



## **On the National Guard of the Republic of Kazakhstan**

### *Unofficial translation*

Law of the Republic of Kazakhstan dated January 10, 2015 No. 274-V.

#### *Unofficial translation*

This Law regulates social relations in the activity of the National Guard of the Republic of Kazakhstan.

## **Chapter 1. GENERAL PROVISIONS**

### **Article 1. The National Guard of the Republic of Kazakhstan and its designation**

1. The National Guard of the Republic of Kazakhstan (hereinafter - the National Guard) shall be included in the unified system of the Internal Affairs Agencies of the Republic of Kazakhstan and shall be designed for security of individuals, society and the State, and to protect the rights and freedoms of man and citizen from criminal and other unlawful acts.

2. It shall be prohibited to interfere in the activities of the National Guard in the exercise of its powers.

3. The National Guard has flag and symbol. Regional commanders, formations, military units and higher military educational institution of the National Guard have the standard battle banners.

The descriptions of the flag and symbol of the National Guard, the battle banners of regional commands, formations and military units, higher military educational institution shall be approved by the President of the Republic of Kazakhstan.

### **Article 2. Legal basis of the National Guard**

1. The legal basis of the activity of the National Guard shall be the Constitution of the Republic of Kazakhstan, this Law and other regulatory legal acts.

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

### **Article 3. Principles of the activity of the National Guard**

The activity of the National Guard shall be carried out on the basis of principles of state service in the Republic of Kazakhstan, as well as:

- 1) obligation to protect the rights and freedoms of man and citizen, the interests of society and the State from unlawful encroachments;
- 2) unity of approaches to the organization of service in the ranks of the National Guard;
- 3) unity of command and subordination (governance);
- 4) independence from the activity of political parties and other public associations.

## **Chapter 2. TASKS AND POWERS OF THE NATIONAL GUARD**

### **Article 4. Tasks of the National Guard**

1. The following tasks shall be assigned to the National Guard:

- 1) protection of important public objects and special cargo;
- 2) participation jointly with Internal Affairs Agencies in protection of public order, suppression of mass riots, ensuring public safety and legal regimes of emergency and military situation, anti-terrorist operation, participation in it, as well as in measures to eliminate natural, man-made emergencies and emergencies of a social nature and their consequences;
- 3) protection of institutions of the penal enforcement system, with the exception of full security institutions and pre-trial detention facilities intended for serving sentences for convicted women, minors;
- 4) monitoring and supervision of the behavior of persons held in institutions of the penal system protected by the National Guard, as well as citizens located on their territory;
- 5) escort of convicts and persons in custody;
- 6) performance of individual tasks in the territorial defense system of the Republic of Kazakhstan in wartime;
- 7) participation in special operations for the neutralization of armed criminals, the cessation of illegal paramilitary or armed formations (groups), organized criminal groups (communities) in the territory of the Republic of Kazakhstan;
- 8) participation in the suppression of grave and especially grave crimes, sabotage, acts of terrorism, armed clashes and separation of warring parties;
- 9) performance of tasks in accordance with international treaties ratified by the Republic of Kazakhstan.

2. Other tasks on the National Guard shall be imposed by the Laws of the Republic of Kazakhstan and Acts of the President of the Republic of Kazakhstan.

**Footnote. Article 4 as amended by the Law of the Republic of Kazakhstan dated 29.06.2021 No. 58-VII (shall come into force upon expiration of ten calendar days after the date of its first official publication); dated 17.03.2023 No. 212-VII (shall be enforced sixty calendar days after the date of its first official publication).**

### **Article 5. Powers of the National Guard**

1. The National Guard, within its competence, shall be obliged to:

- 1) protect the life, health, rights and freedoms of man and citizen from unlawful encroachments;
- 2) ensure the protection of important state objects and special cargoes;
- 3) participate in the provision of public security and protection of public order through the patrol and inspection service, including during mass events;

4) ensure the protection of institutions of the penitentiary system of medium security, maximum security, emergency security, mixed security, exercise control and supervision of convicts under the guidance of their administration, escort convicts and persons in custody;

5) excluded by the Law of the Republic of Kazakhstan dated 29.06.2021 No. 58-VII (shall come into force upon expiration of ten calendar days after the date of its first official publication);

6) participate in suppression of riots, group disobedience and measures to prevent and eliminate emergency situations of a social nature;

7) participate in anti-terrorist operations and security measures;

8) participate in special operations to curb the activities of illegal paramilitary or armed formations (groups), terrorist organizations, organized criminal groups (communities), as well as to free hostages;

9) excluded by the Law of the Republic of Kazakhstan dated 29.06.2021 No. 58-VII (shall come into force upon expiration of ten calendar days after the date of its first official publication);

10) participate in ensuring legal regimes of emergency and military situation in accordance with the legislation of the Republic of Kazakhstan;

11) conduct military (combat) actions, perform tasks in conditions of emergency and military situation, as well as in conditions of armed conflict;

12) participate in the elimination of natural and man-made emergencies and their consequences, including those on protected objects of the National Guard, with the exception of particularly important public objects;

13) participate in ensuring public order in the area of emergency response of a natural and man-made nature and their consequences and in regime-restrictive measures during quarantine;

14) excluded by the Law of the Republic of Kazakhstan dated 29.06.2021 No. 58-VII (shall come into force upon expiration of ten calendar days after the date of its first official publication);

15) engage in border searches and operations as decided jointly by the Minister of Internal Affairs of the Republic of Kazakhstan and the Chairman of the National Security Committee of the Republic of Kazakhstan;

16) take part in the search for persons who have escaped from under the protection and supervision in the institutions of the penitentiary system, from military guards during escort;

17) inspect persons, their belongings, vehicles, while ensuring access control at objects subject to state protection;

18) require from persons held in institutions of the penitentiary system, performance of the duties assigned to them by the legislation of the Republic of Kazakhstan and court sentence;

19) carry out military support activities in the interests of the tasks entrusted to the National Guard by this Law, in emergency situations, the introduction of states of emergency and military situation;

20) develop and implement plans for the construction and development of the National Guard, as well as to improve its organizational and staff structure;

21) take part in the development of a plan for the use of the Armed Forces and organize preparations for joint actions with the Armed Forces within the competence of the National Guard;

22) ensure, in the prescribed manner, the personal security of servicemen of the National Guard and their family members against encroachment on their life, health, honor, dignity and property associated with the performance of tasks assigned by servicemen of the National Guard;

23) provide, in accordance with the established procedure, legal and social protection of servicemen of the National Guard and their family members, to develop and implement measures aimed at protecting and enhancing their health, to organize sanitary and epidemiological surveillance in the National Guard;

24) carry out activities for implementation of international treaties of the Republic of Kazakhstan in the part relating to the National Guard;

25) ensure the collection (accumulation), preservation, record keeping of documents with permanent storage and other documentary materials generated in the course of the activity of the National Guard;

26) ensure the protection of information constituting state secrets and departmental control over the observance of secrecy;

27) ensure compliance with information security requirements;

28) to organize operation and repair of weapons, military and special equipment, special means and other property used by the National Guard;

29) ensure the safety of road traffic of National Guard vehicles, to carry out their state registration and to conduct mandatory technical inspections;

30) organize and implement the quartering of military units and subunits, the construction and reconstruction of military objects of the National Guard, to take measures to improve the provision of the National Guard servicemen and their family members with living space;

31) carry out other duties 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.

