the enactment of this Law in any organizational and legal form other than as a religious association, shall within one year from the date of enactment of this Law make amendments to their founding documents.

3. After expiration of the specified period the legal entities that did not change their founding documents in accordance with the requirements of this Law, shall be liquidated in a judicial proceeding under the applications of the local executive bodies of the regions, cities of the republican significance and the capital.

**Footnote. Paragraph 24, as amended by the Laws of the Republic of Kazakhstan dated 24.12.2012 № 60-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.06.2013 № 102-V (shall be enforced upon expiry of ten calendar days after its first official publication).**

#### **Article 25. Final Provisions**

1. This Law shall enter into force upon expiration of ten calendar days after its first official publication.

2. The Law of the Republic of Kazakhstan dated 15 January, 1992 “On Freedom of Conscience and Religious Associations” (Bulletin of the Supreme Council of the Republic of Kazakhstan, 1992, No. 4, Art. 84; 1995, No. 20, Art. 120, 121; Bulletin of the Parliament of the Republic of Kazakhstan, 1997, No. 13-14, Art. 205; 2004, No. 23, Art. 142; 2005, No. 5, Art. 5; No. 13, Art. 53; 2007, No. 9, Art. 67; 2011, No. 11, Art. 102), shall be considered to have lost force.

*The President  
of the Republic of Kazakhstan*

*N. Nazarbayev*

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