



## **On the President of the Republic of Kazakhstan**

### *Unofficial translation*

Constitutional Law of the Republic of Kazakhstan dated December 26, 1995 N 2733.

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**Footnote. The title as amended by the Constitutional Law of the Republic of Kazakhstan dated 06.05.1999 N 378.**

This Constitutional Law, in accordance with the Constitution of the Republic of Kazakhstan defines the legal status of the President of the Republic of Kazakhstan.

**Footnote. The preamble as amended by the Constitutional Law of the Republic of Kazakhstan dated 06.05.1999 N 378.**

## **Chapter I Status of the President of the Republic of Kazakhstan**

### **Article 1. President of the Republic**

1. The President of the Republic is the head of state and its highest official, who determines the main directions of domestic and foreign policies of the state and represents Kazakhstan within the country and in international relations.

2. The President of the Republic is the symbol and guarantor of the unity of the people and state power, inviolability of the Constitution, the rights and freedom of man and citizen.

3. The President of the Republic ensures the concerted functioning of all branches of state power and the responsibility of all governing bodies before the people.

4. The President of the Republic has the power to act on behalf of the people and the state.

5. President of the Republic is inviolable. Offences against his honor are prosecuted

### **Article 2. Presidential Elections**

Presidential elections are to be carried out in accordance with Constitutional Law.

### **Article 3. Inauguration of the President of the Republic**

1. The President of the Republic takes office from the moment of taking of the following oath: "I solemnly swear to faithfully serve the people of Kazakhstan, to strictly observe the Constitution and laws of the Republic of Kazakhstan, to guarantee the rights and freedoms of the citizens, conscientiously fulfill the high duties of the of President of Kazakhstan". The text of the oath is to be pronounced by the President of the Republic in the official language.

2. The oath of office is to be taken on the second Wednesday in January.

In case of early presidential election or assuming of presidential duties under Article 48 of the Constitution, the oath of office shall be taken within one month of publication of the election results or assuming of the presidential duties. In these cases, the day of taking the oath of office shall be determined by the Central Election Commission of the Republic.

The oath is taken in a solemn atmosphere in the presence of members of Parliament, judges of the Constitutional Court, judges of the Supreme Court, as well as all ex-Presidents of the Republic.

3. The President of the Republic takes an oath on the Constitution of the Republic. The National Anthem of the Republic of Kazakhstan will be performed after taking the oath. The Chairman of the Central Election Commission shall present the President with a certificate, a badge, the ensign of the President of the Republic of Kazakhstan and the Order of "Altyn Kyran" (Golden Eagle).

4. Excluded by the Constitutional Law of the Republic of Kazakhstan dated 05.11.2022 No. 156-VII (shall be enforced ten calendar days after the date of its first official publication).

Footnote. Article 3 as amended by the Constitutional Law of the Republic of Kazakhstan dated 06.05.1999 N 378; № 404-IV as of 03.02.2011 (shall be enforced on the day of its first official publication); dated 05.11.2022 No. 156-VII (see Article 3 for the procedure for entry into force).

#### **Article 4. The term of office of the President of the Republic**

1. The President of the Republic is elected for a term of seven years.

1-1. The powers of the President of the Republic elected at the extraordinary elections shall be exercised until the inauguration of the President of the Republic elected at the regular elections, which must be held seven years after the extraordinary elections on the first Sunday of December.

2. The presidential power shall terminate from the moment the newly elected President of the Republic takes office, or in the case of early release or removal from office of the President or his death.

3. Is excluded as amended by the Constitutional Law of the Republic of Kazakhstan dated 06.05.1999 N 378.

4. Excluded by the Constitutional Law of the Republic of Kazakhstan dated 05.11.2022 No. 156-VII (shall be enforced ten calendar days after the date of its first official publication).

Footnote. Article 4 as amended by the Constitutional Law of the Republic of Kazakhstan dated 06.05.1999 N 378; dated 19.06.2007 N 265; dated 14.06.2010 N 89-IV (the procedure for entry into force see Art. 2); dated 03.02.2011 N 404-IV (shall be enforced from the date of its first official publication); № 75-VI as of 15.06.2017 (shall be enforced on the day of its first official publication); dated 05.11.2022 No. 156-VII (shall be enforced ten calendar days after the date of its first official publication).

## **Article 5. Limitations due to continuance in office of the President of the Republic**

1. The President of the Republic may not be deputy of a representative body, hold other paid offices and engage in entrepreneurial activity.

2. is excluded the Constitutional Laws of the Republic of Kazakhstan dated 19.06.2007 No. 265.