2. The National Guard, within its competence, shall have the right to:

1) require citizens and officials to observe public order, stop offenses and actions that impede the exercise of the powers of the National Guard, and in the case of non-compliance with these requirements, apply coercive measures provided for by this Law;

- 2) verify identity documents with individuals when they shall be suspected of committing criminal or other offenses;
- 3) take the necessary measures to ensure the preservation of traces of a criminal offense until the arrival of representatives of the agencies of inquiry and preliminary investigation;
- 4) detain and deliver to the Internal Affairs Agencies of persons who have committed a criminal or administrative offense or attempted to commit them, or in order to establish their identity;
- 5) conduct personal searches of convicts and persons held in custody while receiving them for escorting and after their arrest during the search;
- 6) to exercise control and supervision over the behavior of persons held in institutions of the penal enforcement system protected by the National Guard, to require persons held in them to perform the duties assigned to them by the legislation of the Republic of Kazakhstan and the court verdict;
- 7) detain in the territory adjacent to the institution of penitentiary system protected by the National Guard and to bring to the Internal Affairs Agencies persons who have committed acts subject to administrative or criminal legislation, to carry out their personal inspections;
- 8) inspect persons, their belongings, vehicles located in the territory of penitentiary system established by the National Guard, and the territory adjacent to it, where regime requirements shall be established, and also to remove prohibited items and documents not provided by the internal regulations institutions;
- 9) temporarily restrict or prohibit the movement of vehicles, prevent citizens from entering the territory of the institution of penitentiary system protected by the National Guard, and the adjacent territory or oblige them to stay or leave it when special conditions shall be introduced;
- 10) detain servicemen who violate public order and transfer them to military commandants or commanders of military units in cases of the absence of the Military Police Agencies in this locality;
- 11) transfer for temporary placement in places of detention and institutions of penitentiary system, persons escorted to field trials and detained convicted persons or persons in custody who have escaped;
- 12) at the exit (entry) to the places of security, mass events, inspection of individuals, their belongings, vehicles and transported goods, including using technical means, prevent persons and vehicles with prohibited items and things;
- 13) take part in quarantine, sanitary and anti-epidemic activities;
- 14) when taking part in an antiterrorist operation and ensuring the legal regime of antiterrorist operation, apply measures and temporary restrictions provided by the Law of the Republic of Kazakhstan "On Countering Terrorism";
- 15) detain for up to three hours and maintain in the premises of the National Guard before transferring to the Internal Affairs Agencies of persons who encroached on objects and

communications guarded by the National Guard, special cargo, warehouses, military bases, military authorities of the National Guard, the territories in which formations, military units (subdivisions), the higher military educational institution of the National Guard, as well as their objects, equipment and other property (hereinafter - projects protected by the National Guard), to make personal inspection of the said persons, inspection of their vehicles and items seized from these persons documents and items prohibited for storage and use;

16) inspect vehicles, floating facilities (vessels) that have violated the rules established at the objects guarded by the National Guard;

17) carry out personal inspection of workers of objects protected by the National Guard, and of citizens visiting these objects, as well as the inspection of their belongings and vehicles , including the use of technical means;

18) enter freely, inspect residential and other premises, territories and land plots (except for representative offices of foreign states and international organizations possessing diplomatic immunity) if there shall be a real threat to the security of individuals or if there shall be sufficient data to believe that there has been or being committed criminal or administrative offense, an accident has occurred, to ensure personal security of individuals and public safety in emergency situations;

19) restrict and temporarily prohibit individuals from accessing or staying in dwellings in certain areas of the locality if their presence poses a threat to human life and health, property objects, disrupts the work of organizations, impedes the movement of vehicles and pedestrians, as well as in cases of ensuring operative search activities, investigative actions and mass events;

20) freely use means of communication, vehicles owned by organizations, or vehicles of citizens with their consent (except for means of communication, vehicles of representative offices of foreign states and international organizations possessing diplomatic immunity) to prosecute detained convicted persons or persons in custody who committed escape of persons suspected (accused) of committing a criminal offense, if the current situation creates real threat to life or health people, with compensation for material damage to the owners;

20-1) employ unmanned aerial vehicles to accomplish the tasks assigned to the National Guard;

21) cordon off (block) districts of locality, separate buildings and objects during the prosecution of persons who illegally entered or left the protected territories, wanted persons in custody, and persons suspected (accused) of criminal offenses, suppressing riots and group violations of public order and other antisocial actions, as well as during social emergency situations, if necessary, inspect individuals, their belongings, vehicles and transported goods, including the use of technical means;

22) temporarily prohibit or restrict the movement of vehicles and pedestrians on streets and roads, carry out their inspection in order to protect the lives, health and property of citizens in emergency situations;

23) seize weapons, ammunition, narcotic drugs, psychotropic substances and precursors, as well as other prohibited items and substances;

24) free of charge and in compliance with the requirements for disclosure of information constituting commercial, banking and other secrets established by the Laws of the Republic of Kazakhstan, receive information and materials necessary for use by military personnel of the National Guard regardless of their form of ownership, except when the Law establishes a different procedure for obtaining relevant information;

25) detain citizens who violate the curfew, before it ends, and persons failure carrying identity documents, until their identity shall be established, but for no more than the period established by the Laws of the Republic of Kazakhstan;

26) Excluded by Law of the Republic of Kazakhstan No. 136-VII of 11.07.2022 (shall be enacted sixty calendar days after the date of its first official publication);

27) carry out international cooperation with State Agencies of foreign states and international organizations;

28) submit, in the established manner, proposals on improvement of legislation on the activity of the National Guard;

29) exercise other rights provided 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.

3. In case of violation by the National Guard servicemen in the performance of their duties, the rights and freedoms of man and citizen, as well as the legitimate interests of individuals and legal entities, the National Guard shall be obliged to restore these rights, compensate for damage, ensure accountability of convicted in accordance with the Laws of the Republic of Kazakhstan.

Footnote. Article 5 as amended by the Law of the Republic of Kazakhstan dated 18.03.2019 No. 237-VI (shall be enforced upon expiry of twenty one calendar days after the day of its first official publication); dated 29.06.2021 No. 58-VII (shall come into force upon expiration of ten calendar days after the date of its first official publication); No. 136-VII of 11.07.2022 (shall be promulgated upon the expiry of sixty calendar days from the date of its first official publication); No. 174-VII of 29.12.2022 (shall be put into force sixty calendar days after the date of its first official publication); dated 17.03.2023 No. 212-VII (shall be enforced sixty calendar days after the date of its first official publication).

### **Chapter 3. COMPOSITION AND ORGANIZATION OF THE ACTIVITY OF THE NATIONAL GUARD**

#### **Article 6. The composition of the National Guard**

1. The National Guard consists of:

1) military authorities of the National Guard;

2) formations and military units of operational assignment;

3) special military units for protection of important public objects and special cargoes;



4) formations and military units for protection of institutions of penitentiary system and escort;

5) special motorized formations and military units;

6) excluded by the Law of the Republic of Kazakhstan dated 29.06.2021 No. 58-VII (shall come into force upon expiration of ten calendar days after the date of its first official publication);

7) bodies of the military police of the National Guard;

8) higher military educational institution of the National Guard;

9) military units to ensure the activities of the National Guard (training, communications, logistics, medical, technical support, and others);

10) aviation units;

11) military units (divisions) for special purposes.

2. By virtue of the rights of the Committee, the National Guard Chief Command shall be the operational and strategic military management body of the National Guard and shall be headed by the Deputy Minister of the Interior of the Republic of Kazakhstan - Commander-in-Chief of the National Guard.

3. The regional command of the National Guard shall be operational-territorial military command agency, operating in a certain territory in accordance with the Laws of the Republic of Kazakhstan.

4. Forces and military units shall belong to the regional commands of the National Guard, apart from formations and military units directly subordinated to the Deputy Minister of Internal Affairs of the Republic of Kazakhstan - the Commander-in-Chief of the National Guard.

Footnote. Article 6 as amended by the Law of the Republic of Kazakhstan dated 29.06.2021 No. 58-VII (shall come into force upon expiration of ten calendar days after the date of its first official publication); No. 136-VII of 11.07.2022 (shall be enforced upon the expiry of sixty calendar days after its first official publication); dated 14.03.2023 No. 206-VII (shall be enforced ten calendar days after the date of its first official publication).

#### **Article 7. Chief Command of the National Guard**

Chief Command of the National Guard:

1) carries out operational-strategic planning, application and management of service-combat and daily activities of the National Guard;

2) organizes and conducts activities to maintain the combat and mobilization readiness of the National Guard;

3) organizes the protection of public order, important state objects, special cargo, institutions of penitentiary system and supervision in them, escorting persons held in custody;

4) organizes and implements the interaction of the National Guard with the Armed Forces of the Republic of Kazakhstan, other troops and military formations;



5) participates in the development of the Armed Forces Plan of the Republic of Kazakhstan, the Plan of Operational Equipment for the territory of the Republic of Kazakhstan for Defense, State Arms Programs, Development of the Defense Industry Complex of the Republic of Kazakhstan, in planning and performing territorial defense tasks within the competence of the National Guard;

6) develops measures to assist the Border Service of Committee for National Security of the Republic of Kazakhstan in protecting the State Border of the Republic of Kazakhstan;

7) provides for the management of the National Guard, which performs service and combat tasks in armed conflicts, emergency situations, as well as tasks related to ensuring the state of emergency, participating in the fight against terrorism and ensuring the legal regime of anti-terrorist operation;

8) inspects the troops of the National Guard;

9) participates in the development and implementation of state targeted programs within the competence of the National Guard;

10) issues, within its competence, departmental legal acts on the service and combat activities of the National Guard and supervises their execution;

11) participates in the preparation of drafts of regulatory legal acts of the Republic of Kazakhstan on issues within the competence of the National Guard;

12) exercises control over the observance of law and order in the National Guard and provides social and legal guarantees for servicemen, their families and civilian personnel;

13) organizes and conducts the recruitment of the National Guard with conscripts, under contract and the admission of civilian personnel;

14) carries out training, advanced training and retraining of personnel for the National Guard, including abroad on the basis of international treaties, assignment of military ranks, makes proposals to the Minister of Internal Affairs of the Republic of Kazakhstan for appointment and assignment of military ranks according to the nomenclature;

15) organizes the current and long-term planning for providing the National Guard with the necessary types of weapons, military equipment, ammunition and other material resources, their operation, safekeeping, accounting, decommissioning and disposal, as well as planning the accumulation and deployment in peacetime of stocks of these funds for the mobilization deployment of the National Guard;

16) organizes educational and socio-legal work on the moral and psychological support for service and combat activities of the National Guard in order to form the moral and psychological and combat qualities of the military servicemen and personnel and ensure the necessary security conditions for military service;

17) develops and implements plans for the construction and development of the National Guard, improving its organizational and staffing structure;

18) provides legal support to the National Guard, coordinates and ensures the protection of the interests of the National Guard in Court and other State Agencies;

19) carries out a complex of preventive, curative, recreational and rehabilitation measures aimed at protecting and promoting the health of military servicemen of the National Guard, citizens dismissed from military service, and their family members in accordance with the legislation of the Republic of Kazakhstan;

20) organizes the implementation of measures for realization of international treaties of the Republic of Kazakhstan in the part relating to the National Guard;

21) prepares proposals to the Government of the Republic of Kazakhstan on the definition of lists of important state objects and communications, special cargoes that shall be subject to protection by parts of the National Guard;

22) organizes the quartering of military servicemen of the National Guard, capital construction of the objects of the National Guard;

23) develops:

regulations on the Chief Command of the National Guard;

staff of the Chief Command of the National Guard, the higher military educational institution, the standards of military personnel load, staff standards, the nomenclature of posts in the National Guard;

instructions on the tasks of the National Guard;

regulations on the National Guard Military Medical Commission;

rules of admission to the higher military educational institution that trains personnel of the National Guard;

rules of reimbursement to the State of budget funds spent on the training of military servicemen of the National Guard;

the procedure for assigning, upgrading, confirming, reducing and maintaining class qualifications for military servicemen of the National Guard;

instructions for military service in the National Guard; rules for conducting military-medical examination in the National Guard.

## **Article 8: Deputy Minister of Internal Affairs of the Republic of Kazakhstan - Commander-in-Chief of the National Guard**

**Footnote. The title of Article 8 as reworded by Law of the Republic of Kazakhstan No. 136-VII of 11.07.2022 (shall be enacted sixty calendar days after the day of its first official publication).**

1. The Deputy Minister of Internal Affairs of the Republic of Kazakhstan, Commander-in-Chief of the National Guard, shall head the National Guard and shall be appointed and dismissed by the President of the Republic of Kazakhstan.