3. For the period of exercising his powers, the President of the Republic of Kazakhstan must not be a member of a political party.

Within ten days from the moment of taking the oath, the President must withdraw from the political party.

4. Close relatives of the President of the Republic of Kazakhstan are not entitled to hold positions of political civil servants, heads of quasi-public sector entities.

Close relatives of the President of the Republic of Kazakhstan, holding positions of political civil servants, heads of quasi-public sector entities, must resign or vacate their position within a month from the moment of taking the oath of office by the President of the Republic of Kazakhstan.

For the purposes of this paragraph, the close relatives of the President of the Republic of Kazakhstan are: parents (parent), children, adoptive parents, adopted (adopted) children, full- and half-siblings, grandfather, grandmother, grandchildren, as well as spouse (spouse), close relatives of spouse (spouse), spouse (spouse) of children, children of full- and half-brothers and sisters.

Footnote. Article 5 as amended by the Constitutional Laws of the Republic of Kazakhstan dated 19.06.2007 No. 265; dated 05.11.2022 No. 156-VII (shall be enforced ten calendar days after the date of its first official publication).

## **Article 6. Insignia of the President of the Republic**

1. The President of the Republic has the following insignia: a badge and an ensign of the President of the Republic of Kazakhstan.

2. The design of the badge is determined by the Central Election Commission of the Republic. The design of the ensign, the usage of the badge and of the ensign are determined by the President of the Republic.

3. The President of the Republic by virtue of his position becomes a knight of the Order of "Altyn Kyran" (Golden Eagle).

4. The design of the Order of "Altyn Kyran" (Golden Eagle), the grounds and the awarding procedure is determined by the Law of the Republic.

## **Chapter II**

The Powers of the President of the Republic of Kazakhstan

## **Article 7. Foreign policy powers of the President of the Republic**

### 1. The President of the Republic

- 1) conducts negotiations and signs international treaties of the Republic of Kazakhstan;
- 2) grants authority to negotiate and sign international treaties of the Republic;
- 3) *(the sub-item is excluded as amended by the Constitutional Law of the Republic of Kazakhstan dated 06.05.1999 N 378)*
- 4) signs instruments of ratification;
- 5) takes decisions about suspension of international treaties concluded by the Republic, which are not subject to the ratification;
- 6) submits applications to Parliament to denounce the international treaties concluded by the Republic.

2. The President of the Republic appoints and dismisses heads of diplomatic missions of the Republic of Kazakhstan.

3. The President accepts credentials and letters of recall of the diplomatic and other accredited representatives of foreign states. <\*>

**Footnote. Article 7 as amended by the Constitutional Law of the Republic of Kazakhstan dated 06.05.1999 N 378**

## **Article 8. The Powers of the President of the Republic in the field of defense and security of the state**

The President of the Republic:

- 1) is the Supreme Commander of the Armed Forces of the Republic. He appoints and dismisses the supreme command of the Armed Forces;
- 2) in case of immediate danger to the democratic institutions of the Republic, its independence and territorial integrity, political stability and security of its citizens and in case of disruption of normal functioning of the state constitutional organs, the President takes measures including declaration of emergency state on the whole territory of Kazakhstan or in particular areas, and the use of the Armed Forces of the Republic after formal consultation with the Prime Minister and the Chairmen of the Parliament Chambers and informs the Parliament of the Republic immediately about it.
- 3) in case of aggression against the Republic or immediate external threat to its security, the President imposes martial law on the whole territory of the Republic or in its particular areas, declares a partial or total mobilization and informs the Parliament of the Republic immediately about it;
- 4) submits a proposal to use the Armed Forces of the Republic to the joint session of Parliament in order to fulfill international obligations for the maintenance of peace and security;
- 5) forms the State Guard Service subordinate to him;

- 6) sanctions the military doctrine of the Republic of Kazakhstan;
- 7) decides about the military draft of the citizens of the Republic and the military discharge from active service to reserve;
- 8) appoints the Chairman of the National Security Committee and dismisses him from office after approval by the Senate

**Footnote. Article 8 as amended by the Constitutional Law of the Republic of Kazakhstan dated 06.05.1999 N 378; № 75-VI as of 15.06.2017 (shall be enforced on the day of its first official publication).**

## **Article 9. The Powers of the President of the Republic in respect of the Parliament**

The President of the Republic:

- 1) appoints ordinary and extraordinary elections to the Parliament and its Chambers;
- 2) in compliance with the requirements established by paragraph 4 of Article 51 of the Constitution, appoints ten deputies of the Senate, five of whom are appointed at the recommendation of Kazakhstan People's Assembly. In case of deprivation or termination of the powers of the appointed members of the Senate, within a month, appoints deputies of the Senate instead of those who have left;
- 3) convenes the first session of the Parliament no later than thirty days from the date of publication of the election results;
- 4) takes the oath of Deputies of the Parliament to the people of Kazakhstan;
- 5) nominates a candidate for the post of Chairman of the Senate;
- 6) as a rule, opens Parliament sessions;
- 7) may convene an extraordinary session of Parliament in the period between the sessions on his/her own initiative, at the suggestion of Presidents of the Chambers or at the request of no less than one-third of the total number of deputies. This session may consider only the issues which were the reason for its convening;
- 8) signs the law submitted by the Parliament within one month, promulgates the law or returns the law or its individual articles for re-discussion and voting; signs the law within one month if the Parliament overcomes the objections of the President in compliance with the requirements established by subparagraph 1-2) of Article 53 and subparagraph 2) of paragraph 2 of article 54 of the Constitution;
- 9) submits draft amendments to the Constitution to the Parliament;
- 9-1) initiates draft laws and submits them to the Mazhilis;
- 10) has the right to determine the priority of consideration of draft laws, which means that these draft laws shall be adopted as a matter of priority within two months;
- 11) has the power to attend any joint meeting of the Parliament Chambers or separate meetings of its Chambers, and to be heard;
- 12) dismisses a member of the Government in the case provided for by subparagraph 6) of Article 57 of the Constitution of the Republic;

13) has the power to dissolve the Parliament and the Mazhilis as provided in the Constitution.

Footnote. Article 9 as amended by the Constitutional Act of the Republic dated 06.05.1999 N 378, dated 11.12.2006 N 200 (shall be enforced from the date of its official publication), Constitutional Law of the Republic of Kazakhstan dated 19.06.2007 N 265; № 75-VI as of 15.06.2017 (shall be enforced on the day of its first official publication); dated 05.11.2022 No. 156-VII (see Article 3 for the procedure for entry into force).

## **Article 10. The Powers of the President of the Republic in respect to the Government**

The President of the Republic:

1) with the consent of the Mazhilis of the Parliament appoints the Prime Minister of the Republic and releases him from office;

2) upon the proposal of the Prime Minister presented within ten days after his/her appointment, determines the structure of the Government; upon the proposal of the Prime Minister, presented after consultation with the Majilis of the Parliament, appoints members of the Government; independently appoints ministers of foreign affairs, defense and internal affairs; dismisses members of the Government;

3) takes the oath of the members of the Government;

4) hears regularly the report of the Prime Minister on the main activities of the Government and all of his/her important decisions, in the course of which the Prime Minister reports on the work of the Government of the Republic of Kazakhstan;

5) coordinates a unified system of financing and remuneration of labor for employees of all bodies financed from the state budget of the Republic;

5-1) coordinates state programs;

6) if necessary, chairs meetings of the Government on particularly important issues;

7) is excluded by Constitutional law of the Republic of Kazakhstan № 75-VI as of 15.06.2017 (shall be enforced on the day of its first official publication).

8) is excluded by Constitutional law of the Republic of Kazakhstan № 75-VI as of 15.06.2017 (shall be enforced on the day of its first official publication);

9) takes a decision about resignation announced by the Government or by any of its members, if they find it impossible to continue the implementation of their duties, or if the Mazhilis or the Parliament pass a vote of no-confidence to the Government, as well as about resignation announced by a member of the Government, who does not agree with the Government's policy or is not conducting it;

10) accepts or rejects the resignation announced by the Government or any of its members within ten days;

11) in case of rejecting the resignation of the Government or its member the President instructs them to continue to carry out their duties;

12) has the power to initiate the termination of powers of the Government, to dismiss the Prime Minister or any member of the Government;

13) has the power to issue acts charging the Government with implementation of the executive functions beside those established by the Constitution and the laws of the Republic;

14) charges the Government of the Republic with tasks.

Footnote. Article 10 as amended by the Constitutional Law of the Republic of Kazakhstan dated 06.05.1999 N 378, Constitutional Law of the Republic of Kazakhstan dated 19.06.2007 N 265; № 75-VI as of 15.06.2017 (shall be enforced on the day of its first official publication)

#### **Article 11. Powers of the President of the Republic in relation to the Constitutional Court**

Footnote. The title of Article 11 as amended by the Constitutional Law of the Republic of Kazakhstan dated 05.11.2022 No. 156- VII (shall be enforced ten calendar days after the date of its first official publication).