2. The Deputy Minister of Internal Affairs of the Republic of Kazakhstan - Commander-in-Chief of the National Guard shall:

1) maintains the constant combat and mobilization readiness of the National Guard;

2) manages the service and combat activities, operational and combat training of troops, introduction of advanced experience, development of the material base and creation of the necessary social conditions for personnel;

3) approves plans for the recruitment of troops by conscript servicemen, under a contract, for organizing their transfer to the reserve in accordance with the legislation of the Republic of Kazakhstan;

4) issues orders, directives and other legal acts within its competence;

5) approves the regulations on the structural divisions of the Chief Command of the National Guard;

6) approves the structures and staffs of the military authorities, formations, military units and the higher military educational institution of the National Guard within the established number;

7) determine the composition of forces and means in the conditions of armed conflicts, emergency situations, as well as tasks related to ensuring the state of emergency, participating in the fight against terrorism and ensuring the legal regime of the antiterrorist operation;

8) imposes disciplinary sanctions on military servicemen and civilian personnel of the National Guard in accordance with the legislation of the Republic of Kazakhstan;

9) encourages, including awards departmental awards, military servicemen and civilian personnel of the National Guard;

10) ensure the adoption by the National Guard of military and other equipment and other property, dispose the worn or lost material assets in the manner established by the Government of the Republic of Kazakhstan;

11) delegates powers to his deputies, heads of structural subdivisions of the Chief Command of the National Guard, commanders of regional commands, commanders of formations and military units, the head of the higher military educational institution of the National Guard;

12) organizes work on combating corruption in the National Guard;

13) makes proposals to the Minister of the Internal Affairs on the appointment and dismissal of the Deputies Chief Commanders of the National Guard, the commanders of regional commands of the National Guard and their deputies, the head of the higher military educational institution of the National Guard, the commanders of formations of the National Guard units;

14) represents the National Guard in State Agencies and international organizations;

15) submits to the Minister of Internal Affairs officers for the assignment of the military rank of colonel;

16) petition the Minister of the Internal Affairs for the assignment of higher military ranks to military servicemen;

17) decides on the passage of military service by military servicemen under the contract of the National Guard in accordance with the legislation of the Republic of Kazakhstan,

rotation of military servicemen, appoints, dismisses, confers regular military ranks up to lieutenant colonel inclusive, including early, and one step above the military rank provided for a full-time position, makes submissions on the reduction of military ranks of officers to the Minister of Internal Affairs, transfer to the reserve or retire a lieutenant colonel, inclusive;

18) presents to the Minister of Internal Affairs candidates for military servicemen and civilian personnel of the National Guard for the awarding of state awards of the Republic of Kazakhstan;

19) exercise other powers assigned to him by this Law, 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. Article 8 as amended by Law of the Republic of Kazakhstan No. 136-VII of 11.07.2022 (shall take effect upon expiration of sixty calendar days after the date of its first official publication).**

### **Article 9. Commander of the Regional Command of the National Guard**

Commander of the Regional Command of the National Guard:

1) carries out management of the regional command for the performance of service and combat tasks assigned to them, as well as formations, military units and subdivisions that shall not be part of it, transferred, in accordance with the established procedure, to operational subordination, including temporarily, for the period of preparation and execution tasks;

2) manages operational and combat training of troops, all types of combat, logistics and technical support, introduction of advanced experience, development of the material base and creation of the necessary social conditions for personnel;

3) within its authority, makes decisions on engaging forces and means of subordinate formations and military units in cases of imposing a state of emergency and emergency situations in the area of responsibility;

4) issues orders and decrees;

5) decides on the military service of formations and military units by military servicemen that shall be part of the Regional Command of the National Guard, and the reception of civilian personnel in accordance with the legislation of the Republic of Kazakhstan;

6) appoints and dismisses, assigns regular military ranks, transfer to the reserve or retire military servicemen under contract to the captain, inclusive, with the exception of the senior non-commissioned officers.

### **Article 10. Involvement of the National Guard in fulfilling of duties in isolation from permanent dispositions**

1. Involving the National Guard formations and military units in fulfilling public order duties or to assist Internal Affairs Agencies in ensuring the legal regime of the state of emergency, the legal regime of the antiterrorist operation, participation in the antiterrorist operation and elimination of emergency situations and their consequences combat illegal armed groups, localize and block the area of conflict, suppress especially dangerous offenses,

sabotage, acts terrorism, armed clashes and disengagement of the warring parties, disarmament measures and the elimination of illegal armed groups, the seizure of weapons from the population in the conflict area, strengthening of public order security and safety in areas adjacent to the conflict area, in isolation from permanent dispositions shall be carried out by decision of the Minister of Internal Affairs of the Republic of Kazakhstan.

2. The duration of involvement of personnel of formations and military units of the National Guard in the performance of the tasks assigned to them specified in this Article, in isolation from permanent dispositions shall not exceed three months.

3. Excluded by the Law of the Republic of Kazakhstan dated 29.06.2021 No. 58-VII (shall come into force upon expiration of ten calendar days after the date of its first official publication).

Footnote. Article 10 as amended by the Law of the Republic of Kazakhstan dated 29.06.2021 No. 58-VII (shall come into force upon expiration of ten calendar days after the date of its first official publication).

#### **Chapter 4. STATE REGULATION IN THE ACTIVITY OF THE NATIONAL GUARD**

##### **Article 11. Government of the Republic of Kazakhstan**

Government of the Republic of Kazakhstan:

- 1) approves the limit of staff numbers of the National Guard;
- 2) provides the National Guard with material and technical means, food, clothing and equipment, weapons, ammunition, military and special equipment, communications equipment and other special technical equipment;
- 3) determines the list of important state objects and communications, special cargoes subject to protection by parts of the National Guard;
- 4) establishes tasks for state agencies, institutions and organizations on the preparation and transfer to the National Guard of vehicles, communications equipment and other material and technical means in connection with the announcement of mobilization, the introduction of state of emergency and military situation, as well as other mobilization tasks;
- 5) provides land plots for the placement and ongoing activities of military units, training centers and other objects of the National Guard;
- 6) takes measures on social and legal protection, material and welfare of military servicemen of the National Guard, persons in reserve (retired), and members of their families;
- 7) solves other issues of ensuring the activities of the National Guard;
- 8) performs other functions assigned to it by the Constitution, laws of the Republic of Kazakhstan and Acts of the President of the Republic of Kazakhstan.

##### **Article 12. Minister of Internal Affairs of the Republic of Kazakhstan**

Minister of Internal Affairs of the Republic of Kazakhstan:

- 1) carries out the operational management of service and combat activities of the National Guard;

- 2) issues regulatory legal acts on the activities of the National Guard;
- 3) establishes the structure and disposition of the National Guard within the limit of staff numbers approved by the Government of the Republic of Kazakhstan;
- 4) submits to the Government of the Republic of Kazakhstan proposals for a change in the total number of the National Guard;
- 5) takes measures to maintain constant combat and mobilization readiness of the National Guard, approves documents on their service and combat use;
- 6) ensures the participation of the National Guard in organizing the recruitment and dismissal of conscripts from the National Guard;
- 7) make a proposal to the President of the Republic of Kazakhstan for the assignment and dismissal of the Deputy Minister of Internal Affairs of the Republic of Kazakhstan - Commander-in-Chief of the National Guard and the awarding of the highest military ranks to military members of the National Guard;
- 8) makes a submission to the President of the Republic of Kazakhstan for awarding state awards to military servicemen and civilian personnel of the National Guard;
- 9) imposes disciplinary sanctions on military servicemen and civilian personnel of the National Guard in accordance with the legislation of the Republic of Kazakhstan;
- 10) appoints and dismisses the deputies of the Chief Commander of the National Guard, commanders of the Regional Commands of the National Guard and their deputies, the head of the higher military educational institution of the National Guard, Commanders of formations of the National Guard, dismisses the officers of the National Guard, confers the first military rank of officer and the military rank of colonel;
- 11) approves:
  - regulation on the Chief Command of the National Guard;
  - staff of the Chief Command of the National Guard, standards for the load of military servicemen, staff regulations, the nomenclature of posts in the National Guard;
  - rules of admission to the higher military educational institution that trains personnel of the National Guard;
  - rules of reimbursement to the state of budget funds spent on the training of military servicemen of the National Guard;
  - procedure for assigning, upgrading, confirming, reducing and maintaining class qualifications for military servicemen of the National Guard;
  - instructions on the tasks of the National Guard;
  - regulations on the National Guard Military Medical Commission;
  - instructions for military service in the National Guard;
  - rules for military-medical examination in the National Guard;
- 12) exercise other powers assigned to him by this Law, 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. Article 12 as amended by Law of the Republic of Kazakhstan No. 136-VII of 11.07.2022 (shall come into effect upon expiration of sixty calendar days after its first official publication).

### **Article 13. Ministry of Defense of the Republic of Kazakhstan**

Ministry of Defense of the Republic of Kazakhstan:

- 1) assists in the training of military servicemen of the National Guard in departmental military educational institutions;
- 2) exercise other powers provided by this Law, other Laws of the Republic of Kazakhstan, Acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan.

### **Article 14. Local executive and other state agencies and organizations**

1. Local executive agencies of regions, cities of republican significance, the capital:

- 1) within the limits of their competence, participate in the consideration of proposals by the Minister of Internal Affairs of the Republic of Kazakhstan on the formation and deployment of military authorities, formations, military units and divisions of the National Guard in the territory under their jurisdiction;
- 2) provide free accommodation for personnel, organize the uninterrupted supply of food, transport, medical, communal and other necessary services when performing emergency response tasks by the divisions of the National Guard in the territory under their jurisdiction;
- 3) create proper living conditions for the National Guard, ensure legal and social protection of military servicemen and employees of the National Guard and their family members, provide housing for officers and military servicemen under military service under the contract, in accordance with the legislation of the Republic of Kazakhstan;
- 4) render the Command of Regional Commanders, formations and military units of the National Guard assistance in organizing the recruitment for military service to the National Guard;
- 5) attract, by agreement with the Minister of Internal Affairs of the Republic of Kazakhstan in cases that shall be urgent, forces and means of formations and military units of the National Guard at their place of permanent deployment to eliminate natural or man-made emergencies and their consequences;
- 6) carry out in the interests of local government other powers imposed on local executive agencies by the legislation of the Republic of Kazakhstan.

2. Other State Agencies, organizations, regardless of their form of ownership, and their officials, within their authority, render assistance to military servicemen of the National Guard in the performance of their official duties, as well as in emergency situations and the introduction of a state of emergency:

- 1) grant, free of charge to Aircraft of the National Guard, the right to use in high priority, airspace, landing, parking, take-off, receiving navigation, meteorological and other information necessary for flight support at airports, airfields, landing sites;



2) provide free of charge lines and channels of communication for the management of military units and divisions of the National Guard in the performance of their duties;

3) allocate the required number of units of rolling stock, conveyances, seats in passenger trains (including for unscheduled transportations) for the timely dispatch of military echelons (vehicles) and transportation of the following independently military servicemen of the National Guard in high priority by bank transfer and without charging additional payments;

4) provide the National Guard with the special transport agencies with the necessary information on the dispatch and promotion of military echelons (transport) and commands in accordance with the Law of the Republic of Kazakhstan "On State Secrets".

**Footnote. Article 14 as amended by the Law of the Republic of Kazakhstan dated 29.06.2021 No. 58-VII (shall come into force upon expiration of ten calendar days after the date of its first official publication).**

### **Article 15. Heads of the Departments of Internal Affairs of regions and cities of republican significance, the capital**

Heads of the Departments of Internal Affairs of regions and cities of republican significance, the capital:

1) by agreement with the Deputy Minister of Internal Affairs of the Republic of Kazakhstan - the Commander-in-Chief of the National Guard, mobilize forces and means of formations and military units of operational units, special motorized military units of the National Guard for joint participation with internal affairs bodies in protection of public order within the borders of administrative-territorial units of the Republic of Kazakhstan, in view of the service purpose of the said formations and military units and the creation of conditions for the training and recreation of personnel;

2) together with the commanders of the formations and military units, determine the scope of official tasks for the formations and military units of operational purpose and special motorized units of the National Guard based on the numbers;

3) hear information of commanders of formations and military units of operational purpose and special motorized units of the National Guard on the results of service and combat activities;

4) assist the commanders of formations and military units of the National Guard in creating appropriate conditions for the activities of formations and military units (divisions) of the National Guard, including those arriving from other regions of the Republic of Kazakhstan to perform the tasks assigned to the National Guard, as well as in complying with the guarantees of legal protection of the National Guard military servicemen and their family members.

**Footnote. Article 15 as amended by Law of the Republic of Kazakhstan No. 136-VII of 11.07.2022 (shall be put into effect sixty calendar days after the date of its first official publication).**

## **Chapter 5. MILITARY SERVICE AND LABOR RELATIONS IN THE NATIONAL GUARD**

### **Article 16. The Personnel of the National Guard**

1. The personnel of the National Guard shall be composed of military servicemen and persons of civilian personnel.

2. Military servicemen undergoing military service in the National Guard have military ranks, insignia and a form of clothing established for them. They shall be subject to the regulations governing the conditions of service in the Armed Forces of the Republic of Kazakhstan, and the requirements of Basic Military Regulations of the Armed Forces, other troops and military formations of the Republic of Kazakhstan, taking into account exceptions and additions provided for by this Law.

3. The labor activity of the civilian personnel of the National Guard shall be regulated in accordance with the Labor legislation of the Republic of Kazakhstan.

### **Article 17. Military service in the National Guard**

1. The National Guard shall be recruited by personnel in accordance with the Law of the Republic of Kazakhstan "On Military Service and the Status of Military Servicemen", as well as by conscription to military service on an extraterritorial basis.

2. Citizens entering military service in the National Guard take the military oath in the manner determined by the general military regulations of the Armed Forces, other troops and military formations of the Republic of Kazakhstan.

### **Article 18. The legal status of military servicemen of the National Guard**

1. When performing the duties assigned to them, as defined by this Law and other legal acts of the Republic of Kazakhstan, military servicemen of the National Guard shall be representatives of the authorities, being under the protection of the State, independently make decisions related to the Law within their competence and implement them.