The President of the Republic

1) appoints the Chairman of the Constitutional Court to the post with the consent of the Senate of the Parliament and four judges of the Constitutional Court, in accordance with the constitutional law, has the right to dismiss them prematurely from office;

1-1) appoints the Deputy Chairman of the Constitutional Court at the recommendation of the Chairman of the Constitutional Court from among the judges of the Constitutional Court;

2) in the cases provided for by subparagraph 10-1) of Article 44 and Article 72 of the Constitution of the Republic, appeals to the Constitutional Court.

3) is excluded by Constitutional law of the Republic of Kazakhstan № 75-VI as of 15.06.2017 (shall be enforced on the day of its first official publication).

Footnote. Article 11 as amended by Constitutional law of the Republic of Kazakhstan № 75-VI as of 15.06.2017 (shall be enforced on the day of its first official publication); dated 05.11.2022 No. 156-VII (see Article 3 for the procedure for entry into force).

#### **Article 12. The Powers of the President of the Republic in respect of courts and judges**

The President of the Republic

1) proposes to the Senate candidates for elections to the posts of Chairman and judges of the Supreme Court, and those to be dismissed from office basing on recommendations of the Supreme Judicial Council;

2) appoints and dismisses the Chairman and judges of magistrate and other courts on the recommendation of the Supreme Judicial Council.

Footnote. Article 12 as amended by the Constitutional Law of the Republic of Kazakhstan dated 19.06.2007N 265

#### **Article 13. The Powers of the President of the Republic in respect of the Prosecution Bodies**

The President of the Republic:

- 1) appoints the Prosecutor General of the Republic for a term of five years and releases him from office with the consent of the Senate;
- 2) at the suggestion of Prosecutor General, appoints and dismisses the Deputies of Prosecutor General of the Republic;
- 3) hears the report of the Prosecutor General on the legal situation in the country at least once per quarter.

#### **Article 14. The powers of the President in respect of the Central Election Commission**

The President of the Republic

- A) appoints a Chairman and two members of the Central Election Commission of the Republic of Kazakhstan;
- 2) approves the regulations of the Central Election Commission;
- 3) hears reports of the Chairman of the Central Election Commission on the preparation for the national referendum, the elections to the Parliament, Maslikhats and other local authorities and on their results.

**Footnote. Article 14 as amended by the Constitutional Law of the Republic of Kazakhstan dated 19.06.2007N 265**

#### **Article 15. The Powers of the President of the Republic in respect of the National Bank**

The President of the Republic:

- 1) with the consent of the Senate of the Parliament, appoints and releases from office the Chairman of the National Bank of the Republic;
- 2) appoints and dismisses the Deputies of the Chairman of the National Bank upon the recommendation of the Chairman of the National Bank;
- 3) hears reports of the Chairman of the National Bank of the Republic at least once per quarter.

**Footnote. Article 15 as amended by the Constitutional Law of the Republic of Kazakhstan dated 19.06.2007 N 265**

#### **Article 16. Powers of the President of the Republic in relation to the Supreme Audit Chamber of the Republic of Kazakhstan**

President of the Republic:

- 1) appoints the Chairman and two members of the Supreme Audit Chamber to the position for a period of five years, has the right to dismiss them from office ahead of time;
- 2) approves the Regulations on the Supreme Audit Chamber;
- 3) at least once a quarter hears a report from the Chairman of the Supreme Audit Chamber on its work.



Footnote. Article 16 - as amended by the Constitutional Law of the Republic of Kazakhstan dated 05.11.2022 No. 156- VII (shall be enforced ten calendar days after the date of its first official publication).

#### **Article 17. The Powers of the President of the Republic in respect to the Akims**

The President of the Republic:

1) appoints to the posts of akims of regions, cities of republican significance and the capital of the Republic with the consent of deputies of maslikhats located on the territory of the region, or deputies of maslikhats of cities of republican significance and the capital, respectively;

2) excluded by the Constitutional Law of the Republic of Kazakhstan dated 05.11.2022 No. 156-VII (shall be enforced ten calendar days after the date of its first official publication);

3) gives instructions to akims and hears reports on implementation thereof;

4) has the right to dismiss akims of regions, cities of republican significance and the capital at their discretion, as well as in case of expression of distrust by the relevant maslikhats by a majority of votes from the total number of their deputies.

4-1) is excluded by Constitutional law of the Republic of Kazakhstan № 75-VI as of 15.06.2017 (shall be enforced on the day of its first official publication).

Footnote. Article 17 as amended by the Constitutional Law of the Republic of Kazakhstan dated 06.05.1999 N 378, dated 19.06.2007 N 265; № 75-VI as of 15.06.2017 (shall be enforced on the day of its first official publication); dated 05.11.2022 No. 156-VII (shall be enforced ten calendar days after the date of its first official publication).

#### **Article 17-1. The Powers of the President of the Republic in respect to public authorities, directly subordinate and accountable to him/her**

1. The powers of the heads of the public authorities, directly subordinate and accountable to the President of the Republic, terminate when the newly elected President takes his/her office. However, they perform their duties until the President appoints the new heads of these authorities.

2. The President of the Republic, upon recommendations of the heads of the public authorities directly subordinate and accountable to him

1) approves the regulations of these public authorities, their structure and the overall number of staff;

2) appoints and dismisses deputy heads of the authorities directly subordinate and accountable to the President of the Republic, heads of the departments of these authorities, unless otherwise established by the President of the Republic;

3) forms, dissolves and reorganizes departments of these public authorities. These authorities have the status provided for the offices of central executive bodies, unless otherwise established by the President of the Republic.

3. The President of the Republic hears the activity reports of the heads of the public authorities, directly subordinate and accountable to him, according to the procedure determined by the President.

**Footnote. Article 17-1 is added by the Constitutional Act of the Republic dated 06.05.1999N 378.**

#### **Article 18. The Powers of the President of the Republic in respect of the Referendum**

1. In accordance with the Constitutional Law the President of the Republic takes a decision to hold a referendum, on his own initiative or on the initiative of the Parliament, the Government or of at least two hundred thousand citizens having the right to vote, representing in the equal proportion all regions, the capital and the cities of the national importance.

2. The President of the Republic, at the request of the Parliament, the Government or citizens of the Republic to hold a referendum takes one of the following decisions:

1) to hold a referendum;

2) to make amendments to the Constitution, the constitutional law, the law of the Republic or another act related to the subject of the proposed referendum without holding it;

3) to reject the proposal to hold a referendum.

If the President rejects the Parliament's proposal to submit the issue of amendments to the Constitution to the national referendum, the Parliament has the right to adopt a law on amending the Constitution by a four-fifths vote in each Chamber. In this case, the President of the Republic signs this law or submits it to a national referendum.

3. With the consent of the referendum initiators the President of the Republic has the right to specify the wording of the question (s) submitted to the referendum before it begins, for a more accurate expression of the will of its initiators. <\*>

**Footnote. Article 18 as amended by the Constitutional Law of the Republic of Kazakhstan dated 06.05.1999 N 378.**

#### **Article 19. Other powers of the President of the Republic**

The President of the Republic:

1) addresses the people of Kazakhstan on the situation in the country and the main directions of domestic and foreign policy of the Republic by the annual oral or written message. If the message is presented at a Parliament session, it shall not be discussed or questioned;

**2) excluded by the Constitutional Law of the Republic of Kazakhstan dated 05.11.2022 No. 156-VII (shall be enforced from 01.01.2023).**

3) establishes qualification degrees; awards state decorations of the Republic, honorary titles, highest military, diplomatic and other ranks, grades, qualification degrees. The President also deprives of these awards, titles, ranks, grades and degrees;

4) decides about granting, preservation, withdrawal and restoration of citizenship of the Republic of Kazakhstan;

5) decides about granting political asylum;

6) grants pardons to citizens;

7) appoints and dismisses the State Adviser of the Republic, determines his status and powers;

7-1) nominates the Commissioner for Human Rights in the Republic of Kazakhstan for a five-year term and for dismissal from office to the Senate of the Parliament;

8) sets up regulations, terms and conditions for the national currency circulation;

9) forms Administration of the President; establishes, dissolves and reorganizes other state bodies directly subordinate and accountable to the President of the Republic;

10) forms the Security Council and other consultative and advisory bodies, as well as the Assembly of Peoples of Kazakhstan and the Supreme Judicial Council;

10-1) appoints the Chairman of the Supreme Judicial Council with the consent of the Senate of the Parliament;

11) after consultations with the Prime Minister and the chairpersons of the Chambers of Parliament, prematurely terminates the authority of a maslikhat;

12) exercises other powers in accordance with the Constitution and laws of the Republic.