2. The legal requirements of military servicemen of the National Guard shall be binding on citizens and officials.

3. Failure to comply with the requirements of this Law, hindering the performance of the duties assigned to them by the National Guard, insulting the honor and dignity of military servicemen, and abuse of military symbols entail responsibility established by the Laws of the Republic of Kazakhstan.

4. Military servicemen of the National Guard, in the performance of their duties shall be subject only to direct superiors.

### **Article 19. Training and professional development of personnel of the National Guard**

1. Officers shall be trained for the National Guard by higher educational and military educational institutions of the Republic of Kazakhstan and foreign states in accordance with international treaties of the Republic of Kazakhstan and contracts, as well as state programs of the Republic of Kazakhstan on training abroad.

2. Training and retraining of soldiers and sergeants shall be carried out in training military units (centers) of the National Guard and Armed Forces, other troops and military formations of the Republic of Kazakhstan, as well as military educational institutions of foreign states in accordance with international treaties of the Republic of Kazakhstan and contracts.

3. Professional development of officers and military servicemen serving under contract in positions of soldiers and sergeants of the National Guard shall be carried out in education institutions, including military educational institutions of the Republic of Kazakhstan and foreign states, in accordance with international treaties of the Republic of Kazakhstan and contracts.

#### **Article 20. The performance of military duties by military servicemen of the National Guard**

1. The official and special duties of military servicemen of the National Guard and the procedure for their execution shall be determined by this Law, other legislative acts of the Republic of Kazakhstan, Basic Military Regulations and regulatory legal acts of the Ministry of Internal Affairs of the Republic of Kazakhstan.

2. The performance of military service duties by military servicemen of the National Guard as part of the guard, garrison, a border station, military squad, and also as part of military units (divisions) engaged to carry out tasks assigned to the National Guard shall be carrying out a combat duty.

3. The procedure and conditions of combat duty of military servicemen of the National Guard, as well as the amount of the allowances (additional cash payments) for their combat duty shall be established by legislative acts of the Republic of Kazakhstan, regulatory legal acts of the President of the Republic of Kazakhstan, the Government of the Republic of Kazakhstan, and the Minister of Internal Affairs of the Republic of Kazakhstan.

4. The duration of a combat duty by the military servicemen of the National Guard shall be determined by the time the military servicemen actually stays in the guard, garrison, border station, military squad, as well as in the military units (divisions) recruited to carry out the tasks assigned to the National Guard.

**Footnote. Article 20 as amended by the Law of the Republic of Kazakhstan dated 16.11.2020 No. 375-VI (shall come into force upon expiration of ten calendar days after the date of its first official publication).**

### **Chapter 6. APPLICATION OF THE MEASURES OF COMPULSION BY THE NATIONAL GUARDS**

#### **Article 21. Conditions and limits of the use of physical force, special means, weapons, military and special equipment**

1. When performing the tasks assigned to them, military servicemen of the National Guard shall have the right to carry, store and use weapons, special means, military and special equipment, as well as physical force, if it shall not be possible to fulfill the tasks assigned to them by other means.

2. Physical force, special means, weapons, military and special equipment shall be applied on the basis of the prevailing situation in the cases provided for by this Law and other legislative acts of the Republic of Kazakhstan.

3. Military servicemen of the National Guard shall be obliged to undergo special training, as well as periodic examination on suitability for actions involving the use of physical force, special means, weapons, military and special equipment, and the ability to provide first aid to the injured.

4. When using physical force, special means, weapons, military and special equipment, military serviceman of the National Guard shall be obliged to:

1) warn about the intention to use them, giving the persons in respect of whom it shall be intended to use physical force, special means, weapons, military and special equipment, enough time to fulfill their requirements, except in cases where there shall be a delay in the use of physical force, special equipment, weapons, military and special equipment poses an immediate danger to the life and health of citizens, military servicemen or employees of the Internal Affairs Agencies, may entail other serious consequences or but in the present situation such warning shall be inappropriate or impossible;

2) ensure the provision of first aid to persons injured;

3) immediately report to his immediate commander (chief) of all cases of injury or death as a result of the use of physical force, special means, weapons, military and special equipment for subsequent notification to the prosecutor in the manner established by the legislation of the Republic of Kazakhstan.

#### **Article 22. The use of physical force**

Military servicemen of the National Guard shall have the right to use physical force, including fighting techniques, for self-defense, suppressing criminal and administrative offenses, detaining the persons who committed them, overcoming resistance to the legitimate demands of military servicemen of the National Guard if other methods of suppressing criminal and administrative offenses shall not ensure compliance the military servicemen of the National Guard their official duties.

Military personnel of the National Guard shall be entitled to use physical force in any cases where the use of special means, working dogs, weapons, military and special equipment is permitted hereunder.

**Footnote. Article 22 as amended by Law of the Republic of Kazakhstan No. 136-VII of 11.07.2022 (shall be enacted upon expiration of sixty calendar days after its first official publication).**

#### **Article 23. The use of special means**

1. Military servicemen of the National Guard shall have the right to use special means for:

1) holding off attacks on natural persons;

2) suppression of disobedience or resistance to the legal requirements of military servicemen of the National Guard and other persons performing official duties or civil duty for the protection of public order, prevention and suppression of offenses;

3) detention of persons caught in the commission of criminal offenses, trying to flee or resist;

4) detention of persons in accordance with the Laws of the Republic of Kazakhstan;

5) detaining and bringing to territorial agencies of the Internal Affairs of persons suspected (accused) of committing criminal offenses, persons who committed administrative offenses, in exercising control and supervision over the behavior of persons held in institutions of the penitentiary system, citizens located on their territory, as well as escorting and guarding convicts, detainees who show disobedience or resistance, and also when there shall be reason to believe that they can escape, harm others and himself, or resist a military serviceman National Guard;

6) repelling attacks on military camps, temporary deployment sites, military convoys (transport) and transport convoys and National Guard-held facilities;

7) release of hostages, captured buildings, premises, structures, vehicles and sectors of terrain;

8) suppression of riots and actions that disrupt the operation of vehicles, communications, organizations regardless of ownership, as well as disrupt the work of the institutions of the penitentiary system;

9) stopping vehicles whose drivers have not fulfilled the legal requirements of the police employees or the National Guard to stop;

10) protection of facilities and buildings guarded by National Guard troops, and blocking the movement of groups committing unlawful acts;

11) preventing air violations by unmanned aerial vehicles over military units, facilities to be protected by the State, and in areas where National Guard personnel fulfil their missions.