<\*>

**Footnote. Article 19 as amended by the Constitutional Law of the Republic of Kazakhstan dated 06.05.1999 N 378; dated 19.06.2007 N 265; № 75-VI as of 15.06.2017 (shall be enforced on the day of its first official publication); dated 05.11.2022 No. 156-VII (see Article 3 for the procedure for entry into force).**

### **Chapter III Acts of the President of the Republic of Kazakhstan**

#### **Article 20. Forms of Acts of the President of the Republic**

1. The President of the Republic issues decrees and orders, legally binding on the whole territory of the Republic of Kazakhstan.

**2. Is excluded by Constitutional law of the Republic of Kazakhstan № 75-VI as of 15.06.2017 (shall be enforced on the day of its first official publication).**

3. The Parliament acts, signed by the President of the Republic, as well as acts of the President, issued on the initiative of the Government, must be previously signed by Chairmen of both Parliament Chambers or by the Prime Minister respectively, who are responsible for the legality of these acts.

4. The issues to be the subject of the President's decrees and orders are determined in Articles 21 and 22 hereof. If necessary, the President of the Republic has the power to choose the form of the act between a decree and an order.

**Footnote. Article 20 as amended by the Constitutional Law of the Republic of Kazakhstan dated 06.05.1999 N 378; № 75-VI as of 15.06.2017 (shall be enforced on the day of its first official publication).**

#### **Article 21. The Decrees of the President of the Republic**

1. The Decrees of the President of the Republic are issued on the basis of and pursuant to the Constitution and the laws of the Republic.

2. Decrees of the President of the Republic are issued with the purpose

- 1) to carry out the constitutional powers of the President, which require a President's act;
- 2) to ensure coordinated functioning of all branches of government established by the Constitution and responsibility of government to the people of Kazakhstan;
- 3) to regulate legal matters which are beyond the legislative competence of the Parliament, the Government and other public authorities;
- 4) to take decisions on strategic issues of economic and sociopolitical development of Kazakhstan.

3. Only decrees are regulatory legal acts issued by the President of the Republic.

#### **Article 22. The Orders of the President of the Republic**

1. The Orders of the President of the Republic are issued on the basis of and pursuant to the Constitution, laws and presidential decrees.

2. The Orders of the President of the Republic are issued with purpose:

- 1) to solve problems of administrative, operational and individual nature;
- 2) to appoint or dismiss officials who do not have the constitutional status in accordance with the competence of the President of the Republic

#### **Article 23. Drafting of acts and their submission to the President for consideration**

1. Drafting of acts of the President of the Republic are be carried out by

- 1) the Administration of the President and other public authorities directly subordinate and accountable to the President of the Republic;
  - 2) the Government of the Republic;
  - 3) the Supreme Court;
  - 4) **is excluded by Constitutional law of the Republic of Kazakhstan № 75-VI as of 15.06.2017 (shall be enforced on the day of its first official publication);**
  - 5) other public authorities and officials, appointed by the President of the Republic.
2. Draft acts submitted for consideration to the President of the Republic

1) are prepared and submitted to the President in the Kazakh and the Russian languages;

2) must meet the legal and office management requirements.

3. The acts issued by the President of the Republic are numbered for the duration of his office term. The original acts of the President and the related materials are stored in the appropriate subdivision of the Presidential Administration and are sent to the Archive of the President of the Republic upon expiry of the term, established by the legislation.

4. Monitoring of the act drafting procedure and their submission to the President, established by the legislation, is carried out by the Head of the President Administration.

**Footnote. Article 23 as amended by Constitutional Law of the Republic of Kazakhstan dated 19.06 2007 N 265; № 75-VI as of 15.06.2017 (shall be enforced on the day of its first official publication).**

#### **Article 24. Amendments and Additions to the acts of the President of the Republic and their cancellation**

1. Amendments and additions

1) to the decrees of the President of the Republic are made by decrees of the President;

2) to the orders of the President of the Republic are made by orders of the President of the Republic.

2. Cancellation of decrees of the President of the Republic is made by decrees of the President of the Republic. Cancellation of orders of the President of the Republic is made by decrees and orders of the President of the Republic.

3. In case of contradiction between the acts of the President of the Republic having the same legal force, the act which came into force later is valid, unless otherwise stipulated by the relevant act of the President of the Republic.

#### **Article 25. Entry into force and publishing of the acts of the President of the Republic**

1. Normative acts of the President shall be enforced simultaneously throughout the Republic ten calendar days after their first official publication, unless otherwise specified by the President.

2. Acts of the President of the non-normative nature come into force upon signature, unless otherwise established by the President.