2. Special equipment applied by members of the National Guard may include:

1) special sticks - for the cases covered by sub-paragraphs 1) to 10) of paragraph 1 of this Article;

2) tear gas (irritant) agents - to the extent envisaged in sub-paragraphs 1) to 10) of this Article;

3) handcuffs - for the cases covered by sub-paragraphs 2), 3), 4), 5) and 8) of paragraph 1 of this Article. In the absence of handcuffs, servicemen may use improvised means to bind;

4) light and sound distractions - with regard to the cases specified in subparagraphs 1), 4), 6), 7) and 8) of paragraph 1 of this Article;

5) destructive means - for cases stipulated in sub-paragraphs 4), 6), 7) and 8) of paragraph 1 of this Article;

6) means for the forced stopping of transport - in the cases laid down in subparagraphs 6), 8), 9) and 10) of paragraph 1 of this Article;

7) protective equipment for facilities (territories) guarded by members of the National Guard, and for blocking the movement of groups involved in unlawful acts, in the cases referred to in sub-paragraphs 6), 8) and 10) of paragraph 1 of this Article;

8) light and acoustic special devices - in situations covered by sub-paragraphs 6), 7), 8) and 10) of paragraph 1 of this Article;

9) special technical means of opposing unmanned aerial vehicles - in the events specified in sub-paragraphs 6), 8) and 11) of paragraph 1 of this Article.

2-1. Service dogs shall be permitted in the cases stipulated in subparagraphs 1) to 10) of paragraph 1 of this Article..

3. Any type of special means and service dogs may also be permitted in the cases referred to in paragraph 1 of Article 24 hereof.

4. The type of special means, the time of commencement and the intensity of its use shall be determined by the current situation, the nature of the offense and the personality of the offender.

5. No special means and service dogs shall be permitted to be used on women with visible signs of pregnancy, persons with visible signs of disability and minors, unless they commit a group or other attack, show resistance, or pose a threat to the life or health of citizens.

**Footnote. Article 23 as amended by Law of the Republic of Kazakhstan No. 136-VII of 11.07.2022 (shall come into force upon expiration of sixty calendar days after its first official publication); No. 174-VII of 29.12.2022 (shall enter into force sixty calendar days after the date of its first official publication).**

#### **Article 24. The use of weapons**

1. Military servicemen of the National Guard shall have the right to use weapons for:

1) protecting natural persons from an attack threatening their life or health;

2) repelling attacks on judges, military servicemen, employees of the Internal Affairs Agencies, the Court and the Prosecutor's Office, threatening their life and health, as well as suppressing attempts to seize their weapons and military equipment;

3) ending of a social emergency, including in penal institutions and pre-trial detention centres, and in ensuring the legal regime of a state of emergency;

4) release of hostages, captured protected objects and communications, special cargo, military equipment;

5) apprehending persons caught while committing grievous or particularly grievous crimes against the life or health of natural persons or property, attempting to escape, or offering armed resistance;

6) suppressing the escape from custody of persons for whom detention shall be chosen as a preventive measure; sentenced to deprivation of liberty, as well as to prevent attempts at their forcible release;

7) halting the vehicle by damaging it, if the driver's actions endanger the life or health of natural persons or members of the National Guard or refuse to stop despite the lawful

demands of internal affairs officers or members of the National Guard, or if the vehicle is used by a convicted person to escape;

8) neutralising rioters using or employing weapons against natural persons or members of the National Guard;

9) reflection of a group or armed attack (including by means of vehicles) against temporary military bases, military convoys (transport), transport columns, protected facilities and communications, special cargoes, sentries, other persons on guard duty or guardhouse, homes of individuals and premises occupied by public authorities or organisations, irrespective of their form of ownership;

10) termination of armed conflicts and other provocations on the State Border of the Republic of Kazakhstan;

11) suppressing armed persons resisting the lawful demands of members of the National Guard to cease unlawful acts and surrender their weapons, ammunition, explosives, explosive or imitation devices, specially manufactured equipment, flammable and combustible liquids, poisonous and radioactive substances, special means and military equipment, or other objects specially designed to inflict bodily harm, the use of which could endanger the health of the population;

12) warning natural persons of their intention to use weapons, sounding an alarm and calling for assistance;

13) neutralising an animal that directly threatens the life or health of natural persons;

14) the suppression of attempts by persons to illegally enter the territory of protected objects, posts and other places of military service or to leave them when it shall not be possible to stop these attempts by other means;

15) suppressing airspace violations by unmanned aerial vehicles over the territory of military units, facilities under protection of the State, as well as in areas where National Guard personnel perform tasks, unless other means of suppressing their presence in airspace are not feasible.

2. Without warning, a weapon shall be used to repel an attack using weapons, explosives, explosive or imitating devices, specially made technical means, flammable and combustible liquids, poisonous and radioactive substances, military and special vehicles, vehicles, aircraft, sea or river vessels, when escaping from under the guard with weapons or on vehicles, aircraft, sea or river vessels, when escaping a convict (persons taken into custody) from the protection at night or in low visibility conditions, escape from the vehicle, sea or river vessels during movement, in group or another armed attack, armed resistance, as well as when there shall be a threat to life and health.

3. It shall be prohibited to use weapons against women, persons with obvious signs of disability and minors, except when they commit a group or other armed attack, they offer armed resistance, and also if there shall be a threat to the life and health of citizens.



Footnote. Article 24 as amended by Law of the Republic of Kazakhstan No. 136-VII of 11.07.2022 (shall become effective sixty calendar days after the date of its first official publication); No. 174-VII of 29.12.2022 (shall be brought into effect sixty calendar days after the date of its first official publication).

#### **Article 25. The use of military and special equipment**

1. Military and special equipment, which in service with the National Guard, shall be used for:

1) rescue of hostages, seized guarded facilities and communications, special cargo and military property;

2) protecting natural persons from an attack that threatens their life or health, where it is not otherwise possible to stop the act;

3) halting a vehicle in the performance of the National Guard's tasks when the driver refuses to stop in spite of lawful demands by internal affairs officers or members of the National Guard;

4) reflecting a group or armed attack (including by means of vehicles) against military camps, temporary deployment points, military convoys (transport), transport columns, guarded facilities and communications, special cargoes, homes of natural persons and premises occupied by public authorities and other entities, irrespective of their form of ownership;

5) suppressing the resistance of armed persons refusing to fulfill the legal requirements of military servicemen of the National Guard for the cessation of unlawful actions and the surrender of the weapons and military equipment available to them.

6) preventing unmanned aerial vehicles from infringing on the territory of military units or facilities under state protection, as well as in areas where National Guard personnel fulfil their missions, when it is not possible to stop them from entering the airspace by other means.

2. Military and special equipment may be used on the instructions of the commander of the military unit or his deputy in the instances envisaged in subparagraphs 4), 5), 6), 7), 8), 9) and 10) of paragraph 1 of Article 23 hereof.

Footnote. Article 25 as amended by Law of the Republic of Kazakhstan No. 136-VII of 11.07.2022 (shall take effect upon expiration of sixty calendar days after the date of its first official publication); No. 174-VII of 29.12.2022 (shall become effective sixty calendar days after the date of its first official publication).

#### **Article 26. Guarantees for the personal security of military servicemen of the National Guard and members of their families**

1. A military serviceman of the National Guard shall have the right to expose a weapon and bring it into readiness only in the cases provided by Article 24 of this Law.

2. Making a person act in an attempt to get closer to a military serviceman of the National Guard closer than the specified distance with a weapon or objects that could cause bodily

harm, as well as taking possession of a military serviceman weapon, give the latter the right to use a weapon in accordance with subparagraph 2) of paragraph 1 of Article 24 of this Law.

3. Military servicemen of the National Guard who shall be involved in social emergencies and to ensure a state of emergency shall be entitled to a reasonable professional risk. It shall not be an offense to cause them harm at a reasonable professional risk.

The professional risk shall be recognized as justified if an act committed by military serviceman of the National Guard involved in social emergencies and (or) to ensure a state of emergency, the act objectively proceeded from the prevailing situation and the goal cannot be achieved by non-risk actions, while military serviceman of the National Guard, called upon to maintain a state of emergency, took all possible measures to prevent harm.

4. The military servicemen of the National Guard who shall be involved in social emergencies and to ensure the state of emergency, the legal regime of the antiterrorist operation, shall not be liable for damage caused by the use of physical force, special means, military and special equipment, use weapons in cases provided by this Law and other legislative acts, if:

1) they have not exceeded the limits of necessary defense or the measures necessary to detain a person who has committed a criminal offense;

2) they acted in pursuance of an order or instruction that was binding on them, in accordance with the established procedure, with the exception of the commission of a deliberate criminal offense in pursuance of obviously illegal orders or decrees;

3) they acted in conditions of reasonable professional risk or extreme necessity.

5. In the interests of the personal security of military servicemen of the National Guard, their family members, it shall not be allowed to disseminate in a public statement, the media information about the deployment or redeployment of formations and military units of the National Guard, as well as to ensure confidentiality of information on military servicemen of the National Guard who participated in the suppression activities of armed criminals, illegal armed groups and other organized criminal groups (communities), as well as information of their family members.

**Footnote. Article 26 as amended by the Law of the RK No. 28-VI dated 22.12.2016 (shall be enforced upon expiry of ten calendar days after its first official publication).**

## **Chapter 7. SOCIAL GUARANTIES FOR MILITARY SERVICEMEN OF THE NATIONAL GUARD, MEMBERS OF THEIR FAMILIES**

### **Article 27. Social guarantees for military servicemen of the National Guard and members of their families**

1. The special nature of military service in the National Guard and the responsibility of military personnel established by this Law are compensated by additional social rights and

benefits for military personnel and their family members in accordance with the Law of the Republic of Kazakhstan "On military service and the status of military personnel" and the legislation of the Republic of Kazakhstan on social protection.

2. For military servicemen serving in the antituberculosis institutions of the penitentiary system, the benefits established by the legislation of the Republic of Kazakhstan for this category of medical workers shall be extended.

3. During the period of engagement of military servicemen of the National Guard to perform tasks in isolation from the permanent deployment point in accordance with Article 10 of this Law, the term of military service, which shall be counted as length of service, shall be calculated on the basis of one day for three days and three times pay shall be paid.

**Footnote. Article 27 as amended by the Law of the Republic of Kazakhstan dated 20.04.2023 No. 226-VII (shall be enforced from 01.07.2023).**

### **Article 28. Housing rights of military servicemen of the National Guard, members of their families**

1. Providing housing for military servicemen and permanently living with them members of their families who need housing, as well as paying compensation for hiring (renting) housing shall be made in the manner prescribed by the Law of the Republic of Kazakhstan "On Housing Relations".

2. In the event of death of a military serviceman of the National Guard in connection with the performance of service activities, the family of the victim retains the right to receive living space on the basis of the registration, the living space shall be provided no later than one year after the death of the military serviceman. Family members of a military serviceman who have lost their breadwinner cannot be evicted from the living quarters they occupy without providing them free of charge other suitable living quarters in accordance with the legislation of the Republic of Kazakhstan.

## **Chapter 8. FINAL PROVISIONS**

### **Article 29. Financing of the National Guard**

Financing of the National Guard shall be carried out at the expense of the republican budget.

### **Article 30. Logistics support of the National Guard**

1. The logistics standards for the National Guard shall be approved by the Minister of Internal Affairs of the Republic of Kazakhstan in coordination with the central authorized budget planning authority.

The procedure for the logistics of the National Guard shall be approved by the Government of the Republic of Kazakhstan.

2. The National Guard shall be provided with armament, aviation, automobile, armored and other military equipment and material means in the manner and according to the

standards established for the Armed Forces of the Republic of Kazakhstan, other troops and military formations and the Internal Affairs Agencies of the Republic of Kazakhstan.

3. Military units (divisions) performing duties for the protection of important state objects and communications, special cargoes, as well as objects of the penitentiary system institutions , military camps, buildings and facilities to accommodate personnel, weapons, equipment and military technical equipment, as well as authority agencies shall be allocated or erected by ministries, departments (institutions), whose objects shall be protected by the National Guard.

4. Divisions of the National Guard, engaged to carry out tasks to ensure the protection of public order in isolation from the permanent deployment in the conditions of the introduction of the state of emergency, the legal regime of the anti-terrorist operation, during mass social and political events, shall be provided with housing for quartering, utilities, lines and communication channels, vehicles and fuels and lubricants, additional board at the expense of budgetary funds.

5. The National Guard purchases petroleum products from a single operator for the supply of petroleum products, determined by the authorized body for state regulation of the production of petroleum products.

**Footnote. Article 30 as amended by the Law of the RK No. 28-VI dated 22.12.2016 (shall be enforced upon expiry of ten calendar days after its first official publication); dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication).**

### **Article 31. The procedure for enforcement of this Law**

1. This Law shall be enforced upon expiry of ten calendar days after its first official publication.

2. To declare no longer in force the Law of the Republic of Kazakhstan of June 23, 1992 " On Internal Troops of the Ministry of Internal Affairs of the Republic of Kazakhstan" ( Gazette of the Supreme Council of the Republic of Kazakhstan, 1992, No. 11-12, Article 290; No. 24, Article 592; 1993 , No. 8, Article 179; 1995, No. 1-2, Article 17; No. 23, Article 155; Gazette of the Parliament of the Republic of Kazakhstan, 1997, No. 7, Article 79; No. 12, Art. 184; No. 13-14, Article 205; 1998, No. 23, Article 416; No. 24, Article 436; 1999, No. 8, Article 233, 247; 2001, No. 13-14 , Article 174; No. 20, Article 257; No. 24, Article 336; 2004, No. 23, Article 142; No. 24, Article 155; 2007, No. 15, Article 107; 2008 ., No. 10-11, Article 39; 2010, No. 7, Article 32; No. 24, Article 149; 2011, No. 1, Article 7; No. 11, Article 102; No. 16, Article 12 9; 2012, No. 3, Article 26; No. 5, Article 41; 2013, No. 2, Article 8; No. 14, Article 72; 2014, No. 7, Article 37; No. 14, Article 84; No. 16, Article 90).

*The President  
of the Republic of Kazakhstan*

*N. NAZARBAYEV*