3. Acts of the President are subject to official publication in accordance with the Law of the Republic of Kazakhstan “On Legal Acts”.

4. Acts of the President may also be published in other press, made public on television, radio, Internet, transmitted by telegraph, Fax, sent to the relevant public authorities and organizations and their officials.

5. Acts of the President of the Republic containing state secrets or other secrets, protected by law are not to be published. A security label must be put to the originals of such acts and

they will be distributed to the relevant authorities, organizations, officials and citizens who. The content of these acts of the President may be set out in the media in accordance with the established procedure.

**Footnote. Article 25 as amended by the Constitutional Law of Republic of Kazakhstan dated 19.06.2007 N 265; № 75-VI as of 15.06.2017 (shall be enforced on the day of its first official publication).**

#### **Chapter IV Early release or discharge from office of the President of the Republic**

##### **Article 26. Early release or discharge from office of the President of the Republic**

1. The President may be prematurely released from office by the decision of the Parliament, as provided in the Constitution, in case of the continued incapacity to perform his/her duties because of illness.

2. The President is liable for his actions during his term in office only in case of high treason, i.e. a deliberate act, committed with the aim of undermining or weakening of external security and sovereignty of the Republic of Kazakhstan, in terms of transition to the enemy's side in time of war or an armed conflict, and assisting a foreign state in its hostile activities against the Republic, and may be discharged from office by the Parliament according to the Constitution.

3. The issue of discharge of the President from office may not be raised during the time he is considering early termination of powers of the Parliament or Mazhilis.

**Footnote. Article 26 as amended by the Constitutional Law of Republic of Kazakhstan dated 19.06.2007 N 265.**

##### **Article 27. Transfer of powers of President of the Republic of Kazakhstan**

1. In case of early release or discharge from office of President of the Republic of Kazakhstan, as well as in case of his death, the powers of the President, for the remaining period, are transferred to the Chairman of the Senate. By his inability to assume the powers of the President, they are transferred to the Chairman of the Mazhilis. By his inability to assume the powers of the President, they are transferred to the Prime Minister of the Republic. A person who has taken the powers of the President of the Republic lays down his powers the Chairman of the Senate, the Mazhilis and the Prime Minister correspondingly.

2. A person who has taken the powers of the President of the Republic of Kazakhstan as provided in item 1 of this Article has no right to initiate amendments to the Constitution of the Republic of Kazakhstan.

**Footnote. Article 27 as amended by the Constitutional Law of Republic of Kazakhstan dated 06. 05. 1999 N 378**

#### **Chapter V Support of the activity of the President of the Republic of Kazakhstan**

## **Article 28. State support of the President of the Republic**

Support, servicing and security of the President and his/her family are financed from the republican budget.

## **Article 29. Salary and leave of the President of the Republic**

1. The salary of the President of the Republic is prescribed by law.
2. President of the Republic is granted an annual paid leave for the period of forty-five days.

## **Article 30. Support of the President of the Republic**

1. For the duration of his/her term as President of the Republic, the person elected to this position, is provided with residences on the territory of the Republic, a service apartment in the capital of the Republic and a state country house.

2. The President of the Republic is provided by special motor vehicles, specially equipped airplanes and helicopters, as well as others of specially equipped vehicles.

3. Housing and transport services for the President of the Republic and his family members are provided by the Administrative department of the President of the Republic of Kazakhstan, as well as by the State Guard Service and the National Security Committee within their competence.

4. Medical services for the President and members of his/her family are provided by the Administrative department of the President of the Republic of Kazakhstan.

5. Special means of communication shall be provided by the State Guard Service.

5-1. A personal library and a personal archive of the President of the Republic are set up for the duration of his/her term in office.

**Footnote. Article 30 as amended by the Constitutional Law of Republic of Kazakhstan dated 06.05.1999 N 378; № 75-VI as of 15.06.2017 (shall be enforced on the day of its first official publication).**

## **Article 31. Security of the President of the Republic**

1. The protection of the President of the Republic is entrusted to the relevant unit of the State Guard Service.

2. Security extends to the spouse of the President and other family members living with him.

**Footnote. Article 31 as amended by Constitutional law of the Republic of Kazakhstan № 75-VI as of 15.06.2017 (shall be enforced on the day of its first official publication).**

## **Article 32. Administration of the President of the Republic**

Administration of the President of the Republic of Kazakhstan is a state body which is responsible for

- 1) support of the President of the Republic;
- 2) providing the President with detailed and up-to-date information about the situation in the country;
- 3) implementation of the decisions of the President of the Republic, and supervision of their fulfillment;
- 4) exercising of other powers established by the President.

### **Article 33. Consultative and advisory bodies, agencies and organizations under the President of the Republic**

1. In order to exercise the constitutional powers of the President of the Republic and ensure his activities, consultative and advisory bodies, as well as Kazakhstan People's Assembly, other institutions and organizations under the President of the Republic are formed

2. The President of the Republic:

- 1) determines the composition of consultative and advisory bodies, as well as Kazakhstan People's Assembly, forms other institutions and organizations under the President of the Republic;
- 2) appoints senior officials of advisory bodies, Kazakhstan People's Assembly, other institutions and organizations under the President of the Republic;
- 3) approves the regulations on consultative and advisory bodies, the Assembly of People of Kazakhstan, other institutions and organizations under the President of the Republic;
- 4) hears reports of senior officials of advisory bodies on the work of these bodies.

3. The staff of administrative offices of the consultative and advisory bodies under the President of the Republic, and also the staff of the administrative office of the Assembly of People of Kazakhstan are employees of the Administration of the President of the Republic, except for cases established by legislation of the Republic of Kazakhstan.

4. The management of activities and powers of the Security Council of the Republic of Kazakhstan are determined by law.

**Footnote. Article 33 as amended by Constitutional law of the Republic of Kazakhstan № 119-VI as of 22.12.2017 (shall be enforced ten calendar days after its first official publication); as amended by the Constitutional Law of the Republic of Kazakhstan dated 05.11.2022 No. 156- VII (shall be enforced ten calendar days after the date of its first official publication).**

## **Chapter VI Former Presidents of the Republic of Kazakhstan**

### **Article 34. Status of ex-Presidents of the Republic**

**Footnote. The title of Article 34 as amended by the Constitutional Law of the Republic of Kazakhstan dated 05.11.2022 No. 156- VII (shall be enforced ten calendar days after the date of its first official publication).**



1. All former Presidents of the Republic, except for discharged from office, have the title of Ex-President of the Republic of Kazakhstan.

2. Excluded by the Constitutional Law of the Republic of Kazakhstan dated 05.11.2022 No. 156-VII (shall be enforced ten calendar days after the date of its first official publication).

3. Ex-President of the Republic is entitled to attend the joint sessions of the Chambers of the Parliament of the Republic, the solemn meeting devoted to the inauguration of President of the Republic, the Republic's public holidays and other events held by the state.

4. Ex-President of the Republic is inviolable. Offences against his honour are prosecuted.

Footnote. Article 34 as amended by the Constitutional Law of the Republic of Kazakhstan dated 05.11.2022 No. 156- VII (shall be enforced ten calendar days after the date of its first official publication).

### **Article 35. Support of the activities of the Ex-Presidents of the Republic**

1. Support, servicing and security of the Ex-President of the Republic is financed by the state.

2. Ex-President of the Republic receives for his life term:

1) a pension by decision of the acting President of the Republic. This pension amounts to eighty percent of his salary and increases according to the growth of the salary of the President of the Republic;

2) an apartment and a country house with the necessary service, personal security, personal car with drivers, free travel across the country, medical care and spa treatment;

3) (the sub-item is excluded by the Constitutional Law of Republic of Kazakhstan dated 06.05.1999 N 378)

2-1. The personal archive and the personal library of President of the Republic of Kazakhstan becomes property of the Ex-President at the end of his term as President of the Republic.

Footnote. Article 35 as amended by the Constitutional Law of Republic of Kazakhstan dated 06.05.1999 N 378.

### **Article 36. Guarantees of rights of the Ex-Presidents of the Republic**

Ex-President of the Republic cannot be responsible for actions related to the execution of his/her office of the President of the Republic, except in cases of high treason.

## **Chapter VII Final Provisions**

### **Article 37. Validity of other legislative acts relating to the support of the President of the Republic**

The President of the Republic is not subject to the norms of the legislation of the Republic of Kazakhstan on public service, the labor legislation of the Republic of Kazakhstan and the legislation of the Republic of Kazakhstan in the field of pension provision.

**Footnote. Article 37 as amended by the Constitutional Law of the Republic of Kazakhstan dated 20.04.2023 No. 225-VII (shall be enforced from 01.07.2023).**

**Article 38. Entry into force of this Constitutional Law**

This Constitutional Law shall be enforced from the date of its publication.

**Footnote. Article 38 as amended by the Constitutional Law of Republic of Kazakhstan dated 06.05.1999. N 378**

*President of  
the Republic of Kazakhstan*